

**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**

This update has been prepared based on reviews conducted by Ombudsperson staff, reports provided by authorities, and information from other sources.

Fraser Health Authority		
Recommendation	Summary of Actions Taken	Current Assessment
<p><b>R1.1:</b> 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.</p> <p style="text-align: center;"><b>ACCEPTED</b> December 23, 2011</p>	<p style="text-align: center;"><b>March 22, 2013</b></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;"><b>December 23, 2011</b></p> <p>Fraser Health confirmed that it would make reasonable efforts using the information available to them to locate the affected residents and their families.</p>	<p style="text-align: center;"><b>FULLY IMPLEMENTED</b></p>
<p><b>R1.2:</b> 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 how to follow them. If FHA decides that</p>	<p style="text-align: center;"><b>December 23, 2011</b></p> <p>Fraser Health confirmed that it has been developing and implementing an evidence-based process that focuses on continuous and integrated</p>	<p style="text-align: center;"><b>ONGOING</b></p>

<p>it is not possible to follow a commitment, FHA consult with people affected and ensure they can dispute the decision.</p> <p><b>ACCEPTED</b> December 23, 2011</p>	<p>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><b>R2.1:</b> 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><b>ACCEPTED</b> December 23, 2011</p>	<p><b>March 22, 2013</b></p> <p>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><b>December 23, 2011</b></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><b>ONGOING</b></p>

<p><b>R2.2:</b> 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 style="text-align: center;"><b>ACCEPTED</b> December 23, 2011</p>	<p style="text-align: center;"><b>March 22, 2013</b></p> <p>Fraser Health 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 style="text-align: center;"><b>December 23, 2011</b></p> <p>Fraser Health confirmed that:</p> <ul style="list-style-type: none"> <li>• A process has been implemented whereby all individuals who are transferred are informed in writing if the bed is temporary</li> <li>• If an individual is legally competent, their decision to accept a temporary bed must be respected even in the face of objections from family</li> <li>• 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</li> <li>• 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.</li> </ul>	<p style="text-align: center;"><b>PARTIALLY IMPLEMENTED</b></p> <p>The first part of the recommendation, regarding informing people whether an offered placement is temporary or permanent and the difference between them is addressed by this information.</p> <p>The second part of the recommendation, regarding developing a policy, has not yet been implemented.</p>
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<p><b>R3:</b> 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><b>ACCEPTED</b> December 23, 2011</p>	<p><b>March 22, 2013</b></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><b>December 23, 2011</b></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>	<p><b>FULLY IMPLEMENTED</b></p>
<p><b>R4:</b> FHA always plan for the resources required at the time it makes a commitment.</p> <p>Also see Recommendation 1.2</p> <p><b>ACCEPTED</b> December 23, 2011</p>	<p><b>December 23, 2011</b></p> <p>Fraser Health confirmed that it is implementing an evidence-based process that focuses on continuous planning, execution, and reporting and that Fraser Health will continue to make improvements on this process.</p>	<p><b>ONGOING</b></p>
<p><b>R5.1:</b> 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><b>December 23, 2011</b></p> <p>Fraser Health confirmed that it 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 Community Care and Assisted Living Act. Fraser Health confirmed that it is prepared to exercise the appropriate legal remedies in the event of non-compliance by a licensee.</p>	<p><b>ONGOING</b></p>

<p>ACCEPTED December 23, 2011</p>		
<p><b>R5.2:</b> FHA ensure that residents and families are informed of requests for exemptions to the notice requirements.</p> <p>ACCEPTED December 23, 2011</p>	<p><b>March 22, 2013</b></p> <p>Fraser Health 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 requires the licensee post a copy of the document in a prominent place to provide notice to persons in care.</p> <p><b>December 23, 2011</b></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><b>ONGOING</b></p>

<p><b>R5.3:</b> 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><b>ACCEPTED</b> December 23, 2011</p>	<p><b>March 22, 2013</b></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. FHA 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><b>December 23, 2011</b></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 an option to impose on the licensee a specific requirement to notify as a condition of approval.</p>	<p><b>FULLY IMPLEMENTED</b></p>
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