

**FINAL INSPECTION REPORT**  
**Under the *Retirement Homes Act, 2010***

**Inspection Information**

**Date of Inspection:** 5/16/2023

**Name of Inspector:** Melissa Meikle

**Inspection Type:** Responsive Inspection – Mandatory Report

**Licensee:** ACC-003218 - OVL Operations Inc.

**Retirement Home:** Orchard Walk Retirement Living

**License Number:** N0433

**About Responsive Inspections**

A responsive inspection, performed by an RHRA inspector, is a physical inspection of a licensed retirement home. A responsive inspection is conducted when RHRA receives information that the licensee may have failed to meet the standards of the *Retirement Homes Act, 2010* or its regulations (the “RHA”). An inspection being conducted does not infer that an allegation is substantiated or that a contravention of the RHA has occurred. A licensee is required to report to RHRA if they suspect harm or risk of harm to a resident. During a responsive inspection, an RHRA inspector may observe the operations of the home, interview relevant individuals, review records and other documentation, and determine whether the licensee’s management and staff have followed mandatory policies and practices designed to protect the welfare of residents.

Following a responsive inspection, the RHRA inspector prepares a draft inspection report which is sent to the licensee. The draft report may include instances where the licensee has failed to meet the standards of the *RHA*. If included, the licensee can respond to these instances and is strongly encouraged to inform RHRA of its plans to meet the standards of the *RHA*.

Following the draft report, the RHRA inspector prepares this final inspection report, incorporating any response from the licensee with their plans to meet the standards of the *RHA*. The most recent final inspection report must be posted in the home in a visible and easily accessible location. All final inspection reports from the previous two years must also be made available in an easily accessible location in the home. The licensee must provide a copy of this report to the home’s Residents’ Council, if one exists.

In addition to inspection reports, RHRA may provide information to a licensee to encourage improvements of their current practices.

If there is a serious incident or the licensee repeatedly does not meet the required standards, RHRA may take further action.

**Concern(s)**

*During a responsive inspection, an inspector will focus primarily on the concern(s) which prompted the inspection and may take various actions to determine whether the licensee is compliant with the RHA in relating to the concern(s). Any findings of non-compliance identified in relation to these concerns are listed below.*

**Concern #1: CON-5191-Neglect**

**RHRA Inspector Findings**

The Licensee reported to the RHRA an allegation of staff vs resident neglect. As part of the inspection, in response to the allegation, the Inspector reviewed staff training records, the resident’s care file, and interviewed relevant staff and the resident. Although the allegations were unsubstantiated, the Inspector confirmed that the staff involved did not complete training on continence care, assistance with hygiene, assistance with bathing and/or assistance with dressing. Further, there is a requirement that all staff must be trained by the Licensee upon hire, then annually on the homes Zero Tolerance of Abuse and Neglect policy, Complaint procedures, Personal Assistance Service Devices, Fire Safety, Whistle-Blowing protection, resident Bill of Rights and Infection Prevention and Control measures. The Inspector identified 5 staff that had not completed annual training and 5 staff that had not complete training prior to starting work. Additionally, plans of care must include goals of the care service provided and clear directions to staff providing the care. Further, a plan of care must be based on an assessment that includes involvement from the resident. The plan of care must be approved by a Regulated Health Professional and the resident. If a resident receives care from external care providers, the details of that service must be included in the plan of care. The Licensee failed to ensure that staff were trained as required and failed to have a completed plan of care are prescribed.

**Outcome**

The Licensee provided information indicating that corrective action was being taken, however, further action must be taken to achieve compliance with all areas outlined in the finding. RHRA to confirm compliance by following up with the Licensee or by inspection.

**Additional Findings**

*During a responsive inspection, an inspector may observe areas of non-compliance that are not related to the concern(s) which prompted the inspection. In these cases, an inspector may cite the home for these contraventions at the time of this inspection. In addition, an inspector may follow-up on findings of non-compliance from previous inspections. Where the licensee is unable to demonstrate they have come into compliance or maintained compliance, an inspector may cite the home for these repeat contraventions at the time of this inspection.*

**Not Applicable**

## Current Inspection – Citations

Citations relating to the above Concerns or Additional Findings made during the current inspection are listed below.

### The Licensee failed to comply with the RHA s. 14. (1); Staff training

#### s. 14. (1); Staff training

14. (1) For the purposes of clause 65 (2) (j) of the Act, every licensee of a retirement home shall ensure that all staff who work in the home receive training in the procedure described in subsection 73 (1) of the Act for a person to complain to the licensee.

### The Licensee failed to comply with the RHA s. 14. (2); Staff training

#### s. 14. (2); Staff training

14. (2) For the purposes of subsection 65 (4) of the Act, the licensee shall ensure that the persons who are required to receive training under subsection 65 (2) of the Act receive the training at least annually.

### The Licensee failed to comply with the RHA s. 14. (3); Staff training

#### s. 14. (3); Staff training

14. (3) For the purposes of paragraph 5 of subsection 65 (5) of the Act, every licensee of a retirement home shall ensure that every staff member who provides a care service to a resident has received or receives training in,

#### Specifically, the Licensee failed to comply with the following subsection(s):

##### s. 14. (3), (b)

(b) each care service offered in the home so that the staff member is able to understand the general nature of each of those services, the standards applicable under the Act to each of those services and the aspects of each of those services that may be relevant to the staff member's own duties in the home.

### The Licensee failed to comply with the RHA s. 14. (5); Staff training

#### s. 14. (5); Staff training

14. (5) The licensee shall ensure that the persons who are required to receive the training described in subsection 65 (5) of the Act receive that training on an ongoing basis, namely at least annually after receiving the training described in subsection (4).

### The Licensee failed to comply with the RHA s. 27. (9); Infection prevention and control program

#### s. 27. (9); Infection prevention and control program

27. (9) The licensee shall ensure that each staff member who works in the retirement home receives training on how to reduce the incidence of infectious disease transmission, including,

#### Specifically, the Licensee failed to comply with the following subsection(s):

##### s. 27. (9), (a)

(a) the need for and method of maintaining proper hand hygiene and method of preventing cross contamination, including proper handling of soiled linens, the protection of uniforms, and the separation of clean and dirty items;

##### s. 27. (9), (b)

(b) the need for and process of reporting, providing surveillance of and documenting incidents of infectious illness.

### The Licensee failed to comply with the RHA s. 62. (2); Assessment only with consent, etc.

#### s. 62. (2); Assessment only with consent, etc.

62. (2) Nothing in this section authorizes a licensee to assess or to reassess a resident without the resident's consent.

### The Licensee failed to comply with the RHA s. 62. (4); Contents of plan

#### s. 62. (4); Contents of plan

62. (4) The licensee of a retirement home shall ensure that there is a written plan of care for each resident of the home that sets out,

#### Specifically, the Licensee failed to comply with the following subsection(s):

##### s. 62. (4), (b)

(b) the planned care services for the resident that the licensee will provide, including,

##### s. 62. (4), (b), 2.

(ii) the goals that the services are intended to achieve,

##### s. 62. (4), (b)

(b) the planned care services for the resident that the licensee will provide, including,

##### s. 62. (4), (b), 3.

(iii) clear directions to the licensee's staff who provide direct care to the resident;

**The Licensee failed to comply with the RHA s. 62. (8); Integration of assessments and care**

**s. 62. (8); Integration of assessments and care**

62. (8) The licensee shall ensure that there are protocols to promote the collaboration between the staff, external care providers and others involved in the different aspects of care of the resident,

**Specifically, the Licensee failed to comply with the following subsection(s):**

**s. 62. (8), (a)**

(a) in the assessment of the resident so that their assessments are integrated and are consistent with and complement each other;

**s. 62. (8), (b)**

(b) in the development and implementation of the plan of care so that the different aspects of care are integrated and are consistent with and complement each other.

**The Licensee failed to comply with the RHA s. 62. (9); Persons who approve plans of care**

**s. 62. (9); Persons who approve plans of care**

62. (9) The licensee shall ensure that the following persons have approved the plan of care, including any revisions to it, and that a copy is provided to them:

**Specifically, the Licensee failed to comply with the following subsection(s):**

**s. 62. (9), para. 1**

1. The resident or the resident's substitute decision-maker.

**s. 62. (9), para. 2**

2. The prescribed person if there is a person prescribed for the purpose of this paragraph.

**The Licensee failed to comply with the RHA s. 65. (2); Training**

**s. 65. (2); Training**

65. (2) Every licensee of a retirement home shall ensure that no staff work in the home unless they have received training in,

**Specifically, the Licensee failed to comply with the following subsection(s):**

**s. 65. (2), (a)**

(a) the Residents' Bill of Rights;

**s. 65. (2), (b)**

(b) the licensee's policy mentioned in subsection 67 (4) to promote zero tolerance of abuse and neglect of residents;

**s. 65. (2), (c)**

(c) the protection afforded for whistle-blowing described in section 115;

**s. 65. (2), (d)**

(d) the licensee's policy mentioned in subsection 68 (3) regarding the use of personal assistance services devices for residents;

**s. 65. (2), (f)**

(f) fire prevention and safety;

**s. 65. (2), (h)**

(h) the emergency plan and the infection prevention and control program of the licensee for the home mentioned in subsection 60 (4);

**The Licensee failed to comply with the RHA s. 65. (4); On-going training**

**s. 65. (4); On-going training**

65. (4) The licensee shall ensure that the persons who are required to receive the training described in subsection (2) receive on-going training as described in that subsection at the times required by the regulations.

**Closed Citations**

*During an inspection, an inspector may follow-up with areas of non-compliance cited during a previous inspection, or verify compliance with areas initially cited during the current inspection. The inspector has verified that at the time of this report, the licensee was able to demonstrate that the following areas have come into compliance.*


**Not Applicable**

## NOTICE

The Final Inspection Report is being provided to the Licensee, the Registrar of the RHRA and the home's Residents' Council, if any.

Section 55 of the *RHA* requires that the Final Inspection Report be posted in the home in a conspicuous and easily accessible location. In addition, the Licensee must ensure that copies of every Final Inspection Report from the previous two (2) years are made available in the Home, in an easily accessible location.

The Registrar's copy of the Final Inspection Report, as it appears here, will be included on the RHRA Retirement Home Database available online at <http://www.rhra.ca/en/retirement-home-database>.

Signature of Inspector 	Date June 14, 2023
---	-----------------------