

Update on Status of Recommendations
HONOURING COMMITMENTS: An Investigation of Fraser Health Authority's Transfer
of Seniors from Temporarily Funded Residential Care Beds
Special Report No. 33 – February 2012

Fraser Health Authority		
Recommendation	Summary of Actions Taken	Current Assessment
R1.1: FHA apologize to the residents and families at Newton Regency affected by its decision; explain to them the process it followed in deciding to close the temporary funded beds they occupied at Newton Regency; and set out what steps it will take to ensure that it takes such commitments seriously, to consider all reasonable options to allow it to respect its commitments, and if it concludes that is not possible to provide adequate procedural safeguards to individuals affected by its actions. ACCEPTED December 23, 2011	<p style="text-align: center;">March 22, 2013</p> <p>Fraser Health provided us with a copy of a letter it sent to 31 former residents of Newton Regency, apologizing for any distress experienced as a result of Fraser Health's decision to close the beds at Newton Regency and identifying steps Fraser Health had taken to prevent a similar situation from recurring in the future.</p> <p style="text-align: center;">December 23, 2011</p> <p>Fraser Health confirmed that it would make reasonable efforts using the information available to it to locate the affected residents and their families.</p>	FULLY IMPLEMENTED
R1.2: FHA develop a clear and transparent administrative procedure to use in decision making to ensure that it reviews its commitments (not including those made under contract) and considers	<p style="text-align: center;">March 12, 2015</p> <p>Fraser Health's decision-making philosophy does not establish a clear and transparent administrative procedure that ensures Fraser Health reviews existing commitments and considers how to follow those commitments when making decisions.</p>	ONGOING

<p>how to follow them. If FHA decides that it is not possible to follow a commitment, FHA consult with people affected and ensure they can dispute the decision.</p> <p>ACCEPTED December 23, 2011</p>	<p>March 6, 2014 No progress since last update.</p> <p>December 23, 2011 Fraser Health confirmed that it has been developing and implementing an evidence-based process that focuses on continuous and integrated planning, execution, and reporting. Fraser Health will include a review of commitments made and how those commitments should influence decision-making in that process. Fraser Health also commits to improving communication with residents and their families about how decision-making affects them, and that communication will now include information about the avenues by which a dispute of a decision can be pursued.</p>	
<p>R2.1: When FHA decides to cease funding beds for reasons other than the health and safety of the residents and as a result individuals are required to move to another facility to continue receiving FHA funding, FHA provide at least 60 days' notice to residents and families and make it clear that there is flexibility on final move dates to minimize moves and facilitate transfer to a facility of choice.</p> <p>ACCEPTED December 23, 2011</p>	<p>March 12, 2015 Fraser Health has a template letter that it sends to residents and families when individuals are required to move to another facility as a result of a funding decision. The letter discusses flexibility around move dates and states that every effort will be made to accommodate requests to move within a specific time frame.</p> <p>March 6, 2014 In recent closures of residential care facilities, Fraser Health provided two years' notice in one case and six months' notice in another case. In both cases Fraser Health provided written information to residents and their families stating that the residents will have the option of selecting a preferred facility which will be accommodated to the extent possible. The documentation also indicated that FHA would be meeting with residents to assist them in choosing an appropriate facility.</p> <p>However, the written information to residents and families did not discuss flexibility on final move dates.</p> <p>March 22, 2013 Fraser Health confirmed that it informs residents and families at the earliest opportunity of any decision to close or downsize a residential facility.</p>	<p>FULLY IMPLEMENTED</p>

	<p>December 23, 2011</p> <p>Fraser Health confirmed that it has been providing written information to individuals and their families outlining the temporary funding nature of the bed where transfer to a temporarily funded bed is contemplated. Fraser Health also confirmed that the template letter now indicates that the resident and/or a family member will be notified in writing of any requirement to move from the temporarily funded bed to a permanently funded bed.</p> <p>Fraser Health is committed to ensuring that the planning process for closing temporarily funded beds will include communication outlining the flexibility that is available.</p>	
<p>R2.2: FHA inform people whether an offered placement is temporary or permanent and explain the difference between them. FHA develop a policy on offering temporary placements which acknowledge that if a temporary placement is declined because an individual or family member have concerns that the temporary status of the bed may result in extra risk due to a reasonable potential for additional moves that FHA will consider the placement to be not appropriate. The policy also specify that declining an offer in these circumstances would not change a person's position on the waitlist for a residential care placement.</p> <p>ACCEPTED December 23, 2011</p>	<p>March 12, 2015</p> <p>In March 2015, Fraser Health updated its Community Access Procedural Manual, to state that if an individual declines a temporary bed because of concerns that the temporary status of the bed may result in extra risk, the individual will not lose his or her position on the waitlist for a permanent placement.</p> <p>March 6, 2014</p> <p>Fraser Health's "First Appropriate Bed Policy for Residential Care" has been amended to state that patients who have been offered a temporary bed can apply for an exception to the policy. The policy still does not address the conditions under which Fraser Health will consider a proposed placement to be not appropriate and how declining a temporary bed would change a person's position on the waitlist.</p> <p>March 22, 2013</p> <p>FHA provided us with copies of template letters sent to patients who have been offered temporary placements. The letters explain the temporary nature of the placement and the fact that the patient may be required to move to a permanently funded bed in the future.</p> <p>December 23, 2011</p> <p>Fraser Health confirmed that:</p> <ul style="list-style-type: none"> • A process has been implemented whereby all individuals who are transferred are informed in writing if the bed is temporary • If an individual is legally competent, their decision to accept a 	<p>FULLY IMPLEMENTED</p>

	<p>temporary bed must be respected even in the face of objections from family</p> <ul style="list-style-type: none"> • If a temporarily funded bed is declined by an individual residing in the community (i.e. at home) because of concerns that the temporary status may result in extra risk due to the potential for extra moves, there is no change to the individual's position on the permanent bed waitlist • If a temporarily funded bed is declined by an individual residing in acute care (i.e. the hospital) who no longer clinically requires an acute level of care, Fraser Health will attempt to place them in a permanent bed in the area of their choice or provide the opportunity to use Home Services if services are available to meet the care needs of the individuals in the community while they await transfer to residential care. 	
<p>R3: FHA's transition planning processes for moving residents to new facilities include sufficient flexibility to take individual circumstances into account and to minimize adverse effects from the transition.</p> <p>Also see Recommendation 2.1</p> <p>ACCEPTED December 23, 2011</p>	<p>March 22, 2013</p> <p>Fraser Health updated its guidelines to ensure that its transition practices take into account a patient's individual circumstances during any necessary transition from a temporary placement.</p> <p>December 23, 2011</p> <p>Fraser Health explained that while it will not always be possible to accommodate each resident's individual circumstances, Fraser Health will share the parameters of the flexibility that is available with residents, families, transition team members, and the operators of facilities.</p>	FULLY IMPLEMENTED
<p>R4: FHA always plan for the resources required at the time it makes a commitment.</p> <p>Also see Recommendation 1.2</p> <p>ACCEPTED December 23, 2011</p>	<p>March 12, 2015</p> <p>While Fraser Health has advised that any proposed increase in service levels must be supported by a statement from Fraser Health's finance department that any required financial resources are available, it has not set out how it plans to meet specific commitments made to service recipients.</p> <p>March 6, 2014</p> <p>No progress since last update.</p> <p>March 22, 2013</p>	IMPLEMENTED IN PART

	<p>The information provided in December 2011 still applies.</p> <p>December 23, 2011</p> <p>Fraser Health has long been developing and, since 2010, implementing an evidence-based process that focuses on continuous planning, execution, and reporting. We will continue to make improvements on this process.</p>	
<p>R5.1: FHA ensure that operators of licensed residential care facilities are informed of their obligations to provide notice to the medical health officer of a decision to cease operating or to substantially change the nature of the operations of a residential care facility.</p> <p>FHA take any and all actions available to them under the Community Care and Assisted Living Act and contract to enforce compliance with the notice requirements in the Residential Care Regulation.</p> <p>ACCEPTED December 23, 2011</p>	<p>March 12, 2015</p> <p>Fraser Health provided examples of correspondence with residential care facilities indicating that it had informed those facilities of the notice requirement and required them to follow it.</p> <p>March 6, 2014</p> <p>Fraser Health has directed its licensing officers to regularly inform licensees of residential care facilities of their obligations under Section 9 of the <i>Residential Care Regulation</i>. It has also informed funded programs such as Mental Health and Substance Abuse and Community Living BC of this notice requirement and advised them to inform their service providers about it.</p> <p>December 23, 2011</p> <p>Fraser Health informs licensees of their notice obligations under s. 9 of the Residential Care Regulation.</p> <p>Fraser Health has committed to encouraging licensees to act in accordance with the spirit, intent, and letter of the <i>Community Care and Assisted Living Act</i>. Fraser Health confirmed that it is prepared to exercise the appropriate legal remedies in the event of non-compliance by a licensee.</p>	<p>IMPLEMENTED IN PART</p>

<p>R5.2: FHA ensure that residents and families are informed of requests for exemptions to the notice requirements.</p> <p>ACCEPTED December 23, 2011</p>	<p>March 6, 2014</p> <p>Fraser Health now requires licensees requesting an exemption to demonstrate how families have been notified of the request, indicate whether there was a consultation process with families of persons in care, provide a copy of the consultation plan and the outcome of the consultation, and provide copies of any letters of support.</p> <p>March 22, 2013</p> <p>FHA provided us with a copy of a template decision letter in response to a request from a licensee for an exemption from certain regulatory requirements. The last paragraph of this document contains a request that the licensee post a copy of the document in a prominent place to provide notice to persons in care.</p> <p>December 23, 2011</p> <p>Fraser Health confirmed that a Fraser Health Medical Health Officer or his/her delegate specifically recommends that the licensee immediately inform residents and their families of the existence of the application and its contents. Fraser Health's experience is that licensees generally follow such recommendations, but going forward, Fraser Health will implement a process whereby Licensing Officers will verify this.</p>	<p>FULLY IMPLEMENTED</p>
<p>R5.3: FHA ensure that residents and families are informed of exemption decisions, including by verifying that a copy of the decision is posted in a prominent place in the facility, is provided to residents and families, and includes information on how to appeal the decision.</p> <p>ACCEPTED December 23, 2011</p>	<p>March 22, 2013</p> <p>Fraser Health implemented the practice of telling operators of licensed residential care facilities in the Notice of Decision letter to ensure that all residents and families are notified of a decision to approve an exemption from notice requirements, and that residents and families are informed of their right to appeal that approval. Fraser Health Licensing Officers verify that a copy of the Notice of Decision letter, which includes information on how to appeal the decision, is posted in a prominent place in the facility.</p> <p>December 23, 2011</p> <p>Fraser Health will ensure that Licensing Officers specifically advise a licensee in a Notice of Decision to ensure that all residents and families are notified of an exemption approval and of their right to appeal that approval. Where a Licensing Officer has reason to believe that a licensee will not comply voluntarily with the direction to notify, there is</p>	<p>FULLY IMPLEMENTED</p>

	an option to impose on the licensee a specific requirement to notify as a condition of approval.	
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