

Home-related – Triggered

Inspection Number:
Date:

(hard copy use only)

Inspector ID:

Home Name:

Definition / Description In relation to a long-term care home, staff refers to persons who work at the home: Staff: as employees of the licensee, pursuant to a contract or agreement with the licensee, or pursuant to a contract or agreement between the licensee and an employment agency or other third party. The following are the exceptions to the requirement that at least one registered nurse 24-hour nursing who is both an employee of the licensee and a member of the regular nursing staff of care - exceptions: the home is on duty and present in the home at all times, as required under subsection 8 (3) of the LTCHA: For homes with a licensed bed capacity of 64 beds or fewer: • a registered nurse who works at the home pursuant to a contract or agreement between the nurse and the licensee and who is a member of the regular nursing staff may be used. • in the case of an emergency where the back-up plan referred to in clause 31 (3) (d) of the Regulation fails to ensure that the requirement under subsection 8 (3) of the LTCHA is met, a registered nurse who works at the home pursuant to a contract or agreement between the licensee and an employment agency or other third party may be used if the Director of Nursing and Personal Care or a registered nurse who is both an employee of the licensee and a member of the regular nursing staff is available by telephone, or a registered practical nurse who is a member of the regular nursing staff may be used if the Director of Nursing and Personal Care or a registered nurse who is both an employee of the licensee and a member of the regular nursing staff is available by telephone. For homes with a licensed bed capacity of more than 64 beds and fewer than 129 beds: in the case of a planned or extended leave of absence of an employee of the licensee who is a registered nurse and a member of the regular nursing staff, a registered nurse who works at the home pursuant to a contract or agreement with the licensee and who is a member of the regular nursing staff may be used,



Definition / Descri	
	 in the case of an emergency where the back-up plan referred to in clause 31 (3) (d) of the Regulation fails to ensure that the requirement under subsection 8 (3) of the LTCHA is met, a registered nurse who works at the home pursuant to a contract or agreement between the licensee and an employment agency or other third party may be used if, the Director of Nursing and Personal Care or a registered nurse who is both an employee of the licensee and a member of the regular nursing staff is available by telephone, and
	 a registered practical nurse who is both an employee of the licensee and a member of the regular nursing staff is on duty and present in the home.
	For all homes, in the case of a pandemic that prevents a registered nurse from getting to the home, and where the back-up plan referred to in clause 31 (3) (d) of the Regulation fails to ensure that the requirement under subsection 8 (3) of the Act is met,
	 a registered nurse who works at the home pursuant to a contract or agreement with the licensee or who works at the home pursuant to a contract or agreement between the licensee and an employment agency or other third party may be used,
	 a registered practical nurse who is an employee of the licensee or who works at the home pursuant to a contract or agreement with the licensee or who works at the home pursuant to a contract or agreement between the licensee and an employment agency or other third party may be used if the Director of Nursing and Personal Care or a registered nurse is available for consultation, or
	 a member of a regulated health profession who is a staff member of the home and who has a set of skills that, in the reasonable opinion of the licensee, would allow them to provide care to a resident, may be used if the Director of Nursing and Personal Care or a registered nurse is available for consultation.
	*In this section "emergency" means an unforeseen situation of a serious nature that prevents a registered nurse from getting to the long-term care home.
Exemption, small homes at hospitals:	 The following are the exceptions to the requirements under subsections 8 (3) and (4) of the LTCHA with respect to the home, as long as the following conditions apply: The home has a licensed bed capacity of 39 beds or fewer. The home adjoins a hospital under the <i>Public Hospitals Act</i>. A registered nurse is on duty and present anywhere on the site, including the hospital.



Use

The home-related triggered IP is used to review whether the home has sufficient staffing during the Resident Quality Inspection of the LTC home.

The inspector may also select and complete this IP when a concern related to sufficient staffing is raised while conducting any type of inspection.

The inspection focuses on the licensee's obligations to meet the requirements of the *Long-Term Care Homes Act, 2007 and Ontario Regulation 79/10* in the following areas:

LTCHA s.8 O. Reg. 79/10 s.31, s.45, s. 45.1, s.46, O. Reg. 399/15, s. 1. s.47	Nursing and personal support services
LTCHA s.12	Medical services
LTCHA s.70	Administrator
LTCHA s.71 O. Reg. 79/10 s. 213	Director of nursing and personal care
LTCHA s.72 O. Reg. 79/10 s. 214	Medical director
LTCHA s.73	Staff qualifications
O. Reg. 79/10 s.61, s.63, s.64	Restorative care
O. Reg. 79/10 s.80, s.82, s.83, s.84	Attending physician and RNs(EC)

Procedure

Each section within this IP contains statements that provide guidance to the inspector in the collection of information during an inspection and may not be applicable in every situation. The information collected will be used to determine whether a home is in compliance with the LTCHA.

During the Resident Quality Inspection:

- 1. This triggered task will be completed on one (1) IP.
- 2. Only the relevant sections and applicable questions are required to be answered.
- 3. The inspector must document evidence to support non-compliance in the 'Notes' section when answering 'No'.

Note: There are transitional regulations related to this IP. Inspector(s) will identify any non-compliance related to the transitional regulations through ad hoc notes.

PART A:

Observation / Interview / Record Review

Determine through observation, interview and record review whether the home has sufficient, qualified staffing available to meet the residents' needs and to monitor the delivery and quality of care.

For review of nursing staffing:

Compare the written staff schedule provided to the staff observed in the home to determine whether there is at least one registered nurse on duty and present at all times (unless there is an allowable exception).

Interview staff to determine whether the registered staff are available to:



Observation / Interview / Record Review

- Supervise and monitor the delivery of care by personal support workers according to residents' care plans
- Assess resident condition changes
- Monitor dining activities to identify concerns or changes in residents' needs
- Respond to personal support workers' requests for assistance.

Resident /substitute decision-maker interview:

- Inquire about staff response to requests for assistance
- Inquire about the timeliness of staff when assistance is requested
- Determine whether any problems are home-wide, cover all shifts, or are limited to certain home areas or shifts, or days of the week.

Information Gathering

Notes

24-hour nursing care

No.	Yes	No	N/A	Question	Act/Reg.
1.				Is there at least one registered nurse who is an employee of the licensee and a member of the regular nursing staff on duty and present at all times unless there is an allowable exception to this requirement? (See definition/description for list of exceptions as stated in section 45.(1) and 45.1 of the regulation.)	s. 8 (3)
				Note: In this section "regular nursing staff" means a member of the registered nursing staff who works in a long-term care home at fixed or prearranged intervals	
Notes		1	1		

Staffing Plan

No.	Yes	No	N/A	Question	Act/Reg.
2.				Is there a written staffing plan for the nursing and personal support services programs?	r. 31 (2)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
3.				Does the staffing plan: (a) provide for a staffing mix that is consistent with residents' assessed care and safety needs?	r. 31 (3) (a), (b), (c), (d) and (e)



	(c)	set out the organization and scheduling of staff shifts? promote continuity of care by minimizing the number of different staff members who provide nursing and personal support services to each resident?	
	t t	include a back-up plan for nursing and personal care staffing that addresses situations when staff cannot come to work? (including 24/7 RN coverage)	
		get evaluated and updated at least annually in accordance with evidence-based practices and, if there are none, in accordance with prevailing practices?	
Notes			

No.	Yes	No	N/A	Question	Act/Reg.
4.				Is there a written record of each annual evaluation of the staffing plan including the date of the evaluation, the names of the persons who participated in the evaluation, a summary of the changes made and the date that those changes were implemented?	r. 31 (4)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
5.				Has the home ensured that during the hours that an Administrator or Director of Nursing and Personal Care works in that capacity, he or she shall not be considered to be a registered nurse on duty and present in the long-term care home for the purposes of section 8 (3) of the Act?	s. 8 (4)
Notes				· · · · · ·	

Personal Support Workers

No.	Yes	No	N/A	Question	Act/Reg.
6.				Have all the persons hired on or after January 1, 2016 as personal support workers or to provide personal support services, regardless of title, has successfully completed a personal support worker program that meets the requirements listed below and has provided the licensee with proof of graduation issued by the education provider?	r. 47 (1) (a), (b)
Notes					

 No.
 Yes
 No
 N/A
 Question
 Act/Reg.

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		 Does the personal support worker program meet?: the Personal Support Worker Program Standard published by the Ministry of Training, Colleges and Universities dated July 2014, or 	r. 47 (2) (a) (i) (ii), (b)
7.		 the Personal Support Worker Training Standard published by the Ministry of Training, Colleges and Universities dated October 2014; and 	
		 must be a minimum of 600 hours in duration, counting both class time and practical experience time. 	

No.	Yes	No	N/A	Question	Act/Reg.
8.				Despite subsection (1), has the licensee hired personal support workers or others to provide personal support services, provided they meet the following conditions: (a) a registered nurse or registered practical nurse, (i) who, in the opinion of the Director of Nursing and Personal Care, has adequate skills and knowledge to perform the duties of a personal support worker, and (ii) who has the appropriate current certificate of registration with the College of Nurses of Ontario; (b) a person who was working or employed at a long-term care home as a personal support worker at any time in the 12-month period preceding July 1, 2011, if, (i) the person was working as a personal support worker on a full-time basis for at least three years during the five years immediately before being hired, or (ii) the person was working as personal support worker on a part-time basis for the equivalent of at least three full-time years during the seven years immediately before being hired; (c) a person who is enrolled in an educational program for registered nurses or registered practical nurses and who, in the opinion of the Director of Nursing and Personal Care, has adequate skills and knowledge to perform the duties of a personal support worker; (d) a person who is enrolled in a program described in subsection (2) and who is completing the practical experience requirements of the program, but such a person must work under the supervision of a member of the registered nursing staff and an instructor from the program; (e) a person, (i) who has a diploma or certificate granted in another jurisdiction resulting from a program that was a minimum of 600 hours in duration, counting both class time and practical experience time, (ii) who has a set of skills that, in the reasonable opinion of the licensee, is equivalent to those that the licensee would expect of a	r. 47 (3 (a) (i) (ii), (b)(i)(ii), (c), (d), (e) (i)(ii)(iii), (f)(i)(ii)(iii) and (g)



person who has completed a program referred to in clause (2) (a), and	
(iii) who has provided the licensee with proof of graduation issued by	
the education provider;	
(f) a person who is enrolled in a program that is a minimum of 600	
hours in duration, counting both class time and practical experience	
time, and meets,	
(i) the vocational standards established by the Ministry of Training,	
Colleges and Universities,	
(ii) the standards established by the National Association of Career	
Colleges, or	
(iii) the standards established by the Ontario Community Support	
Association,	
but such a person must work under the supervision of a member of the	
registered nursing staff and an instructor from the program; or	
(g) a person who, by July 1, 2018, has successfully completed a	
personal support worker program that meets the requirements set out	
in clause (f), other than the requirement to work under supervision, and	
has provided the licensee with proof of graduation issued by the	
education provider.	

No.	Yes	No	N/A	Question	Act/Reg.
9.				Has the home ceased to employ as a personal support worker, or as someone who provides personal support services, regardless of title, (a) a person who was required to be enrolled in a program described in clause (3) (c) or (d) if the person ceases to be enrolled in the program or fails to successfully complete the program within five years of being hired; (b) a person who was required to be enrolled in a program described in clause (3) (f) if the person ceases to be enrolled in a program described in clause (3) (f) if the person ceases to be enrolled in the program or fails to successfully complete the program by July 1, 2018; and (c) a person who was required to be enrolled in a program described in clause (3) (c), (d) or (f) if the person fails to provide the licensee with proof of graduation from the program within 90 days of the graduation.	r. 47 (4) (a), (b), (c)
Notes					

Certification of nurses

No.	Yes	No	N/A	Question	Act/Reg.
10.				Does every registered nursing staff (registered nurse, registered practical nurse, registered nurse in the extended class) have the appropriate current certificate of registration with the College of Nurses of Ontario?	r. 46
Notes					

Director of Nursing and Personal Care (DONPC)



Inspection Protocol Sufficient Staffing

No.	Yes	No	N/A	Question	Act/Reg.
11.				Does the home have a Director of Nursing and Personal Care?	s. 71 (1)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
12.				Is the Director of Nursing and Personal Care a registered nurse?	s. 71 (2)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
13.				Does the DONPC supervise and direct the nursing staff and personal care staff and the nursing and personal care provided by them?	s. 71 (3) (a)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
<u>NO.</u>	Tes	NO	N/A	 If hired after July 1, 2010, does the DONPC have: (a) at least one year of experience working as a registered nurse in the long-term care sector? (b) at least three years of experience working as a registered nurse in a managerial or supervisory capacity in a health care setting? (c) demonstrated leadership and communication skills? Note: A person who was working or employed as a Director of	r. 213 (4) (a), (b), and (c)
14.				Nursing and Personal Care in a long-term care home immediately before July 1, 2010 may be hired as a Director of Nursing and Personal Care in a different home if the person worked or was employed as a Director of Nursing and Personal Care in a long-term care home,,	
				(a) on a full-time basis for at least three years during the five years immediately before being employed in the different home; or	
				(b) on a part-time basis for the equivalent of at least three full-time years during the seven years immediately before being employed in the different home.	
Notes			-	·	

No.	Yes	No	N/A	Question	Act/Reg.
15.				As of January 1, 2011 , does the DONPC work regularly in that position on site for at least the following amount of time per week:	r. 213 (1) 1, 2, 3, 4, and 5



	 2. In a home with 20 to 29 licensed beds, at least 8 hours 3. In a home with 30 to 39 licensed beds, at least 16 hours 4. In a home with 40 to 64 licensed beds, at least 24 hours 5. In a home with 65 or more licensed beds, at least 35 hours <i>This does not apply during a pandemic (see r.213. (6)).</i> Note: In a home with more than 39 licensed beds, a DONPC who is
	attending a meeting or training related to his or her position as a DONPC is considered to be working on site at the home as long as he or she is available by telephone
Notes	

Therapy Services

No.	Yes	No	N/A	Question	Act/Reg.
16.				Are the therapy services that the home arranges (physiotherapy, occupational therapy, speech-language therapy) provided by therapists who have a current certificate of registration with the appropriate college of a regulated health profession?	r. 61 (1)
Notes					

Are the therapy services provided by support personnel who ar members of staff of the home, provided under both the directio member of an appropriate regulated health professional and the supervision of the designated lead of the home's restorative cal program, and have the members of staff: (a) successfully completed a training program in restorative or are enrolled in such a program; or (b) successfully completed a relevant training course provided the disease the tip designed and the members of staff.	of a r. 61 (5)
 the licensee that is designed and supervised by a qualif therapist who is a member of the appropriate college of regulated health profession? OR Are therapy services arranged by the licensee provided by the services arranged by the licensee provided by the services arranged health professional and are the person working under the direction and supervision of that regulated health professional? 	ed by ed u upport nel

No. Yes No N/A Question	Act/Reg.
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18.		 Has the licensee ceased to employ as support personnel a person who was required to be enrolled in a restorative care training program if the person ceases to be enrolled in the program or fails to successfully complete the program within three years of being hired? <i>Note:</i> if the support personnel provided therapy services at the home before July 1, 2010, the qualifications are still required as set out in r. 61 (2) but the three-year period for completion begins on July 1, 2010, not when the person first provided therapy services. 	r. 61 (3)
Notes			

Social Work

No.	Yes	No	N/A	Question	Act/Reg.
19.				Has the licensee ensured that social workers or social services workers who provide services in the home are registered under the <i>Social Work and Social Service Work Act, 1998</i> ?	r. 63
Notes					

Designated Lead

No.	Yes	No	N/A	Question	Act/Reg.
20.				Has the licensee ensured that that the home's restorative care program, including the services of social workers and social service workers, are co-ordinated by a designated lead?	r. 64 (1)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
21.				 Has the licensee ensured that the designated lead of the restorative care program: 1. has a current general certificate of registration with a regulated health professional college or the Ontario College of Social Workers and Social Service Workers or 2. has a: (i) post-secondary diploma or degree in recreation and leisure studies, kinesiology, therapeutic recreation or other related field from a community college or university, and (ii) at least one year of experience in a health care setting? 	r. 64 (2) (a), and (b) (i) and (ii)
Notes					

Religious and Spiritual Beliefs

No. Yes No N/A Question Act/Reg.



22.		Has the licensee ensured that there is a designated lead for the program who has sufficient knowledge and experience to co- ordinate religious services and spiritual care in a multi-faith setting?	r. 85 (4)
Notes			

Administrator

No.	Yes	No	N/A	Question	Act/Reg.
23.				Does the home have an Administrator?	s. 70 (1)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
24.				Is the Administrator in charge of the home and responsible for its management?	s. 70 (2) (a)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
25.				As of January 1, 2011, does the home's Administrator work regularly in that position on site for at least the following amount of time per week: In a home with 64 beds or fewer, at least 16 hours In a home with 65 to 96 beds, at least 24 hours In a home with 97 or more licensed beds, at least 35 hours Note: An Administrator who is attending a meeting or training related to his or her position as Administrator is considered to be working on site at the home as long as he or she is available by telephone.	r. 212 (1) 1, 2, and 3
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
26.				 Has the licensee ensured that an Administrator hired after July 1, 2010: (a) has a post-secondary degree from a program that is a minimum of three years in duration, or a post-secondary diploma in health or social services from a program that is a minimum of two years in duration, (b) has at least three years working experience i. in a managerial or supervisory capacity in the health or social services sector, or ii. in another managerial or supervisory capacity, if he or she has already successfully completed a program in 	r. 212 (4) (a) (b) (c) and (d)

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Inspection Protocol Sufficient Staffing

long-term care home administration or long-term care home management that is (in either case) a minimum of 100 hours in duration of instruction time,
(c) has demonstrated leadership and communications skills, and
 (d) has successfully completed or, subject to subsection (6), is enrolled in, a program in long-term care home administration or long-term care home management that is (in either case) a minimum of 100 hours in duration of instruction time.
Note: A person who was working or employed as an Administrator on July 1, 2010 and has continued to work or be employed in that position may be hired for another position as an Administrator in a different long-term care home if the person,
(a) worked or was employed as an Administrator,
(i) on a full-time basis for at least three years during the five years immediately before being employed in the different home, or
(ii) on a part-time basis for the equivalent of at least three full- time years during the seven years immediately before being employed in the different home; and
(b) has successfully completed or, subject to subsection (6), is enrolled in, a program in long-term care home administration or management that is a minimum of 100 hours in duration of instruction time.

 27. C C<th>No.</th>	No.
 2. For a program that includes more than 200 but less than 400 hours of instruction time, the maximum period is three years from the day the person is hired as an Administrator. 3. For a program that includes 200 or less hours of instruction time, the maximum period is two years from the day the person is hired as an Administrator. 	27.



Medical Director

No.	Yes	No	N/A	Question	Act/Reg.
28.				Does the home have a Medical Director?	s. 72 (1)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
29.				Is the Medical Director a physician?	s. 72 (2)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
30.				Does the Medical Director advise the licensee on matters relating to medical care in the long-term care home?	s. 72 (3)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
31.				Has the home ensured that the Medical Director is not:(a) the licensee of the home(b) a person having a controlling interest in the licensee, or(c) in the case of a licensee that is a corporation, a member of the board of the corporation?	r. 214 (2) (a) (b) and (c)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
32.				Is there a written agreement between the licensee and the Medical Director that provides for at least the following: 1. the term of the agreement 2. the responsibilities of the licensee 3. the responsibilities or duties of the Medical Director including: • development, implementation, monitoring and evaluation of medical services • advising on clinical policies and procedures, where appropriate • communication of expectations to attending physicians and registered nurses in the extended class	r. 214 (1) 1, 2, and 3
				 addressing issues relating to resident care, after-hours coverage and on-call coverage 	

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		 participation in interdisciplinary committees and quality improvement activities? 	
Notes			

Medical Services

No.	Yes	No	N/A	Question	Act/Reg.
33.				Does the home have an organized program of medical services?	s. 12
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
34.				Do residents have access to medical services in the home 24 hours a day?	r. 80
Notes					

Attending Physicians and RNs (EC)

No.	Yes	No	N/A	Question	Act/Reg.
35.				 Does a physician or a Registered Nurse in the Extended Class: (a) conduct a physical examination of each resident upon admission and an annual physical examination annually thereafter, and produce a written report of the findings of the examination (b) attend regularly at the home to provide services, including assessments, and (c) participate in the provision of after-hours coverage and on-call coverage? 	r. 82 (1) (a), (b) and (c)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
36.				If the resident or substitute decision-maker does not retain a physician or a Registered Nurse in the Extended Class, has the licensee appointed one for the resident, in consultation with the Medical Director, the resident, and the resident's substitute decision-maker, if any?	r. 82 (3)
Notes					

No.	Yes	No	N/A	Question	Act/Reg.
37.				Is there a written agreement between the licensee and the Attending Physician that provides for: (a) the term of the agreement	r. 83 (a), (b), and (c) (i) (ii) and (iii)



	(b) the responsibilities of the licensee, and	
	(c) the responsibilities of the Attending Physician, including:	
	 accountability to the Medical Director for meeting the home's policies, procedures and protocols for medical services 	
	ii. provision of medical services, and	
	iii. provision of after-hours coverage and on-call coverage?	
Notes	· · · ·	

No.	Yes	No	N/A	Question	Act/Reg.
38.				 Is there a written agreement between the licensee and the registered nurse in the extended class that provides for: (a) the term of the agreement (b) the responsibilities of the licensee, and (c) the responsibilities of the Registered Nurse in the Extended Class, including: accountability to the Medical Director for meeting the home's policies, procedures and protocols for medical services ii. provision of services iii. informing the licensee of the name of the physician with whom the registered nurse in the extended class has a consultative relationship, and iv. provision of after-hours coverage and on-call coverage? 	r. 84 (a), (b), and (c) (i), (ii), (iii), and (iv)
Notes					

Staff Qualifications (General)

No.	Yes	No	N/A	Question	Act/Reg.
39.				Has the licensee ensured that all staff of the home have: (a) the proper skills and qualifications to perform their duties, and (b) the qualifications provided for in the regulations?	s. 73 (a) (b)
Notes					

Based on information collected during the inspection process, the inspector may determine the need to select and further inspect other related care / services areas. When this occurs, the inspector will document reason(s) for further inspection in ad hoc notes, select and complete other relevant IPs related to sufficient staffing, for example:

- Dignity, Choice and Privacy
- Falls Prevention
- Personal Support Services

• Prevention of Abuse, Neglect and Retaliation Long-Term Care Homes Act, 2007; Regulation 79 and Regulation 399 March 2021



- Quality Improvement
- Reporting and Complaints
- Training and Orientation