



Assisted Living Registry

Substantiated Complaint Information

Complaint #: C2023-S27

Name of Residence: Hamilton High Street Residence

Address: 23100 Garripie Avenue, Richmond

Legal Name of Registrant (Operator): Hamilton High Street Residence Inc.

The complaint investigation was concluded on May 11, 2023. A summary of the findings of non-compliance(s) with the [Community Care and Assisted Living Act](#) (Act) and/or the [Assisted Living Regulation](#) follows. This information is updated as the operator comes into compliance.

All findings are assigned a determination based on the following definitions.

- In compliance:** meets the requirements of the *Community Care and Assisted Living Act* and/or the *Assisted Living Regulation*.
- Not in compliance:** no evidence of meeting the requirements of the *Community Care and Assisted Living Act* and/or the *Assisted Living Regulation*.

FINDINGS				
Act or Regulation	Category	Date of non-compliance	Date of compliance	Compliance Status
Assisted Living Act	Persons not allowed to reside in an assisted living residence	May 11, 2023	Sept 21, 2023	In compliance
Requirement: Section 26.1 (a), (b), (d) Persons not allowed to reside in an assisted living residence A registrant of an assisted living residence must not allow a person to reside in the residence if the person is unable to make, on their own behalf, decisions that are necessary to live safely, cannot recognize an emergency, take steps to protect themselves in an emergency or follow directions in an emergency, or requires, on a regular basis, unscheduled professional health services.			Compliance Action: Residents identified as requiring ‘care’ and who have been residing in an area referred to as “Transitional Units” have been relocated.	
Observation: The resident cannot life safely, recognize an emergency and does require unscheduled professional health services.				
Actions taken or to be taken by Registrant (Operator): Relocate the resident(s) and inform the Assisted Living Registry.				
Actions taken or to be taken by Registry: Continue to monitor the residence to ensure ongoing commitment to suitable placement of residents.				
FINDINGS				
Act or Regulation	Category	Date of non-compliance	Date of compliance	Compliance Status
Assisted Living Regulation	Housing	May 11, 2023	Sept 21,2023	In compliance
Requirement: Section 15 (2) (a) Housing A registrant who operates an assisted living residence to which this section applies must ensure that units for each class, and for residents and non-residents, are located in separate and distinct locations on the premises			Compliance Action: Residents are no longer being accommodated in an area previously referred to as ‘ transitional units’.	
Observation: The Operator provided accommodation and services to 5 residents in an area referred to as “transitional care’ As confirmed on the Sept 21 st site inspection the residents have been relocated.				



Actions taken or to be taken by Registrant (Operator): Ensure that all units for each class of residents are separate and in distinct locations. Submit a new floor plan indicating each class location.				
Actions taken or to be taken by Registry: No further action.				
FINDINGS				
Act or Regulation	Category	Date of non-compliance	Date of compliance	Compliance Status
Assisted Living Regulation	Admission Screening	May 11, 2023	Sept 21,2023	In compliance
Requirement: Section 29 (1) Start of Residency Before accepting a person as a resident, a registrant must first be satisfied that the person does not require care.			Compliance Action: Operator confirmed their understanding of meeting admission screening criteria for residents who reside in Assisted Living during a meeting held on August 16,2023 and during an on-site inspection September 21, 2023	
Observation: At the time of admittance the resident's care needs were found to exceed the admission criteria for Assisted Living.				
Actions taken or to be taken by Registrant (Operator): Create an admission screening document and submit it to the Assisted Living Registry. Documentation provided to the Registry confirms 5 residents have been transitioned into more suitable care arrangements.				
Actions taken or to be taken by Registry: Review submitted admission screening document.				
FINDINGS				
Act or Regulation	Category	Date of non-compliance	Date of compliance	Compliance Status
Assisted Living Regulation	Residency agreement	May 11, 2023	Sept 21,2023	In compliance
Requirement: Section 31 (3) (b) Start of Residency On signing a residency agreement, a registrant must give to the resident written information respecting how to contact the registrar to make a complaint, including the registrar's contact information, and inform the resident in a manner that is appropriate to the resident's needs and capabilities of the contents of the materials given.			Compliance Action: Residency agreements updated to include registrar's contact information. Registry staff completed a follow up inspection and observed that the "How to Make a Complaint" poster was posted in a prominent place at the residence.	
Observation: The Operator did not provide the resident with the contact information for the registrar to make a complaint, including the registrar's contact information.				
Actions taken or to be taken by Registrant (Operator): Provide the resident with the contact information for the registrar to make a complaint, including the registrar's contact information.				
Actions taken or to be taken by Registry: No further action.				
FINDINGS				
Act or Regulation	Category	Date of non-compliance	Date of compliance	Compliance Status
Assisted Living Regulation	Personal service plan	May 11, 2023	Sept 21,2023	In compliance



Requirement: Section 33 (5) (a) (b) Personal service plan For the purposes of subsection (4), a personal service plan must be signed by the resident or the resident's personal representative, and the registrant, the manager or a person authorized to sign personal service plans on behalf of the registrant.			Compliance Action: Personal Services Plans were observed during an on site follow up inspection to have been signed as required.	
Observation: The personal service plan was not signed by the resident or the resident's personal representative, and the registrant, the manager or a person authorized to sign personal service plans on behalf of the registrant.				
Actions taken or to be taken by Registrant (Operator): The Operator must ensure all personal services plans are signed by the resident or the resident's personal representative, and the registrant, the manager or a person authorized to sign personal service plans on behalf of the registrant.				
Actions taken or to be taken by Registry: No further action required.				
FINDINGS				
Act or Regulation	Category	Date of non-compliance	Date of compliance	Compliance Status
Assisted Living Regulation	Respect for personal decisions	May 11, 2023	Sept 21,2023	In compliance
Requirement: Section 38(1)(a)(b) Respect for personal decisions A registrant must not intervene in the making of a personal decision by a resident or when a resident is carrying out a personal decision or prevent a resident from carrying out a personal decision.			Compliance Action: Registry staff completed a follow up inspection on Sept 21,2023 to review systems designed to promote the residents ongoing decision making.	
Observation: The Operator interfered with a resident's decision making when appointing a new physician.				
Actions taken or to be taken by Registrant (Operator): In order to prevent further occurrences, the Operator is to develop a system to confirm that communications sent to the resident, or their decision maker, have been received. Continue to support the residents in their personal decision making.				
Actions taken or to be taken by Registry: No further action.				
FINDINGS				
Act or Regulation	Category	Date of non-compliance	Date of compliance	Compliance Status
Assisted Living Regulation	Menu Plan	May 11, 2023	June 1, 2023	In compliance
Requirement: Section 55 (3) (b) (ii) Providing Hospitality Services A registrant must consult with a dietitian to review and, if appropriate, revise the menu plan if the daily menu changes significantly			Compliance Action: A letter signed by a registered dietitian dated June 1, 2023, was provided to the Registry. The letter concludes that a 5 -week cycle menu was reviewed and determined to be satisfactory.	
Observation: The Operator did not consult with a dietitian to review or revise the menu plan when the plan changed significantly.				



Actions taken or to be taken by Registrant (Operator): The Operator was requested to provide evidence of a menu review by a registered dietitian due to significant changes.
Actions taken or to be taken by Registry: No further follow-up required.