



DOMICILIARY CARE STANDARDS

February, 2006

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Domiciliary Care Standards County of Simcoe

1.0 Introduction

1.1 Simcoe County Profile

Simcoe County is a large geographic area with a population of approximately 377,050 people. Simcoe County is a mix of urban and rural areas. In recent years, Simcoe County has undergone a significant increase in population, particularly in the southern areas of the County. It is anticipated that this accelerated rate of urbanization will continue. By the year 2026 Simcoe County's population projection is estimated to reach 618,400, which represents a 64% growth rate based on Statistic Canada 2001 Census information for this area.

The County of Simcoe does not directly operate domiciliary care facility. The County of Simcoe is committed to ensuring that domiciliary care services are delivered in ways that help homeless and at-risk of homeless people who require assistance with activities of daily living to gain permanent housing and support services while providing choices, independence, respecting diversity and ensuring public value for public funding.

The current operating budget for domiciliary care services in Simcoe County is \$706,298.00 with the City of Barrie being allocated 59% of that budget, the City of Orillia being allocated 8% of that budget and the remainder of Simcoe County being allocated 33% of that budget. The County of Simcoe is the Consolidated Municipal Service Manager and as such, is responsible for the delivery of Social Services in Simcoe County. The Social Services Department provides funding for domiciliary care beds through purchase-of-service agreements with commercial and non-profit service providers. The County of Simcoe is responsible for determining eligibility and admission for domiciliary care services.

1.2 Purpose for Standards

The purpose of this document is to provide program guidelines and best practice approaches that will ensure an accountability framework for domiciliary care services being contracted out through the County of Simcoe. The County of Simcoe has a responsibility to the residents who are served through our contracted domiciliary care service providers that facilities meet acceptable standards. The scope for developing these standards and operational guidelines consists of the following action steps:

- Reviewing information from the latest Ministry of Community and Social Services audit conducted at the County of Simcoe on June 20th and 21st, 2005

- Incorporating recommendations from the 2001 Annual Report of the Provincial Auditor of Ontario Report section 3.04-Support to Community Living Programs
- Internal focus group discussions with County of Simcoe case workers who screen and assess clients for the services
- Site visits to current service providers in which risk management, quality management, residential services and contract performance issues were reviewed
- Focus group discussions with external agencies and community partner services that could be providing concurrent services to a resident of a domiciliary care facility.

The accountability framework for domiciliary care will assist the County of Simcoe administrative staff to:

- Define measurable service expectations and required resources to achieve these measures
- Monitor service progress and contract compliance against measurable service expectations
- Implement continuous improvements for contract monitoring, billing, reporting and client services
- Ensure understanding of roles and responsibilities between service providers and the County of Simcoe.

Traditional domiciliary care services for Simcoe County have targeted seniors at risk of homelessness or economically disadvantaged seniors that would require assistance with activities of daily living. The program delivery model has been to contract out services to retirement home and/or rest home operators, some of these operators are licensed as Home for the Special Care and use program and administrative guidelines outlined in the “Home for Special Care” September 2003 program guidelines from the Ministry of Health and Long-Term Care.

Contracted service providers provide permanent housing and on-going assistance for this population, thus reducing the need for more costly institutional care. They also provide temporary shelter for this population while waiting for other placements such as long term care placement or employment re-entry. All contracted service providers ensure continuity with activities of daily living for domiciliary care residents.

This document is designed to provide a comprehensive approach to managing, evaluating, and ensuring contract compliance with the County of Simcoe Domiciliary Care Service Providers. The document highlights key administrative standards and procedures required to effectively deliver domiciliary services to a resident after entering this system of care and being discharged from this system of care.

2.0 Confidentiality, Privacy Acts and Codes of Conduct:

2.1 Compliance with Ontario's Human Rights Code

The County of Simcoe values diversity and the importance that this value upholds in the delivery of human services. All domiciliary care service providers are expected to comply with Ontario's Human Rights Code, which prohibits discriminatory practices because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same sex partnership status, family status, receipt of public assistance or disability. The County of Simcoe expects that all domiciliary care service providers have a written Human Rights policy that is posted in the facility.

2.2 Rights for Person Having Legal Capacity

The Substitute Decision Act, Power of Attorney Act and the Health Care Act give legal obligation for an attorney or substitute decision-maker to follow the direct wishes or instructions that an incapable person gave while they were capable for either their personal care or personal property. Domiciliary service providers are often placed in this position to act on behalf of their residents and County of Simcoe domiciliary care case workers are often faced with power of attorney documents that they must review to ensure accountability to the resident on domiciliary care services. Retirement and/or rest homes are tenancies and are referred to as "Care Homes" under the Tenant Protection Act. However many of these privately owned operators are given consent by their residents to assist in areas of personal care, and granted trusteeship for personal property. The following section outlines the types of legal documents that both County of Simcoe Domiciliary case workers and operators would come across in these situations.

A General Power of Attorney is a legal document in which a mentally capable person wants to appoint someone to act on their behalf. It could be used for a specific period of time or for a specific transaction. It ends if the person who gives it becomes mentally incapable. The General Power of Attorney is limited in its scope and use.

A Continuing Power of Attorney for Property is a legal document in which an individual gives someone else the authority to make financial decisions on their

behalf while they are mentally capable and/or to act on their behalf if they become incapable of making financial decisions.

A Power of Attorney for Personal Care is a legal document in which an individual gives someone else the authority to make personal care decisions on their behalf if they become incapable of making personal care decisions. This document may also include instructions and wishes for treatment decision. These instructions and wishes for treatment decisions may also be documented in a Living Will or Advance Health Care Directives.

A Power of Attorney is a legal document in which an individual is appointed, or given power to act on your behalf. Attorney is the name given to the person that is appointed. Sometimes this type of Attorney is also referred to a Substitute Decision-Maker. Both the Substitute Decision Act, 1992 and the Health Care Consent Act give the Attorney or Substitute Decision-Maker the legal obligation to follow any wishes or instructions that an incapable person gave while they were capable.

2.3 Personal Health Information Protection Act

Because personal health information is being collected, used and disclosed by health information custodians such as Residential Nursing Directors or Case Managers of the Community Care Access Centre and because domiciliary care providers will be communicating personal health information with the County of Simcoe domiciliary care case workers the Personal Health Information Protection Act (PHIPA) will apply to the domiciliary care services being provided by the County of Simcoe. Personal health information collected both orally or in writing shall only be used for administrative purposes to assess admission into the domiciliary care service and for on-going eligibility for the resident. Financial information, along with personal health information and consent will be collected, used, stored and disclosed to assess eligibility and admission to the domiciliary care services.

Resident files maintained by providers shall be made available to the County of Simcoe domiciliary care program staff for review. A resident complaint about possible violations of the PHIP shall be documented along with procedural matters investigating that complaint documented. Domiciliary care service providers shall disclose personal health information to another person conducting an audit for purposes of verifying resident eligibility to services, verifying claims for payment, reviewing an application for accreditation, or reviewing an accreditation.

2.4 Municipal Freedom of Information and Protection of Privacy Act

The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) shall allow a resident to request the right of access to all or part of their record.

The Act also allows for corrections be made to the record. A record can be refused disclosure if in compelling circumstances affects the health or safety of an individual. All clients may request access to their files. A written notice is forwarded to the County of Simcoe's Clerks office requesting access to the file.

3.0 Operational Processes

3.1 Eligibility

Service providers are responsible for screening and placing a resident into their particular home. Referrals for placement come from a variety of placements including hospital discharge planning departments, other residential facilities, home-care case managers, Ontario Works, Ontario Disability Support Program Workers, physicians, families and friends. All service providers will endeavor to make every attempt to serve individuals either by direct service or by referral to other community resources. Taking into consideration the Ontario Human Rights Code, Rights for Persons Having Legal Capacity, and the Personal Health Information Protection Act, eligibility to the County of Simcoe domiciliary care services are based on the following criteria:

- Available funding, and
- The resident is a minimum of 18 years of age, and
- Requires assistance in activities of daily living, and
- Demonstrated financial need in which monthly income of the resident is less than \$1,393.20 (based on a 31 day month) and the resident's assets remain under \$5,000.

Residents in receipt of Ontario Works or in receipt of Ontario Disability Support Program would be eligible if they meet the above four criteria. Once eligibility is screened and pre-admission information is collected, recorded and disclosed to the County of Simcoe domiciliary care case worker the resident is immediately admitted to the program's priority wait list (if applicable) to determine subsidy (per diem) and personal needs allowance (PNA) funding.

Residents funded under the Homes for Special Care (HSC) would not qualify for domiciliary care services. The Homes for Special Care program provides long-term and permanent residential care to persons discharged from Provincial Psychiatric Hospitals and who require supervision or assistance with activities of daily living. This Ministry of Health and Long Term Care program encourages community living by offering a housing alternative to institutional care and provides operators licensed under the HSC Act with per diem subsidy and personal needs allowance funding for their residents. .

3.2 Admission and Resident File Documentation Requirements

The domiciliary care service provider will maintain at minimum; admission information, resident's goals and follow-up progress notes, and discharge information. Resident's goals and follow-up progress notes shall be made accessible to domiciliary care case workers upon request in order to assess admission and on-going eligibility to the domiciliary care services. Discharge information will include discharge date, reason for discharge and discharge plan. All discharge information will be forwarded to the County of Simcoe domiciliary care case worker for review and possible follow up with the service provider. Discharge information should be communicated in a timely manner to the County of Simcoe case workers if the discharge places the resident at high risk for homelessness.

3.3 Per Diem Subsidy and Personal Needs Allowance

Residents that have been admitted and have met the eligibility criteria will be entitled to the per diem subsidy and personal needs allowance (PNA) that is payable to the operator through the County of Simcoe. A resident when deemed eligible and has been admitted to the program is required to pay 100% of his or her income to the operator. The service provider shall have documented policies and procedures to ensure administration of the personal needs allowance.

Attention must be taken when calculating the monthly subsidy and PNA amounts due to the operator and resident. From time to time, an operator and resident that has been assessed as eligible and has been admitted to the program may not receive subsidy for that particular month. This usually occurs when the resident's income exceeds the total per diem subsidy allowable for that month. The resident's income will not exceed \$41.20 per day (based on a monthly calculation) plus the \$116 PNA allowed in order for the operator and resident to be eligible to receive remuneration. Residents would also have their PNA adjusted if income levels exceed this monthly calculation. Per diem subsidy rates would change should the minimum per diem cap increase. The following are examples on how the per diem subsidy and PNA would be calculated:

1. June's per diem (30 days x \$41.20) = \$1236.00
June's income from the resident = \$1,236.00

The operator would not be entitled for a subsidy, but the resident would continue to be eligible for the \$116.00 PNA, payable to the operator.

2. June's per diem (30 days x \$41.20) = \$1,236.00
June's income from the resident = \$1,300.00

The operator would not be entitled for a subsidy, and the resident would be entitled to a reduce PNA of \$52.00. This is calculated by subtracting the per diem amount from the resident's income (\$1,300.00 - \$1,236.00 = \$64.00), and then subtracting the available income balance from the PNA amount (\$116.00 - \$64.00 = \$52.00)

3. August's per diem (31 days x 41.20) = \$1,277.20
August's income from the resident = \$1,100.00

The operator would be entitled to \$177.20 (\$1,277.20 - \$1,100.00 = \$177.20), in subsidy and the resident would be entitled to a PNA of \$116.00 payable to the operator.

3.4 Invoicing and Billing Procedures

The County of Simcoe will remit payment to the operator upon submitting monthly billing invoices that have been reviewed and approved by domiciliary care case workers. Domiciliary care subsidy is paid in arrears. Service providers are required to submit monthly billings between the 1st and 10th of each month for the previous month. Failure to submit invoices by the 10th of the month could result in the processing of invoices to be delayed or rejected. If an invoice or part of an invoice is rejected by the County of Simcoe, the service provider shall submit a clarified, corrected or revised invoice or part invoice that is acceptable to the County of Simcoe within 10 working days of the request.

The County of Simcoe finance department will remit a monthly domiciliary subsidy cheque or direct the deposit to the operator based on that month's approved billing information. It is the responsibility of the operator to provide the PNA portion directly to the resident. Detailed PNA ledger information shall be maintained at the operator level for verification and audit reviews being conducted by the domiciliary program staff or Ministry of Community and Social Services program audit staff.

3.5 Discharge Planning

The domiciliary care service provider will prepare a discharge planning report when a resident does not meet the on-going eligibility for the service or they are moving out of the domiciliary facility that they are a resident of. The service provider's responsibility will involve completing the proper discharge information report and providing a copy to the resident and the County of Simcoe domiciliary case worker within 72 hours.

A resident may be discharged for a number of reasons that may include:

- Resident continues not to comply with house rules and is posing a health and safety risk
- Resident's physical and or mental health needs exceed the capacity of the operator's expertise
- Resident feels that the home no longer meets their need or expectations.

Under these circumstances the operator will prepare the proper discharge report and consult with the appropriate domiciliary case worker about appropriate referrals and admission to other services for the resident.

3.6 Earned Income Considerations

A resident's on-going eligibility will be assessed for discharge over a three month period if they begin to work and earn income. Discharge planning will take into consideration the initial assessment information during admission to the program and employment earnings and future goals of the resident. Service providers are responsible for reporting any earned income of a domiciliary care resident in the monthly billing to the County of Simcoe. Proper adjustments will be made first to the resident's PNA with any earned income above \$160 per month. If total income remains greater than \$1,396.24 per month over a 3 month period and the resident's earned income remains permanent the resident shall be completely discharged from the domiciliary care service, with arrangements being made by the service provider for the resident to occupy a non-designated domiciliary bed within the facility or the resident will be required to find alternate accommodation as per the service provider's direction. At this time both the per diem subsidy to the operator and any PNA will be discontinued and the resident will not be entitled to receive domiciliary care services without being re-assessed for eligibility.

4.0 Service Provider Standards

4.1 Residents Rights and Responsibilities

Every domiciliary care provider shall have house policy procedures and shall have posted in the facility the rights and responsibilities of residents. At minimum, residents have the right to:

- Basic needs including food, water and shelter
- A clear understanding of shelter rules and resident responsibilities
- Be free from discrimination, harassment and be treated in a non-judgmental and respectful way
- Be informed of internal policies and processes for documenting, investigating and resolving complaints

- Contact directly County of Simcoe domiciliary care case workers with concerns that have not been addressed without fear of punishment
- An environment free from harassment or discrimination
- The protection of their privacy
- Receive a written tenancy agreement
- Receive a Care Home Information Package (CHIP) which states the agreement between the retirement or rest home and the resident, services being provided, along with costs for these services
- Information on community services and resources
- Have forms and requests for information explained
- The opportunity to set their own goals, make decisions that affect them and receive support as they work towards these goals.

At minimum residents are expected to:

- Follow the rules of the domiciliary care facility
- Treat fellow residents, staff, volunteers with respect
- Respect the facility and personal belongings of others.

4.2 Accommodations Standards

- All service providers shall have current documentation verifying that they meet all current health, fire, building and zoning regulations. Proof of fire and health department approvals must be submitted to the County of Simcoe by December 31st each year
- Annual proof of insurance providing coverage for a limit of not less than \$5,000,000 for each occurrence of a claim with a clause that includes the County of Simcoe as additionally insured
- The premises are to be clean, sanitary, safe and free of hazards
- All facilities shall meet the Building Code requirements as to the amount of space per individual
- Each resident is to be provided with clean sheets, pillowcases, bedding, face cloths and towels weekly or whenever a new resident occupies the bed
- Washrooms including showers, toilets and sinks are to be provided as per the Building Code specifications, including the ratio of fixtures per residents
- Laundry facilities for residents are to be provided
- A common area for residents is to be made available

4.3 Health and Safety Standards

- No weapons (as defined by the Criminal Code section 84(1)) and other dangerous objects will be permitted, except when the denial of weapons would be contrary to the law
- Residents will be asked upon admission if they have weapons or anything that could potentially be dangerous

- Police will be contacted to confiscate any prohibited weapons, illegal substances or other contraband
- The facility will have a written and posted smoking policy for the residents
- The facility staff and volunteers must be trained on in the use of routine practices and additional precautions (formerly known as universal health precautions) that include hand washing, personal hygiene and use of protective supplies and equipment
- The facility staff and volunteers must be trained on communicable diseases such as TB, HIV, Hepatitis B and C, and other outbreaks of infectious diseases
- All facility staff must be trained upon hiring and/or re-certified in first aid, CPR and WHMIS training
- All staff and volunteers will be educated and encouraged to maintain current immunizations including vaccination information against hepatitis B virus and TB screening
- All staff and volunteers must have on file a current criminal reference check
- The facility shall have an approved, written and posted fire and emergency evacuation plan accessible for staff, volunteers and residents of the facility
- The facility should have in place maintenance plans that detail cleaning duties, preventive maintenance, emergency repairs, routine upkeep and how long-term replacements are to be accomplished.
- The facility must have an incident reporting policy with defined procedures for documentation and procedures to report serious occurrences involving domiciliary care residents to the County of Simcoe domiciliary care staff
- The facility shall have documented medication storage, administering and dispensing policies and procedures for the residents
- The facility must provide adequate staff for the number of residents and developed procedures for emergency situations
- Staff must be provided with continuous training which sets out their duties and responsibilities, including daily routines, reporting practices and emergency procedures
- Staff will have procedures in place that can be followed to encourage residents who appear to be ill to seek out medical advice.

4.4 Food Safety and Nutritional Standards

- Subsidized residents will receive a nutritious and adequate diet which meets the standards set out in the Canada Food Guide
- A minimum of three meals per day will be provided
- Food storage and handling should comply with all applicable Regulations and Acts, including the Food Premises Act
- Daily meal plans will be posted for all residents
- A system must exist to ensure that all dietary and serving staff is aware of special diets as applicable

- There will be a provision of snacks and fluids between meals for resident who are unable to access these independently

5.0 Accountability Standards

5.1 Municipal Role

- Service contracts will be completed on an annual basis. Two original copies will be completed with authorized signatures. One fully executed original will be retained on file at the County of Simcoe and the other returned for the agency's records.
- Required documentation such as incorporation, proof of insurance, current list of Board of Directors, agency contact information, compliance with Health, Building, Zoning and Fire Codes etc. must be in place prior to the initial contract with a domiciliary care facility and annually thereafter by December 31st. Service contracts will not be processed or renewed if documentation is outstanding.
- County staff will visit contracted domiciliary care facilities at least annually. Staff will be reviewing operations to ensure compliance with these standards.

5.2 Contracted Domiciliary Care Service Provider Role

- All Municipal contracted domiciliary service providers shall meet standards and adhere to the conditions outlined in the purchase-of-service agreement.
- Domiciliary service providers shall comply with all applicable federal, provincial, municipal laws, bylaws, regulations, codes, orders or directives.
- Domiciliary service providers will respond professionally and appropriately to all complaints from residents and shall ensure that a formal complaint process is part of the operational procedures in which a written record is maintained concerning the complaint and a written record is maintained concerning the resolution.

5.3 Serious Occurrence Reporting

All shelters will have a system in place to record serious and unusual occurrences. The recording of these occurrences should include identifying any residents who were involved in or witnessed the occurrence and what actions have been taken by the operator to resolve the situation. A serious occurrence report shall be filed with the County of Simcoe within 24 hours.

Any incidents of a serious nature, including the occurrence of a criminal offense shall be reported immediately to the County of Simcoe domiciliary care case

worker. Serious occurrence include, abuse, property fire, death, assault, accidental injuries, and medical assistance due to life threatening trauma.

5.4 Conflict of Interest

Given the nature of care and access to personal property information and health information domiciliary care operators can benefit from a resident's information. Access to this information can not be used or can not be perceived to be used to influence and benefit the personal nature of the organization or its owners, directors and employees. To avoid these situations operators are expected to disclose any perceived conflicts concerning clients on domiciliary care services with the County of Simcoe. Examples would include such situations as:

- Being appointed as a General Power of Attorney, a Continuing Power of Attorney for Property, and/or being appointed as a Power of Attorney for Personal Care
- Screening and recommending family members to become a domiciliary care resident of your facility
- Not maintaining a current and an up-to-date personal needs allowance general ledger to track cash disbursements to residents
- Employing the domiciliary care resident or financially assisting the domiciliary care resident and not disclosing or reporting the income on the monthly resident billing information.

5.5 Service Providers Corporate Structure

Domiciliary care contracted services may be awarded to either non-profit or commercial operators in Simcoe County. Both types of operators shall meet the requirements for governance and business planning requirements. These include:

- Articles of Incorporation under the laws of Ontario and the applicable laws of Canada in good standing
- Registered legal business name or any other name under which it carries on business along with the corporate mailing address
- List of Directors with contact mailing lists and phone numbers, submitted annually to the County of Simcoe
- Preparation of annual financial statements in accordance to generally accepted accounting procedures
- The right to have County of Simcoe program staff review financial records, budgets, business plans, and other documents upon request
- Annual proof of insurance providing coverage for a limit of not less than \$5,000,000 for each occurrence of a claim with a clause that includes the County of Simcoe as additionally insured.

6.0 Application to Become Domiciliary Care Provider

An application to be considered as a County of Simcoe domiciliary care service provider can be made directly to the Social Services Department of the Corporation of the County of Simcoe. Applications are available upon request. An application does not guarantee status as a County of Simcoe domiciliary care service provider. Many factors are considered before an application is awarded a service contract with the County of Simcoe. All applications are acknowledged, reviewed and kept on file for future consideration.

The County of Simcoe yearly domiciliary budget is approximately \$706,298 and there are 10 service providers located throughout the County of Simcoe. Factors when considering new domiciliary care service providers include:

- Availability of provincial funding to support additional providers
- Location within the County of Simcoe
- Type of facility and number of beds
- Ability to house individuals requiring daily support and supervision
- Financial viability of the organization to meet and provide stable and continuous care to its residents.

To ensure that applicants are able to provide stable and continuous care to its residents the County of Simcoe program staff shall request to review past financial statements, statements of net worth, capital reserves funds, approved annual operating budgets, and pass or outstanding litigation claims.

To be furthered considered as a County of Simcoe Domiciliary Care service provider please fill out the **Domiciliary Care Application for Service Provider** and mail the application with the requested appropriate documentation to:

Doriano Calvano
Program Supervisor
Social Services Department
County of Simcoe
1110 Highway 26 West
Midhurst, Ontario
L0L 1X0

Appendix 1

Reference Resources

1. Operating Guidelines for Home for Special Care, September 2003, Ministry of Health and Long Term Care.
www.health.gov.on.ca/english/providers/pub/hsc/hsc_manual.pdf
2. Ontario Disability Support Program Act.
www.welfarewatch.Toronto.on.ca/wrkfrw/odsp.htm
3. Ontario's health privacy legislation highlights the Personal Health Information Act (PHIPA). www.ipc.on.ca
4. Ontario Retirement Communities Association. www.orca-homes.com
www.citizenships.gov.on.ca/seniors/english/retirement.htm
5. Ontario Statutes and Regulations. www.e-laws.gov.on.ca
6. Ontario Human Rights Commission. www.ohrc.on.ca
7. Office of the Auditor General of Ontario. 2001 Ministry of Community and Social Services. 3.04- Support to Community Living Programs.
www.auditor.on.ca/en/reports_en/en01/304en01.pdf

Appendix 2

List of Review Participants

Participants listed include a mix of community partners and some County of Simcoe domiciliary care providers.

Liz Lajeunesse, RN/Manager
High Park Manor Retirement Residence
74 High St.
Barrie, ON L4N 1W4

John Gaspar, Manager
Bradford Manor
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Barrie, ON L4N 1E3

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Kayla Retirement Home
84 Coldwater Rd. W.
Orillia, ON L3V 3L4

Jeff Murray
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55 Peel St.
Barrie, ON L4M 3K9

Lucille Brunelle
Maison Solomon
323 Rue Principal, RR #3
Penetanguishene, ON L9M 1R3

Dot Blodgett
The Salvation Army
16 Bayfield Street
Barrie, ON L4M 4S9

County of Simcoe Staff:

Dorothy Chute, Caseworker
Jay'ce Olver, Careworker
Loula Kroustallis, Caseworker
Sue Preston, Caseworker
Liz Marshall, Supervisor
Doriano Calvano, Program Supervisor
Jennifer Greig, Administrative Assistant

