

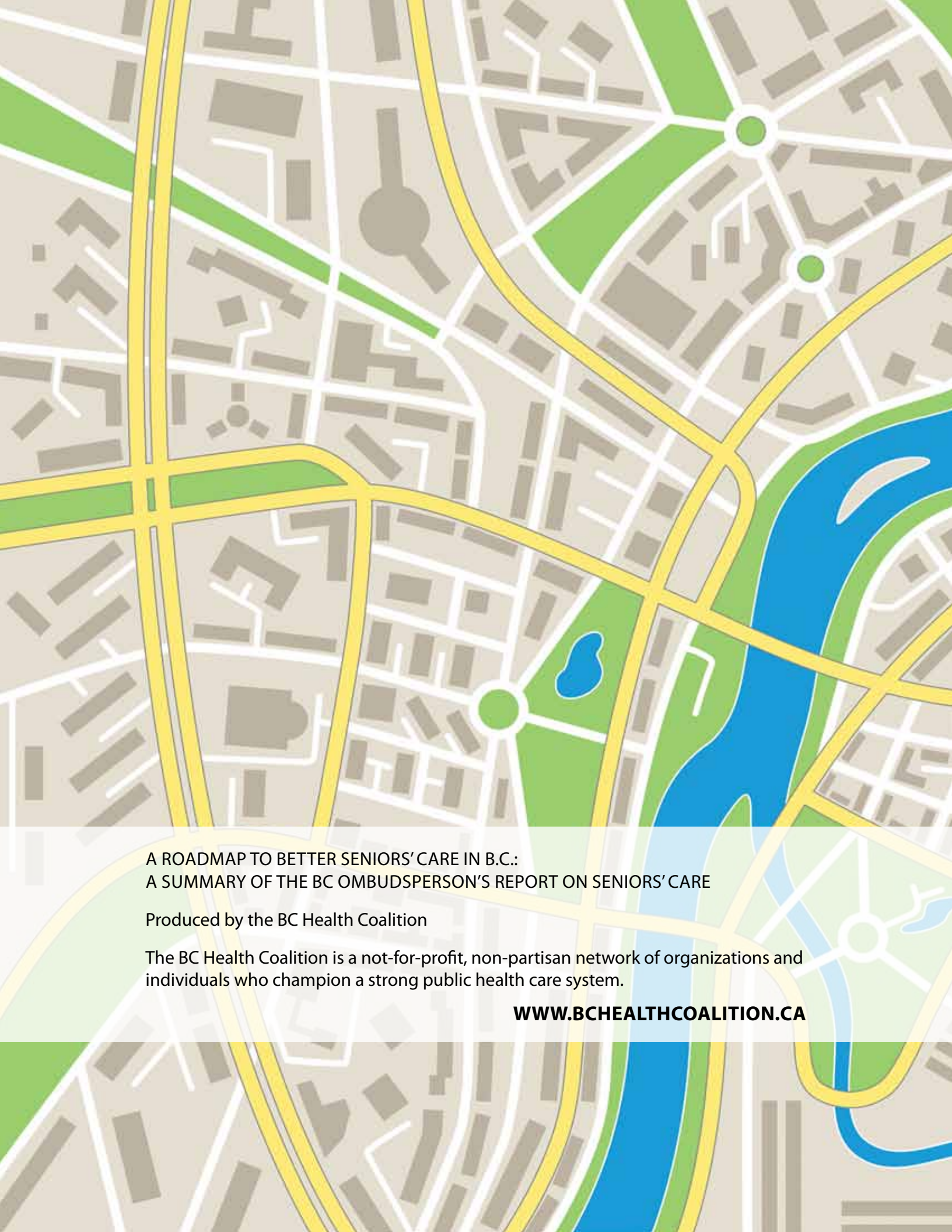


A ROADMAP TO BETTER SENIORS' CARE IN B.C.:

A summary of the BC Ombudsperson's report on Seniors' Care

Produced by the BC Health Coalition





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A SUMMARY OF THE BC OMBUDSPERSON'S REPORT ON SENIORS' CARE

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The BC Health Coalition is a not-for-profit, non-partisan network of organizations and individuals who champion a strong public health care system.

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EXECUTIVE SUMMARY

Seniors' care in British Columbia is at a crossroads. The services and supports that seniors rely on have eroded in the past decade. As a result, many seniors and their loved ones are concerned about getting the care they need. **The BC Ombudsperson's report on seniors' care represents an historic opportunity to strengthen the services and supports that can help B.C.'s growing population of seniors to age in place, and to die with dignity.** The report outlines a clear roadmap to addressing serious problems in our home and community care system.

The Ombudsperson's findings reveal that the Ministry of Health is not fulfilling its leadership role in seniors' care. In response, the BC government has taken a number of steps to fulfill the Ombudsperson's recommendations; however, the province's response so far does not commit the government to addressing most of the problems outlined in the report.

It is more important than ever for the people of British Columbia to understand the Ombudsperson's findings and recommendations and add our voices to the growing call to seize this opportunity to provide the best care for seniors in our province.

INTRODUCTION

In 2008, B.C.'s Ombudsperson began an investigation into seniors' care in response to complaints and concerns that seniors and other members of the public were bringing to her attention. The investigation was conducted between 2008 and 2012 and received unprecedented public response. The result was the largest report the Ombudsperson's office has ever produced: *The Best of Care: Getting it Right for Seniors in British Columbia*.

The report provides a roadmap to improve seniors' care in B.C. It includes measures for improving quality, accessibility, and accountability in home and community care, in particular for home support services, assisted living, and residential care.

The report was published in two parts, with Part 2 making up the majority of the findings. Part 2 contains 176 detailed recommendations with clear themes and specific steps the Ministry of Health and B.C.'s health authorities can take to make real improvements in the lives of seniors and their families.

The largest number of recommendations is directed at the Ministry of Health, which has the overall responsibility for seniors’ care in the province.

Although health authorities are responsible for delivering health care services, British Columbians rely on the Ministry of Health to take leadership as the steward of our province’s health care system. We rely on them to set standards of care and to ensure seniors have fair and equal access to services, including accurate information that allows them to make informed choices about their care.

We also rely on the ministry to monitor and evaluate the actions of health authorities, to provide clear and responsive complaints processes and to ensure that key services – such as home support, residential care and assisted living – are meeting the needs of seniors in an effective way.

The Ombudsperson’s findings indicate that the Ministry of Health has, in many cases, failed to fulfill its leadership role for seniors’ care in our province.

This lack of stewardship has concrete consequences. It may mean that seniors are unable to access the services or financial support they require to remain in their own homes or to age with dignity in care facilities. It can also mean that problems such as neglect and abuse, tenancy rights, or standards of care are not addressed due to an absence of accountability, adequate funding, consistent policies, complaints processes, and monitoring.

The Ombudsperson’s report calls for a renewed commitment from the Ministry of Health to play an active role in ensuring that seniors’ needs are met fairly and equitably and that the system functions in a way that is transparent, consistent, effective and accountable.

WHAT DOES THE OMBUDSPERSON DO?

The BC Ombudsperson is an independent officer of the provincial legislature responsible for making sure that the administrative practices and services of public agencies are fair, reasonable, appropriate and equitable.

WHAT ARE HOME AND COMMUNITY CARE SERVICES?

Our health care system has three main areas: primary care (physicians, clinics and community health centres), acute care (hospitals) and home and community care, which includes home support, home care, assisted living, rehabilitation, residential care, and end-of-life care/palliative care.



PUBLIC SUPPORT FOR THE OMBUDSPERSON'S RECOMMENDATIONS

The BC Ombudsperson's report represents an historic opportunity to address serious problems in our home and community care system, and to strengthen the services and supports that can help B.C.'s growing population of seniors to age in place, and to die with dignity.

Since the release of the Ombudsperson's Part 1 report in 2009, civil society organizations, health care experts, and thousands of individual British Columbians have joined the call for implementation of her recommendations to improve care for seniors.

PROVINCIAL GOVERNMENT RESPONSE TO THE REPORT TO-DATE

While the provincial government has taken a number of positive steps to fulfill the Ombudsperson's recommendations, the province's response so far does not commit the government to addressing most of the problems outlined in the report. In response to the Ombudsperson's Part 2 report, the Ministry of Health committed to evaluating the recommendations, and also said that it would "strongly benefit from direct input from seniors, caregivers, physicians and other primary health care professionals".

On February 14, 2012 the provincial government also released *Improving Care for B.C. Seniors: An Action Plan* in response to the report. While this action plan contains a few positive steps, such as the announcement of a consultation process to establish a seniors' advocate, the provincial government has not made a commitment to fully implement the Ombudsperson's recommendations.

In order to ensure action on the Ombudsperson's report, the provincial government needs to hear from a wide range of voices about the importance of fully implementing the report's recommendations, and the need for transparent consultation with stakeholder groups and seniors themselves.

CHARTING A PATH: A SUMMARY OF RECOMMENDATIONS TO IMPROVE CARE FOR SENIORS IN B.C.



Key themes for improving seniors' care emerge in *The Best of Care: Getting it Right for Seniors in British Columbia (Part 2)*:

- Fulfill stewardship role of seniors' care: Make sure programs and services are working for seniors, and take proactive steps to improve care
- Make sure care is accessible: Support seniors with the information and support needed to access services
- Report annually to the public on the adequacy of home and community care services, including service levels, standards, and funding
- Make sure problems are resolved when they arise: Improve the complaints process
- Ensure timely and appropriate access to care: Improve assessment processes
- Provide services appropriate to the needs of diverse communities
- Implement province-wide quality standards
- Ensure that quality of care standards are enforced
- Ensure safeguards when contracting out
- Improve rental protections for assisted living residents



Fulfill stewardship role of seniors' care: Make sure programs and services are working for seniors, and take proactive steps to improve care

Home Support

The majority of seniors prefer to live independently in their homes for as long as possible, even if it means receiving home support services to assist with daily tasks and some personal care needs. This approach is not only in the best interest of seniors and their families, it can also reduce the overall cost of the health care system. For many seniors with more limited needs, providing home support costs less than providing

care in assisted living or residential care facilities. However, current limitations on home support services mean that seniors may not receive the support they need to remain in their homes for as long as possible.

The Ombudsperson's report points out that it makes sense to expand the home support program, both in the interests of seniors and of the health care system as a whole.

Key report recommendations on this theme

Analyze whether the current home support program is meeting its goal of assisting seniors to live in their own homes as long as it is practical and make any necessary changes resulting from this analysis.

Evaluate the benefits and costs of expanding the home support program in relation to the cost of providing subsidized residential care and report publicly on the results of this analysis by October 2013.

See recommendation R34

Residential Care

The Ombudsperson found that the Ministry of Health and the health authorities' decisions on residential care funding are primarily guided by past funding levels. **This means the amount of money allocated by the health authorities may not be sufficient to ensure that the staffing levels, training and services levels are in place to address the needs of the seniors' population currently living in residential care.**

Key report recommendations on this theme

The Ministry of Health work with the health authorities to evaluate whether the residential care budget in each health authority is sufficient to meet the current needs of its population.

Ensure that each health authority meets the Ministry of Health guidelines for residential care and provide 3.36 hours of direct care per resident per day by 2014/15.

See recommendations R97, R124



MINISTRY OF HEALTH PROGRESS TO-DATE



The Ministry of Health has not committed to establishing a program, and instead has agreed to enhance the information available on the BCSeniors.ca website about home and community care programs and other services. However, the complexity of the home and community care system, the uniqueness of many local support services, and barriers to accessing online information mean that access to a website is not enough.

Seniors across the province need access to meaningful programs, in their own communities, where they can learn from each other and from service providers. This will support them to effectively navigate the home and community care system and to learn about other community services available to support healthy aging.

Make sure care is accessible: Support seniors with the information and support needed to access services

Home and community care is a complex system that includes everything from assistance with bathing and medication at home to palliative care and placement in a long-term residential care facility. When seniors and their families need to access this system, it is often difficult to get information about the services available in their community, the wait lists for these services, and the options for financial assistance or fee reductions and waivers.

This means that some seniors are unable to make informed choices about their care. For example, seniors who are waiting for placement in residential care do not receive regular updates on their wait list status, or how placement decisions are made. Some seniors are not asked to identify preferred facilities while others are told they have to accept the first available bed and are not informed that failure to do this will place them lower on the priority list.

The Ombudsperson has recognized that seniors and their families require more than online information. They need a cohesive program to help them navigate this complex system and to understand the processes for raising concerns and complaints.

Key report recommendations on this theme

Establish, by January 2013, a program that would support seniors and their families to access the home and community care system.

Provide consistent and reliable information about:

- facilities and programs, including costs, billing practices and standards
- available financial support, fee reduction and waivers
- accessing and pursuing complaints processes
- decision-making processes about wait lists, first available beds and complaints

See recommendations R9, R11, R22, R102, R105, R106



Report annually to the public on the adequacy of home and community care services, including service levels, standards, and funding

In order to fulfill its stewardship role and address issues such as lengthy wait times for services, the Ministry of Health must gather consistent and reliable data from the health authorities on how and if programs are meeting the needs of seniors in each region.

However, the Ombudsperson's office found it difficult to gather consistent, reliable and relevant information from the health authorities and the Ministry of Health. In some cases the information was not tracked, or in others it was not broken down into relevant categories.

It is not only important for the Ministry of Health to have this information; it is equally important that the public have access so that residents, academics, health policy researchers, decision makers, and others can better understand how effectively our health care system is operating.

Key report recommendations on this theme

Provide annual public reports on whether home and community care services are meeting the needs of seniors, including information about wait times, staffing standards, funding, costs, results, and other important information.

See recommendations R1, R3, R38, R65, R107, R110, R113, R143, R151, R152



Make sure problems are resolved when they arise: Improve the complaints process

Seniors, family members or others who want to make a complaint about home and community care are faced with a confusing number of choices about who to talk to and where to go, as well as an unclear process for how their complaint will be addressed.

This can leave seniors and their families unsure about how to address and resolve concerns they may have about the care that they or their



loved ones are receiving. This confusion prevents care providers, health authorities, other agencies, and the Ministry of Health from accessing the information needed to track and address systemic issues. And it undermines the capacity of care providers and health authorities to adequately respond to complaints.

The Ombudsperson also raised concerns about the fear of repercussions that can prevent some seniors, staff or others from making complaints in the first place.

The report outlines a number of recommendations designed to make complaints processes easily accessible and consistent across the province. **These include recommendations to streamline complaints processes for home and community care and ensure that there is the capacity to independently investigate complaints, set response times, and report the outcome in writing to the complainant.**

Key report recommendations on this theme

Ensure the process for registering a complaint about home support, assisted living and residential care is streamlined, clear and accountable to complainants and the public, including requirements for response times and the right to appeal decisions.

Provide protections to those making complaints and ensure that the regulatory bodies responsible for addressing complaints do not simply reply on a report from the staff providing the services but instead have the power and resources to independently investigate complaints.

See recommendations R15-21, R48, R75, R76, R78, R79, R148,



Ensure timely and appropriate access to care: Improve assessment processes

Many seniors are waiting longer for assessments for home and community care and for placement in assisted living and residential care facilities than the maximum times set out in Ministry of Health policies and guidelines.

This can have negative effects on seniors' health and can increase stress during an already challenging time in life. It can leave seniors paying

for non-subsidized care while they wait for an assessment that allows them to access funded care, and it can result in assessed costs that do not reflect a senior’s actual circumstances at the time she or he begins paying a new rate.

The Ombudsperson also found that seniors who are waiting for a bed in subsidized residential care have little choice when one becomes available. They are currently required to accept placement without seeing the facility and must agree to pay room rates and other facility charges without knowing the amount of these costs. They are also required to move in to the facility within 48 hours of the time when the bed is offered.

Finally, seniors who want to access their own home and community care assessment reports are required to submit a request under the *Freedom of Information and Protection of Privacy Act*. The Ombudsperson found this to be an unreasonable requirement.

Key report recommendations on this theme

Establish and track maximum and average wait times for assessments, services, placement, financial support, and fee reductions.

Ensure seniors are assessed for home and community care services within two weeks of referral.

The Ministry of Health remove eligibility conditions for subsidized residential care, which require seniors to accept placement in an unknown facility and to move in within 48 hours of when the bed is offered.

Ensure health authorities offer seniors copies of their home and community care assessments and provide edited copies in cases where they believe that providing the complete assessment would harm a senior’s health.

See recommendations R7, R10, R13, R36, 63, R100, R108



Provide services appropriate to the needs of diverse communities

Moving to a residential care or assisted living facility can be disorienting and it can take time for seniors to adjust to new surroundings and routines. Language barriers are an additional

MINISTRY OF HEALTH PROGRESS TO-DATE

The Ministry has committed to standardize “benefits and protections” to all residential care clients in B.C. by January 2013. While this is an important step, the Ministry must commit to establishing clear standards of care for all services so that seniors everywhere in the province can be assured that they can receive the care they need.

challenge that can negatively impact immigrant seniors and their families. When seniors are able to access culturally appropriate care, which includes food selection and the ability for seniors to speak to care providers in their preferred language, they are less likely to experience confusion, discomfort and safety concerns.

The Ombudsperson’s office also heard concerns from the lesbian, gay, bisexual and transgendered community about the need for inclusive policies in facilities, training for staff and an expanded definition of family to ensure that LGBTQ seniors are able to have equal access to services and care.

The Ombudsperson identified a need for education and training to ensure inclusive and welcoming facilities.

Key report recommendation on this theme

Provide equal access to services and culturally appropriate care for seniors from diverse cultural backgrounds.

See recommendation R133



Implement province-wide quality standards

Quality standards vary greatly across the province. As a result, issues related to quality of care in the home support, assisted living, and residential care sectors were a common concern raised by seniors and their families during the Ombudsperson’s investigation.

The Ombudsperson found that the Ministry of Health has not established specific quality of care standards for seniors receiving home and community care services. For example, the Ministry has not established clear and legally binding standards for assisted living residences in areas such as staffing, residents’ rights, food quality and nutrition, emergencies, record management and assistance with the activities of daily living.

In residential care facilities, minimum direct care hours, bathing and assistance with toileting, and call bell response times were examples where specific minimum standards could easily be established to make significant improvements to the lives of seniors living in residential care.

Key report recommendations on this theme

Establish clear and enforceable province-wide standards of care for home support, assisted living and residential care.

See recommendations R42, R43, R69, R133, R142



Ensure that quality of care standards are enforced

Once established, quality of care standards must be enforced. The Ombudsperson found that health authorities do not have clear and consistent processes for monitoring the quality of home support services or for enforcing any applicable standards. Similarly, assisted living residences are not subject to regular inspections by a licensing body and oversight happens in response to complaints, rather than on an ongoing basis.

Within residential care, health authorities do not use the full range of enforcement tools that are available to them under the *Community Care and Assisted Living Act*. In addition, the Ministry of Health has not ensured that health authorities have access to escalating penalties when enforcing the requirements of the Act.

The Ombudsperson also found that the two regulatory systems within which residential care facilities operate, the *Hospital Act* and *Community Care and Assisted Living Act*, create differences in standards, user fees, benefits, oversight and complaints processes.

Accordingly, the Ombudsperson made a series of recommendations to ensure that home and community care services are monitored and investigated in a way that is consistent and effective and which leads to enforcement of quality standards.

Key report recommendations on this theme

Improve consistency of investigation, monitoring and reporting processes and expand enforcement practices in home and community care.

See recommendations R49, R50, R88, R93, R143, R159, R160, R165, R166, R167





Ensure safeguards when contracting out

Residential care facilities are a home to the seniors who live there. The adjustments required as a result of a move or significant change in caregivers is difficult to make, particularly if the new caregivers are not familiar with residents' routines, preferences and needs. Large-scale staff replacement can undermine residents' health and well-being and can lead to a decline in quality and continuity of care as staff leave to find other work.

The Ombudsperson found that the Ministry of Health has not ensured that adequate safeguards are in place to protect seniors from these effects and to ensure that operators notify residents, families and staff when closing, reducing, expanding or substantially changing a facility, or when transferring residents from a facility because of funding changes.

Key report recommendations on this theme

Develop safeguards to protect seniors affected by large-scale staff replacement.

Require residential care facility operators to promptly notify residents, families, and staff of a decision to substantially change operations, or to transfer residents as a result of a funding decision.

See recommendations R170, R171, R172, R173



Improve rental protections for assisted living residents

Seniors who make their homes in assisted living facilities may experience the same kinds of tenancy issues as other renters. However, assisted living residents are not protected by the *Residential Tenancy Act*. This leaves them without the same basic rights as any other person who pays rent for their accommodations.

In 2006, the provincial government amended the *Tenancy Statutes Act* to address this inequity. However, these amendments have not been brought into force.



Given the increased vulnerability of seniors, the Ombudsperson found that assisted living residents should receive equal or greater protection than other tenants, not less.

Key report recommendations on this theme

The Ministry responsible for housing provide protection to assisted living residents by bringing the necessary sections of the Residential Tenancy Act into force by January 1, 2013, or by developing another legally binding process to provide equal or greater protection.

See recommendations R83, R84

CONCLUSION

WE HAVE THE ROADMAP, NOW IT'S UP TO US.

The absence of stewardship within seniors' care in B.C. has led to real challenges and troubling circumstances. Fortunately, the BC Ombudsperson's recommendations lay out clear, easy-to-implement solutions to address many of them. The BC government has said it is considering these recommendations, and wants to hear from British Columbians about our priorities and ideas for implementation.

Now is the time for British Columbians to express our support for improving care for seniors by following the Ombudsperson's roadmap to better care in B.C.

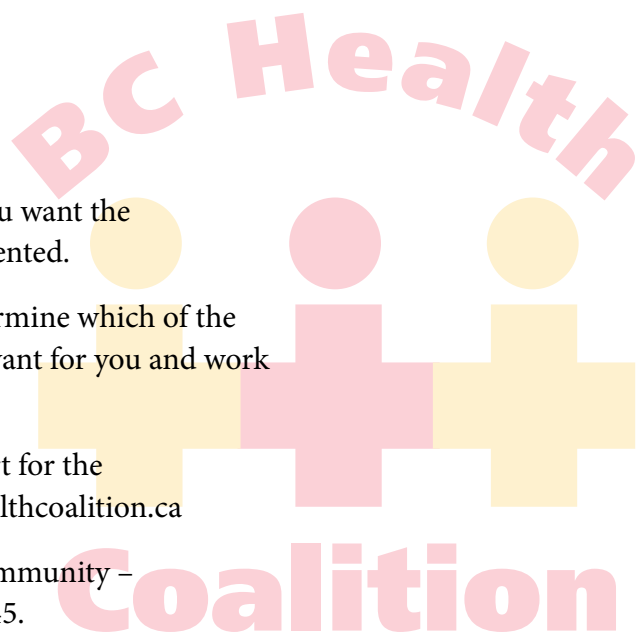
WHAT YOU CAN DO:

Contact your local MLA to let them know that you want the Ombudsperson's recommendations to be implemented.

Bring people together in your community to determine which of the Ombudsperson's recommendations are most relevant for you and work together to respond.

Email the Minister of Health to show your support for the Ombudsperson's recommendations at www.bchealthcoalition.ca

Order copies of this summary to share in your community – contact info@bchealthcoalition.ca or 604-681-7945.





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