

Chapter 48

Health – Regulating Personal Care Homes

1.0 MAIN POINTS

The Ministry of Health (Ministry) is responsible for regulating personal care homes in the province. In 2012, we reported that the Ministry did not have fully effective processes to regulate personal care homes. By September 22, 2014, the Ministry had taken various steps to better regulate personal care homes (i.e., use of a risk-based approach to inspect high-risk homes) and inform the public of the results of its inspections. By late 2014, it expects to implement a more efficient data management system to track personal care home inspections and findings.

2.0 INTRODUCTION

The Ministry is responsible for regulating personal care homes in the province. Personal care homes are privately-owned facilities that provide accommodation, meals, and personal care to residents.

The Personal Care Homes Act, 1991 and regulations give the Ministry authority to license and inspect privately-owned personal care homes in the province. The Ministry is responsible for setting licensing requirements and standards for personal care homes. The Ministry is also responsible for inspecting personal care homes to ensure they meet established standards.

Our *2012 Report – Volume 2*, Chapter 34 concluded that the Ministry did not have fully effective processes to regulate personal care homes in accordance with *The Personal Care Homes Act, 1991*. We made five recommendations. This chapter describes the results of our follow-up of management's actions towards addressing those recommendations.

To conduct this review engagement, we followed the standards for assurance engagements published in the *CPA Canada Handbook – Assurance*. To evaluate the Ministry's progress towards meeting our recommendations, we used the relevant criteria from the original audit. The Ministry agreed with the criteria in the original audit.

We based our findings on our examination of the Ministry's policies, processes, directions to staff, relevant communications to personal care homes, and testing of some personal care home files.



3.0 STATUS OF RECOMMENDATIONS

This section sets out each recommendation, the status of each recommendation at September 22, 2014, and the Ministry's actions up to that date. By that date, Ministry had implemented four of the five recommendations and made progress towards implementing the remaining one recommendation.

3.1 High-Risk Homes Inspected More Frequently

We recommended that the Ministry of Health use a risk-based approach to inspect high-risk personal care homes more frequently. (2012 Report – Volume 2; Public Accounts Committee has not yet considered this recommendation)

Status – Implemented

The Ministry inspects facilities prior to issuing one- or two-year licenses to personal care homes. It also uses onsite visits to investigate complaints about personal care homes.

On April 23, 2014, the Ministry began using a risk-based approach to determine the frequency of inspections. It uses the type (i.e., high-intermediate-low risk and/or repeat deficiencies), number of compliance deficiencies, and number of founded complaints as criteria in determining the frequency of inspections. Our testing of inspections of 10 personal care homes confirmed the Ministry's use of its new risk-based approach.

We recommended that the Ministry of Health provide guidance for its staff to assist in determining when to conduct unannounced inspections of high-risk personal care homes. (2012 Report – Volume 2; Public Accounts Committee has not yet considered this recommendation)

Status – Implemented

The Ministry gives guidance to staff that sets out when to conduct unannounced inspections. This guidance requires staff to do an unannounced inspection for high-risk personal care homes if:

- › The licensee has not submitted a report on required actions within 60 days of the inspection
- › The Personal Care Home Consultant determines that an issue or complaint is best assessed through an unannounced visit to the home

3.2 Written Guidance Provided

We recommended that the Ministry of Health provide written guidance to staff for consistent and prompt follow-up of personal care homes that do not comply with actions required after inspections. (2012 Report – Volume 2; Public Accounts Committee has not yet considered this recommendation)

Status – Implemented

The Ministry gives written guidance to staff that sets out the type and timing of follow-up expected when they find deficiencies during inspections.

The Ministry requires licensees to submit a written report within 30 days of the inspection date. If this report is not received on time, the Ministry requires its staff to contact the licensee. If no report is received within 60 days of the inspection date and the inspection identified significant deficiencies, the Ministry requires its staff to conduct an unannounced visit.

Our testing of inspection reports of 10 personal care homes noted that personal care homes had submitted written reports on deficiencies identified, if necessary, within 30 days of the inspection date.

3.3 Tracking System Under Development

We recommended that the Ministry of Health use a system to track personal care home inspection dates, non-compliance issues, required actions, and dates that personal care homes complete these actions. (2012 Report – Volume 2; Public Accounts Committee has not yet considered this recommendation)

Status – Partially Implemented

At September 2014, the Ministry tracked personal care home inspection dates electronically. It tracked non-compliance issues, required actions, and the date that the care home completed its required actions manually (i.e., in paper files). At September 2014, the Ministry was working with a software supplier to implement a more efficient data management system to track personal care home inspections and findings. It expects this system to be developed and operational by late 2014.

A centralized tracking system would help the Ministry efficiently identify risks and take timely actions to enforce compliance with regulations.



3.4 Public Reporting of Inspection Results

We recommended that the Ministry of Health publicly report inspection results when personal care homes do not comply with *The Personal Care Homes Act, 1991*. (2012 Report – Volume 2; Public Accounts Committee has not yet considered this recommendation)

Status – Implemented

On March 28, 2014, *The Personal Care Homes Reporting Regulations* were created to allow for public reporting of inspection results. Since April 14, 2014, the Ministry has posted the most recent personal care home inspections for each home on its website.¹

Public reporting creates an incentive for the licensees to promptly correct deficiencies and provide appropriate reporting to the Ministry about the status of their corrective actions. This also provides the public with information that can be used when selecting a personal care home.

¹ See www.health.gov.sk.ca/pch-inspections (9 October 2014).