

Long-Term Care Homes Quality Inspection Program (LQIP)

Program Updates

Champlain Family Councils meeting

November 4th, 2017

Long-Term Care Inspections Branch
Long-Term Care Homes Division
Ministry of Health and Long-Term Care



Today's Agenda

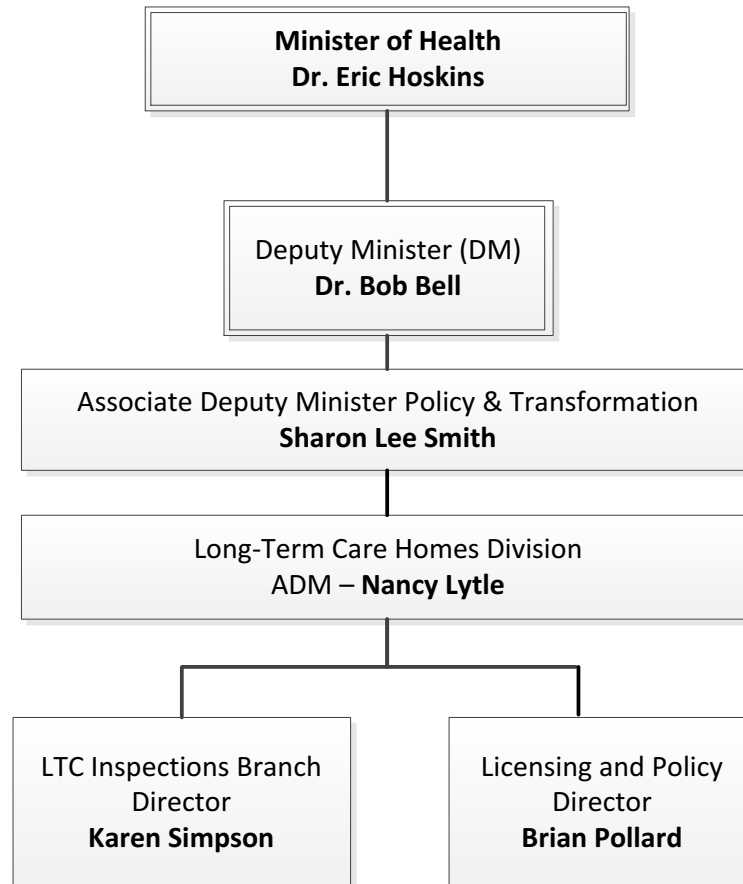
1. Introduction
2. Report of the Auditor General—Update on the ministry's action plan in response to the recommendations
3. Program Updates:
 - Proposed enforcement options
 - Re-organization of the LTC Inspections Branch
4. Inspection statistics
5. Questions

Addendum

1. Powers of Family Councils – overview

Organizational Structure at MOHLTC

LTC Oversight



Brian Pollard – Acting ADM

Michelle-Ann Hylton – Interim Director, Licensing & Policy

Quality in Long-Term Care: The Foundation

Long-Term Care Homes Act, 2007

Resident-centered Care ~ Public Accountability ~ Preserving and Promoting Quality

TRANSPARENCY

- Reporting of Quality of Care Indicators (HQO)
- Public reporting of quality indicators and posting of QIPs
- Inspection reports posted and shared with Residents' and Family Councils

CAPACITY BUILDING

- Programs that build capacity for quality improvement



COMPLIANCE INSPECTIONS

- LTC Quality Inspection Program (LQIP)
- Critical Incident
- **Resident Quality Inspection (RQI)**
- Complaint
- Follow Up

CONTINUOUS QUALITY IMPROVEMENT

- Quality Improvement Plans (QIP)

Excellent Care for All Act, 2010

Patient-centered Care ~ Accountable ~ Safe ~ Equitable

LTC Homes Quality Inspection Program (LQIP)

Long-Term Care Homes Act, 2007

Residents' Bill of Rights

LTC Home Residents

⇒ ⇒ System advocates ~ Public spotlight ~ Investigations (OO + OAGO) ⇐ ⇐

Long-Term Care Homes Quality Inspection Program (LQIP)

Safeguards residents' rights, safety, and quality of care by conducting inspections & inquiries to ensure Licensee compliance with LTCHA and Regulation.

Complaint Inspections

- Responds to info ministry receives from public, residents/families, etc.
- Via INFOLine, correspondence, etc.
- LTCHA requirements for Director to immediately inspect certain types of reports.

Critical Incident Inspections

- Responds to information submitted by LTCHs
- Mandatory reports and reportable incidents as per LTCHA

Resident Quality Inspections (RQI)

- Cornerstone methodology – all types aligned.
- researched & tested; Resident-focused; aligned with LTCHA .
- 2-stage inspection:
- Requires a team of certified/trained inspectors
- Requires inspectors with clinical assessment training

Follow-up Inspections

- Occurs when Compliance Orders are issued.
- Inspection conducted after compliance date expires to ensure non-compliance is corrected

Over 2,000 pieces of information/month assessed & triaged

Report of the Auditor General: Action Plan Update

Report of the Auditor General of Ontario

- Formal report presented to the Ontario Legislature by AG in December 2015
- Key streams of activities underway to address recommendations:

Progress
Overall completion rate @ 80%

Timeliness of Inspections

- Timeliness of inspection response to Complaints and Critical Incidents
- Tracking, prioritizing, monitoring through increased internal audits
- Safety & high risk focus
- Provincial consistency re quality of inspectors' work

Overall Quality Improvement

- Clarity of mandate
- Public transparency
- Development of:
 - ✓ Key Performance Indicators (KPIs)
 - ✓ Balanced scorecard
 - ✓ Inspection dashboards for various levels of reporting

Improved Enforcement

- Address recurring non-compliance through more consistent and timely ministry response
- Performance accountability by LTC Home Licensees
- Communication and transparency re inspection results to:
 - ✓ Licensees
 - ✓ Public

Safety Assurance

- Mitigation of risk related to fire safety
- ✓ Ex. collaboration with Ontario Fire Marshal

Proposed Enforcement Options

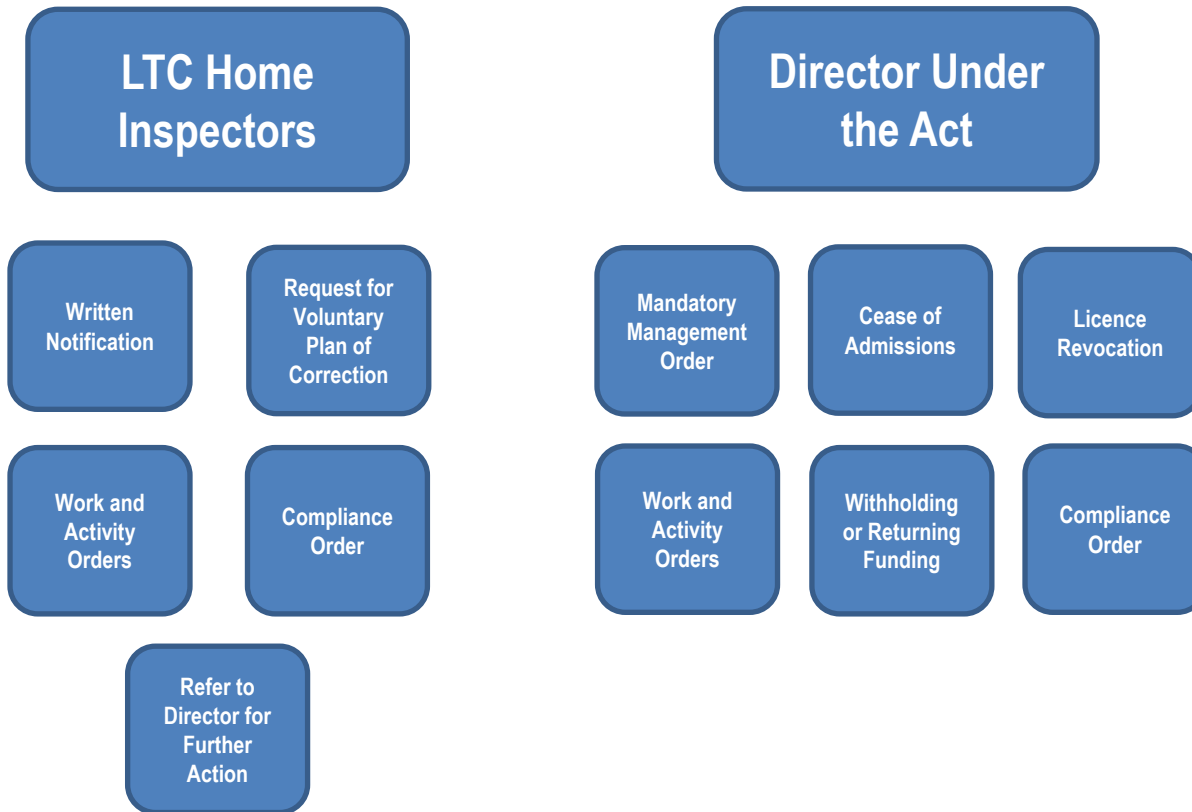
Proposed enforcement tools to strengthen long-term care home inspections

Excerpt from January 11, 2017 MOHLTC News Release

While the vast majority of long-term care homes are in compliance with provincial rules and regulations, Ontario intends to strengthen its quality and safety inspection program with new enforcement tools -- including financial penalties -- to ensure that all home operators are addressing concerns promptly. These proposed new tools would include:

- Financial penalties that would be applied to those operators who repeatedly do not comply with the requirements of the *Long-Term Care Homes Act, 2007*, as recommended by the Auditor General in her 2015 annual report. Any financial penalties would not negatively impact patient care
- Provisions to enable the Minister to provide direction to long-term care homes to support improvements in care, for example directing all long-term care homes to use a new skin and wound care best practice protocol
- Establishing new offences that would provide additional protections for residents, if needed, such as an offence for failing to protect residents
- Minister and Director's authority to suspend an operator's licence and order interim management
- Improvements to the transparency of the inspection process, including publicly posting directives to long-term care homes.

Existing Compliance, Enforcement and Other Tools



Planned Enhancements To Our Compliance Landscape

Proposed Legislative & Regulation Changes

Policy Changes

Administrative
Monetary Penalties
(AMPs)

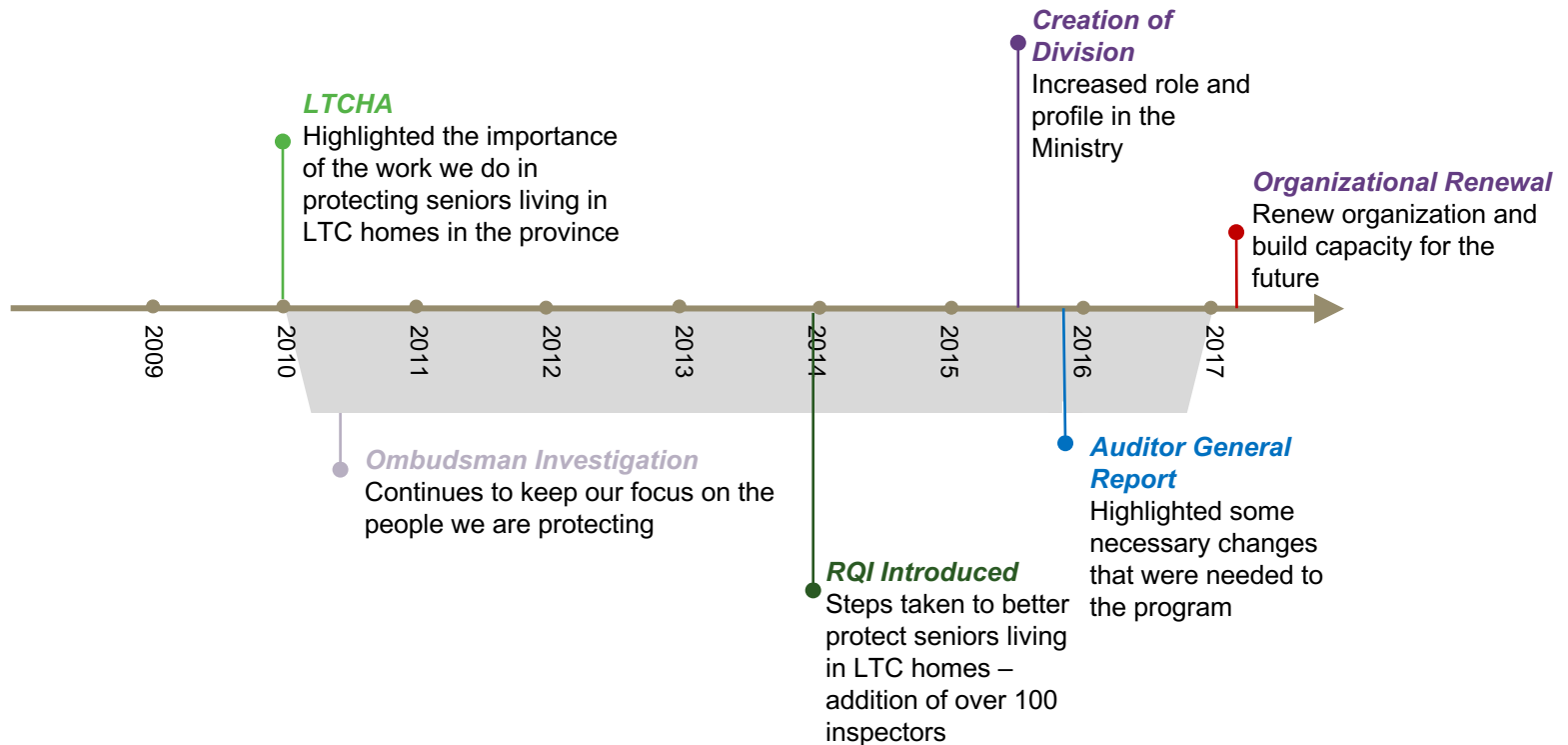
New Offence
provisions

Other New Legislative
provisions

Response to Continued Non-Compliance

Re-organization of the LTC Inspections Branch

Drivers for Change – External Influences



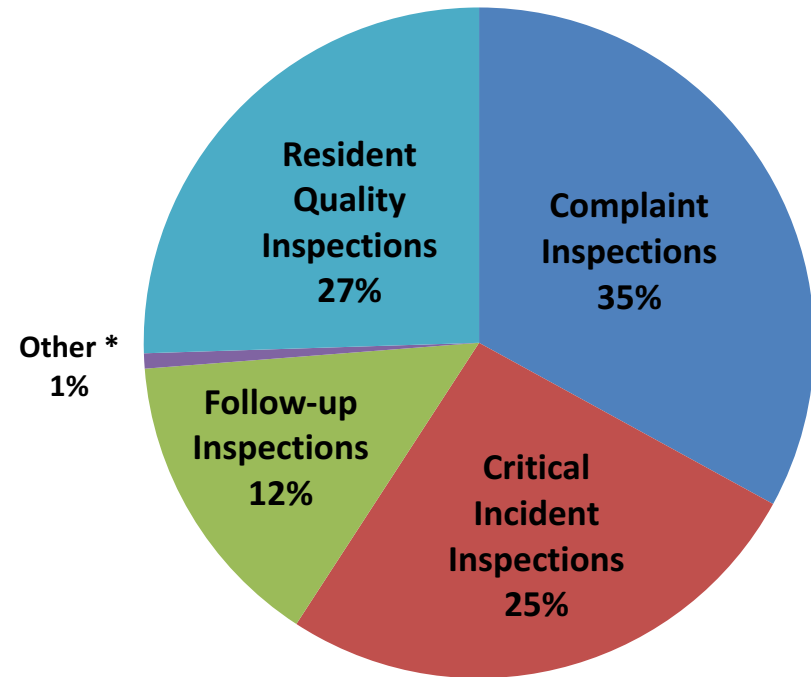
What Are We Doing?

- Opening two new Service Area Offices (SAOs) in Oshawa and Central Southwestern Ontario (potentially Waterloo area) to better distribute workload across the province
- Adding management roles for enhanced leadership and oversight
- Adding centralized functions to improve capacity to address:
 - Training & development
 - Recruitment
 - Quality assurance and business process improvement
 - Project management, including data analytics
- Implementing Change Management strategies to support the changes

Inspection Analytics

Provincial Inspections: January 1, 2016 – January 31, 2017

Inspection Type	# of Inspections: Jan 1, 2016 - Jan 31, 2017
Complaint	801
Critical Incident	580
Follow-up	278
Other *	20
RQI **	627
Total	2,306



- We also inspected **6,287** Complaints and Critical Incidents as part of our 2016 inspections.

* Other inspections include: SAO-Initiated inspections, Post-occupancy, Special Inspection, etc.

** RQIs counted based on Last Onsite Date. CCF inspections counted based on when the report is synched with the IQS server

Summary of Non-Compliance Related to Councils (s. 59-68)

Section	Sub Section	2016			
		CO	VPC	WN	Total
s. 59. "Family Council"			4	12	16
"Licensee to Assist"	(3)				0
s. 60. "Powers of Family Council"			12	30	42
s. 61. "Family Council Assistant"				2	2
s. 65. "No Interference by a Licensee"		1	1	2	4
s. 67. "Duty of Licensee to Consult Councils"			1	9	10
Grand Total		1	18	55	74

Summary of Non-Compliance Related to Councils (s. 59-68)

Section	Sub Section	2017			
		CO	VPC	WN	Total
s. 59. "Family Council"			3	12	15
"Licensee to Assist"	(3)	1			1
s. 60. "Powers of Family Council"			3	9	12
s. 61. "Family Council Assistant"					0
s. 65. "No Interference by a Licensee"				1	1
s. 67. "Duty of Licensee to Consult Councils"			5	5	10
Grand Total		1	11	27	39

Summary of Non-Compliance Related to Councils (s. 59-68)

Section	Sub Section	2016-2017
		Grand Total
s. 59. "Family Council"		31
"Licensee to Assist"	(3)	1
s. 60. "Powers of Family Council"		54
s. 61. "Family Council Assistant"		2
s. 65. "No Interference by a Licensee"		5
s. 67. "Duty of Licensee to Consult Councils"		20
		113

Inspection results ~ what have we found?

Home Size and Frequency of Inspections & Non-compliances:

- Very low correlation between the LTCH size and the total number of inspections of any type.
- Practically no correlation between LTCH size and the total number of non-compliances, particularly Compliance Orders.

⇒ **Conclusion:** Confirms 2015 results.

Size of LTCH is not a significant factor in inspection results.

Inspection results ~ what have we found?

Type of Non-Compliance	Average # during RQI		
	2014	2015	2016
Written Notification	12	10	8
Compliance Order	2	1.03	0.85

ADDENDUM

Family Councils ***Provisions under LTCHA***

s. 59 to 61 ~ Family Council

s. 62 to 68 ~ General

LTCHA, Part IV (Councils)

Sections 59 to 61 re Family Council

Section 59 – Family Council	
s. 59(1) – Family Council	Every LTCH may have a Family Council
s. 59(2) – Request for FC	If no FC, a family member of a resident or a person of importance to a resident may request the establishment
s. 59(3) – Licensee to assist	Licensee <u>shall</u> assist in establishing a FC within 30 days of receiving request
s. 59(4) – Notification of Director	When FC established, licensee to notify Director within 30 days of establishment
s. 59(5) – Right to be a member	Family member of a resident or a person of importance to a resident may be a member
s. 59(6) – Who <u>may not</u> be a member	List of persons who may not be members: ex. licensee or management of LTCH, officer/director of licensee, LTCH Administrator or staff
s. 59(7) – Licensee obligations if no FC	If no FC, licensee shall: (a) advise of right to establish; and (b) convene semi-annual mtgs to advise of right to establish

LTCHA, Part IV (Councils)

Sections 59 to 61 re Family Council (*cont'd*)

Section 60 – Powers of Family Council

s. 60(1) – Powers of Family Council Any or all of the following:	1. Provide assistance, information & advise to residents, family members of residents & persons of importance to residents incl. newly admitted residents
	2. Advise re rights & obligations under the LTCHA
	3. Advise re rights & obligations of the licensee under the LTCHA or agreement
	4. Attempt to resolve disputes between licensee & residents
	5. Sponsor and plan activities for residents
	6. Collaborate w/ community groups & volunteers re activities for residents

LTCHA, Part IV (Councils)

Sections 59 to 61 re Family Council *(cont'd)*

Section 60 – Powers of Family Council *(cont'd)*

<i>(Cont'd)</i> s. 60(1) – Powers of Family Council Any or all of the following:	7. Review: <ul style="list-style-type: none">i. inspection reports & summaries received under s. 149 [re required inspections];ii. detailed allocation, by the licensee, of funding under LTCHA & amounts paid by residentsiii. Financial statements re the home filed w/ the Director under the regulations; andiv. the operation of the home
	8. Advise the licensee of any concerns/recommendations from FC re operations of the home
	9. Report to the Director any concerns/recommendations that, in opinion of FC should be brought to the Director's attention
	10. Exercise any other powers provided for in regulations
s. 60(2) – Duty to respond	If FC has advised the licensee of concerns/recommendations, the licensee <u>shall</u> respond to FC in writing, within 10 days of receiving the advice

LTCHA, Part IV (Councils)

Sections 59 to 61 re Family Council (*cont'd*)

Section 61 – Family Council assistant	
s. 61(1) – Family Council assistant	If FC requests, the licensee shall appoint a Family Council assistant who is acceptable to FC and who will assist the FC
s. 61(2) – Duties	FC assistant will take instructions from FC, ensure confidentiality where requested and report to the FC

LTCHA, Part IV (Councils)

Sections 62 to 68 re General provisions re Councils (cont'd)

Section 62 to 68 – General (cont'd)

<p>s. 65 – No interference by licensee</p> <p>A licensee of a LTCH:</p>	<p>(a) shall not interfere w/ meetings or operation of RC/FC</p>
	<p>(b) shall not prevent a member if the RC/FC from entering the home to attend a meeting of the Council or to perform any function as a member of the Council and shall not otherwise hinder, obstruct or interfere with such a member carrying out those functions</p>
	<p>(c) shall not prevent a RC/FC assistant from entering the home to carry out duties or otherwise hinder, obstruct or interfere with the assistant carrying out duties</p>
	<p>(d) shall ensure that no staff member, including Administrator, and other persons involved in the management/operation of the home does anything the licensee is forbidden to do</p>

LTCHA, Part IV (Councils)

Sections 62 to 68 re General provisions re Councils (*cont'd*)

Section 62 to 68 – General (<i>cont'd</i>)	
s. 66 – Immunity – Council members, assistants	No action or proceeding shall be commenced against a member of RC/FC or their assistants for anything done or omitted to be done in good faith in their capacity as a member or assistant
s. 67 – Duty of Licensee to consult Councils	Licensee has duty to consult regularly w/ RC/FC (if any), and in any case, shall consult w/ them every 3 months
s. 68 – Regulations	Regulation-making provisions – Power of Lieutenant Governor in Council to make regulations

Questions

Thank You