

Updates from the Long-Term Care Inspections Branch

OARC Members' Webinar

Note from OARC: January 15, 2025
The policy and statistical info captured in the slides represent a snapshot in time, used for educational purposes for the webinar.

Land Acknowledgement

Together, let us now pause as we acknowledge the Indigenous Peoples of all the lands that we are on today, from wherever we are virtually participating in today's meeting. Let us take a moment to acknowledge the importance of the land we each call home.

We do this to affirm our commitment and responsibility to improving relationships between nations, and to improving our own understanding of local Indigenous Peoples and their cultures.

We acknowledge the ancestral and unceded territory of all the Inuit, Métis, and First Nations people who call this nation home.

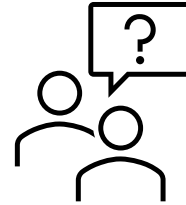
Let us now join in a moment of reflection to acknowledge the harms and mistakes of the past and to consider how each of us, in our own way, can move forward in a spirit of reconciliation and collaboration.

Webinar Housekeeping



Chat Box

The Chat feature is **disabled** during this session.



Question Box

Type questions in the Q&A box. We will answer as many as possible during the presentation.



Recording

A recorded version of this webinar will be available on OARC's website.
www.ontarc.com



Evaluation

After the webinar, a pop-up screen asking you to complete a survey will appear. Your feedback and suggestions are appreciated.

Outline

- About the Inspection Branch
- About the Inspection Process
- The Inspection Process: What's New?
- Compliance Assistance
- Inspection Findings

About the Inspections Branch

Minister of Long-Term Care

Deputy Minister

**Long-Term Care
Operations**

**System Planning
and Partnerships**

LTC Policy

**LTC Capital
Development**

**LTC
Inspections**

**Funding
and
Programs**

**Service
System
Planning &
Operational
Issues**

**Operational
Policy and
Implementation**

Our Service Commitment to the LTC Sector

As modern regulators, our inspectors commit to honesty, integrity, respect, objectivity, confidentiality, continuous learning, and timeliness.

We are trained to be:

TRANSPARENT

PROPORTIONATE

TARGETED

PROFESSIONAL

Response to Non-Compliance

The kind of action we take in response to non-compliance is based on whether the issue poses a risk to residents and whether it is widespread in the home.

***Response to
Higher Risk Issues***



***Response to
Lower Risk Issues***

Investigations and Prosecution,
Director Orders, License Revocation

Compliance Orders / Plans; Penalties

Inspections & Written Notices

Education, Outreach & Mandatory Reporting

Residents' Bill of Rights

FLTCA – Fundamental Principle:

The fundamental principle to be applied in the interpretation of this Act and anything required or permitted under this Act **is that a long-term care home is primarily the home of its residents** and is to be operated so that it is a place where they may live with **dignity** and in **security, safety** and **comfort** and have their physical, psychological, social, spiritual and cultural **needs adequately met**.

PART II
RESIDENTS: RIGHTS, CARE AND SERVICES

RESIDENTS' BILL OF RIGHTS

Residents' Bill of Rights

3 (1) Every licensee of a long-term care home shall ensure that the following rights of residents are fully respected and promoted:



RIGHT TO BE TREATED WITH RESPECT

1. Every resident has the right to be treated with courtesy and respect and in a way that fully recognizes the resident's inherent dignity, worth and individuality, regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.
2. Every resident has the right to have their lifestyle and choices respected.
3. Every resident has the right to have their participation in decision making respected.

About the Inspections Process

Types of Inspections

Inspections are **unannounced** and may be done reactively or proactively.

-  **Reactive inspections** are conducted in response to complaints or critical incidents and generally focus on the issues outlined in the complaint or incident. Follow-up inspections are also carried out whenever compliance orders are issued.
-  **Proactive inspections** are broad-based inspections done on a regular basis to ensure a home is in compliance with the Act and Regulation.

Inspection Types



COMPLAINT INSPECTION



CRITICAL INCIDENT INSPECTION



FOLLOW UP INSPECTION



PROACTIVE INSPECTION

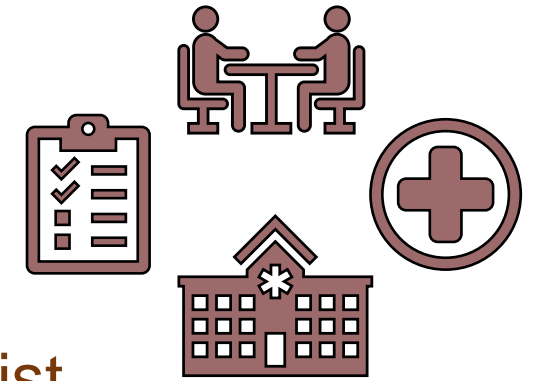


PRE-LICENSING/OCCUPANCY
ASSESSMENTS
& POST OCCUPANCY INSPECTION

Reactive
Inspections

Proactive
Inspections

About Our Inspectors

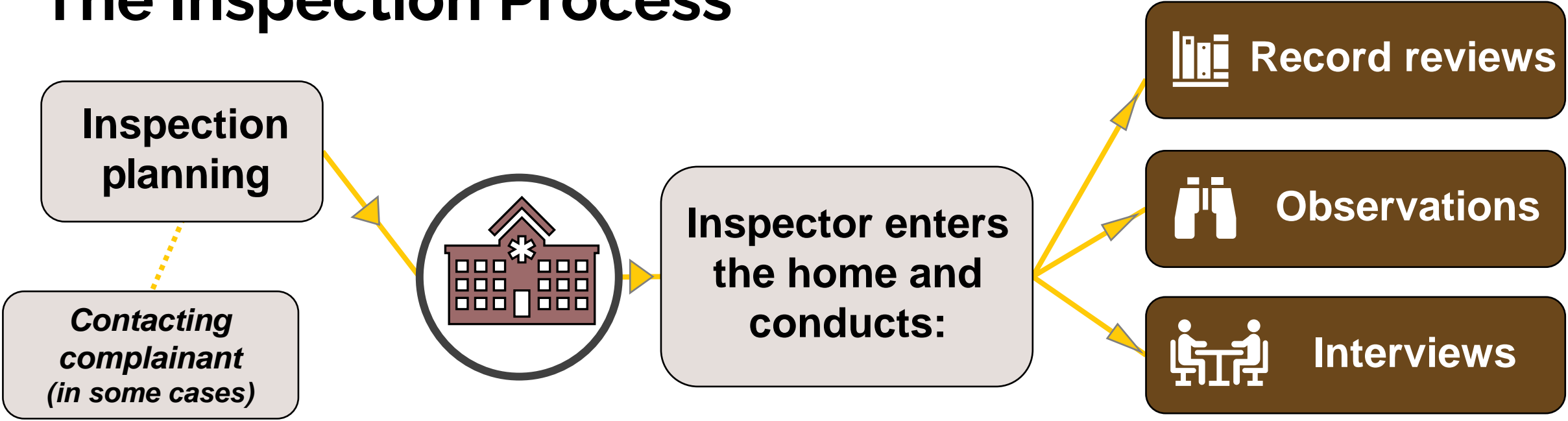


Inspectors have a current registration in good standing as a:

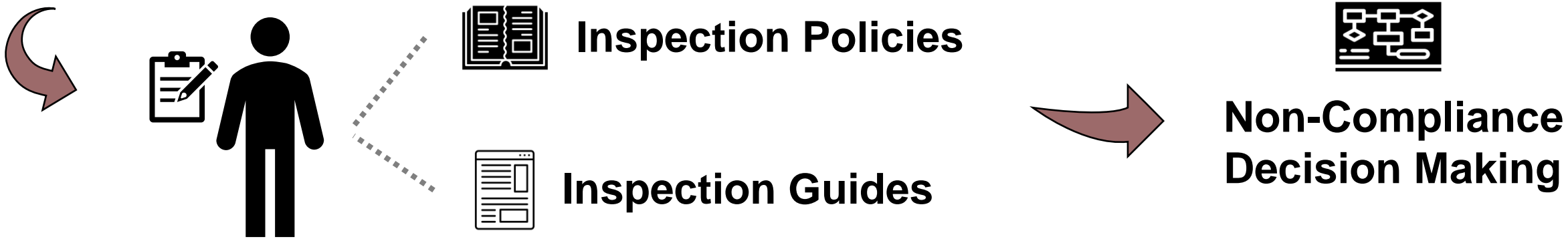
registered nurse, registered dietitian, registered physiotherapist,
social worker, occupational therapist, or speech language pathologist

- Inspectors complete extensive training and job shadowing prior to conducting inspections independently.
- They wear name tags and identify themselves upon arrival and when speaking with staff, families and residents during their inspection.
- Inspectors determine compliance with the Act and Regulations. They do not provide advice and/or recommendations on *how* to comply.

The Inspection Process



Inspector Tools



The Inspection Process

Near the end of the inspection, the following steps are taken:



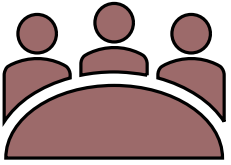
Report writing

Report review

Exit debrief,
licensee
report served

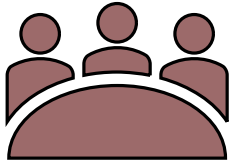
Public report
published

Residents' Councils



- A highly functioning Residents' Council is a key contributor to positive outcomes for residents.
- The FLTCA, 2021 requires every home to establish a Residents' Council made up only of residents of that LTCH.

Residents' Councils



- During **Proactive Inspections**, Inspectors speak with the Residents' Council President, review notes from previous council meetings and verify that the home is responding in writing within 10 days to the council's concerns.
- During a **Complaint** or **Critical Incident Inspection**, Inspectors will speak with the Residents' Council members if there is a connection between the complaint/critical incident and the Residents' Council.
- Residents' Council members are welcome to approach and speak with Inspectors at any time when they are in the home.

The Inspection Process: What's New?

Improved Communication

- Inspectors share their findings with the home immediately after inspection.
- Inspection reports are more concise, and easier to understand.
 - Licensees share a copy of the report with the Residents' Council
 - Licensees must post a copy of the report in the home, and must respond to the council's concerns.
- More time is spent speaking with residents.

Recording Interviews



A new policy was created in 2023 that requires inspectors to record certain conversations in the home.

There are several benefits to this policy:

- More accountability for inspectors and home staff
- Increased accuracy
- More engagement with interviewee

Compliance Assistance

Compliance Assistance

- The sector has expressed a need for assistance and support around compliance issues.
- A new and multi-pronged Compliance Assistance initiative will help homes to improve compliance outcomes.
- This will help with homes that may be inexperienced or have a lack of understanding around regulatory compliance activities.



Compliance Assistance

This initiative will build on the ways that inspectors have always provided compliance assistance, for example, through:

- Triage communications
- Inspection interviews
- Exit debriefs
- Inspection reports, and
- Post inspection report meetings.

Compliance Assistance

In addition to the existing support we provide, the new initiative will include data analysis, inspector training, as well as support and resources for the sector.

Also, we will provide focused, one to one support to individual homes on a voluntary basis.



Compliance Assistance

To guide our work in this area, we are relying on feedback from ministry inspectors as well as sector representatives.

Inspector Advisory Group

Front-line expertise and guidance provided to the ministry.

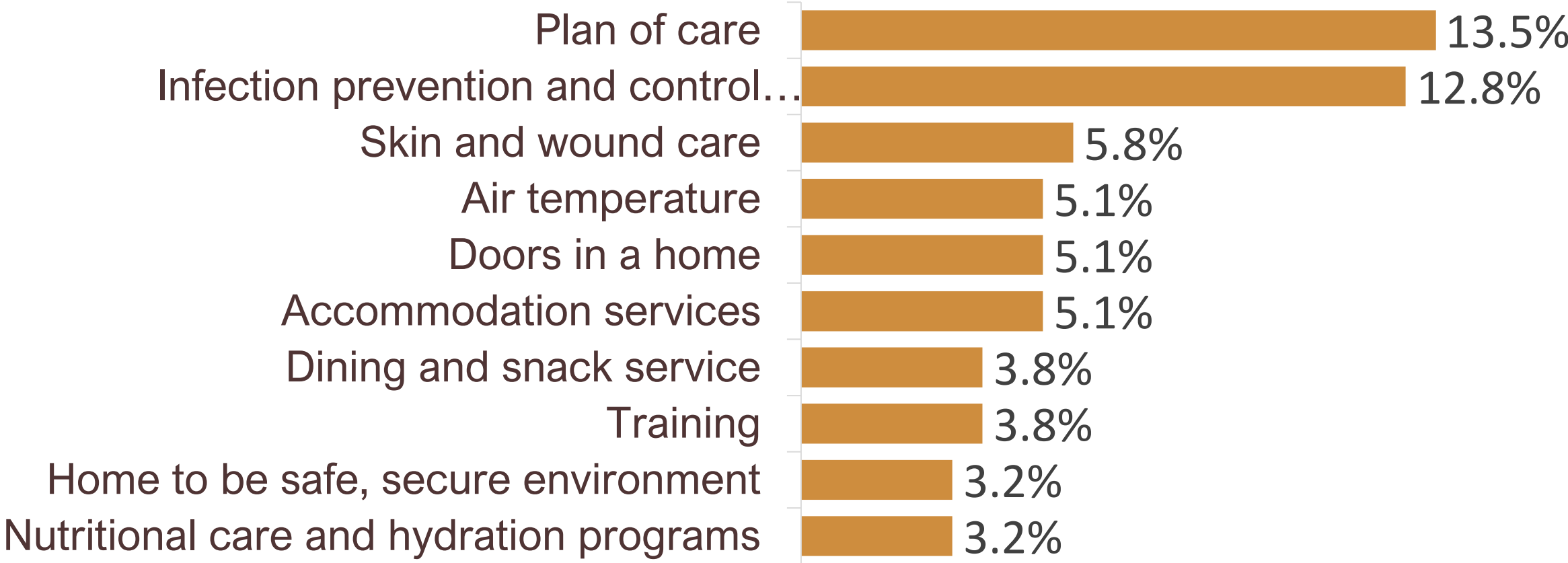
Compliance Assistance Engagement Panel

A forum for sector representatives to engage with MLTC leadership and staff.

Inspection Findings

Inspection Findings

Top 10 Compliance Orders Issued During Proactive Inspections *(during the past 2 years, by legislative section)*

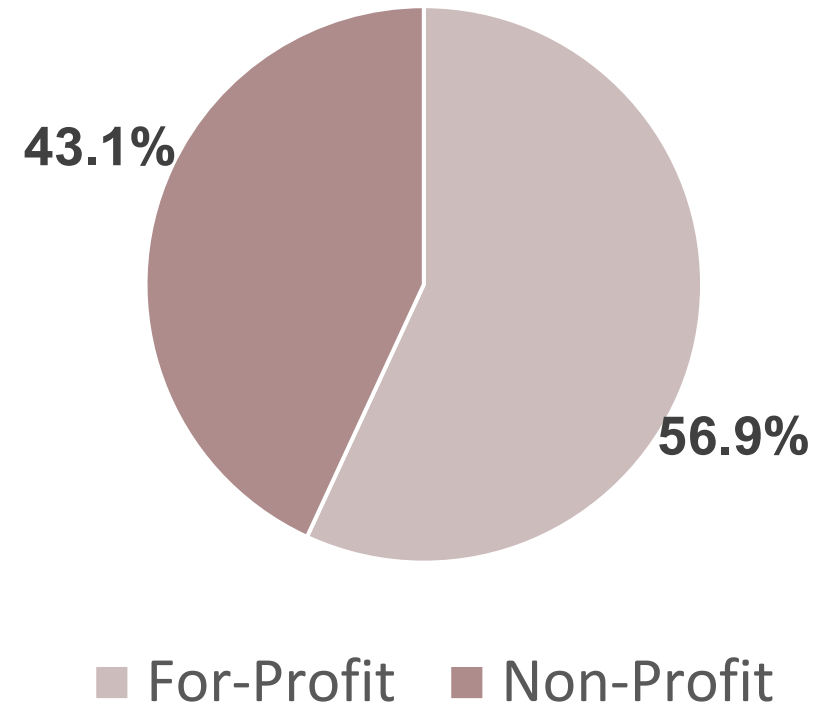


Inspection Findings

When non-compliance is issued related to Resident Councils:

- 56.9% of the time it is issued in 'For-Profit' homes, and
- 43.1% of the time it is issued in 'Non-Profit' homes.

Non-Compliance Rate for Resident Council-Related Issues, by Sector

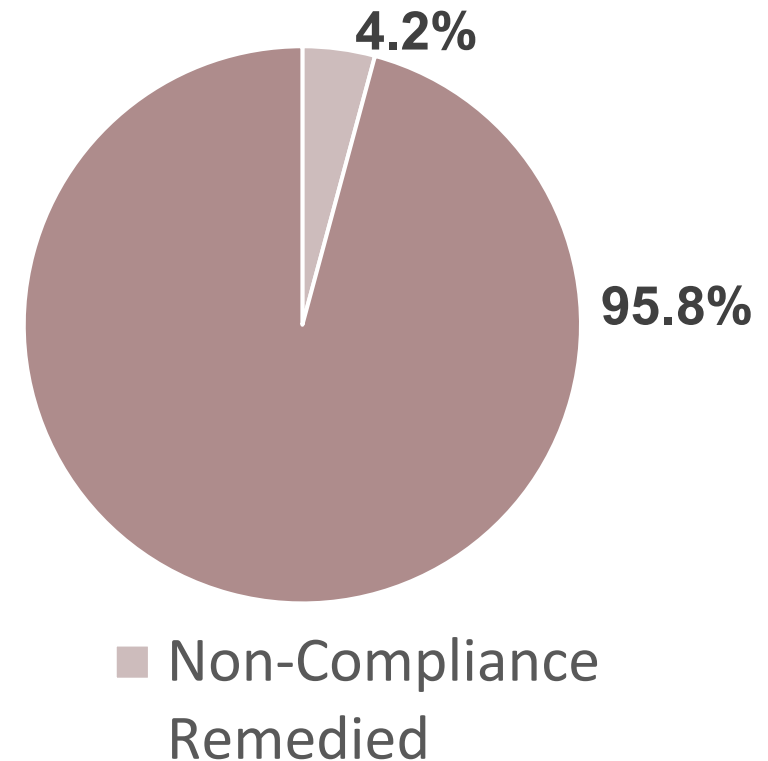


Inspection Findings

When inspectors find problems related to Residents' Councils, they issue:

- Written Notifications (95.8% of the time), and
- Non-Compliance Remedied (4.2% of the time).

Non-Compliance Type for Residents' Council Issues



Inspection Findings

When non-compliances are issued related to Residents' Council matters, they mostly fall under the following three categories:

- Residents and Family/Caregiver Experience Survey (**52.1%** of the time),
- Powers of Residents' Council (**36.1%** of the time),
- Duty of Licensee to Consult Councils (**4.2%** of the time).

Inspection Findings

Less frequently, these non-compliances fall under the remaining categories:

- Residents' Council (**2.1%**)
- Information for Residents etc. (**1.4%**)
- No Interference by Licensee (**1.4%**)
- Attendance at Meetings—licensees, staff, etc. (**0.7%**)
- Licensee Duty to Meet with Council (**0.7%**)
- Residents' Bill of Rights (**0.7%**)
- Residents' Council Assistant (**0.7%**)

Inspection Findings (summary of two previous slides)

When non-compliances are issued related to Residents' Council matters, they fall under the following categories.

Residents and Family/Caregiver Experience Survey	52.1%
Powers of Residents' Council	36.1%
Duty of Licensee to Consult Councils	4.2%
Residents' Council	2.1%
Information for Residents etc.	1.4%
No Interference by Licensee	1.4%
Attendance at Meetings—licensees, staff, etc.	0.7%
Licensee Duty to Meet with Council	0.7%
Residents' Bill of Rights	0.7%
Residents' Council Assistant	0.7%

Questions