

## **Intervention report (excerpts)**

### **Intervention report concerning Centre hospitalier régional de Lanaudière Centre intégré de santé et de services sociaux de Lanaudière**

Quebec City, September 9, 2016

#### **The intervention**

The Québec Ombudsman received a report informing it that:

- ▶ the staff of Centre hospitalier régional de Lanaudière of Centre intégré de santé et de services sociaux de Lanaudière (hereinafter “CISSS”) acted punitively regarding the users lodged in the mental health units, notably, in the context of the use of a reward system;
- ▶ the users did not receive all the information required for consent to means of control as part of planned interventions;
- ▶ the users did not have access to their personal belongings.

Given the information brought to its attention, the Québec Ombudsman decided to carry out an intervention to ensure the quality of the care and services provided to all the residents of the living environment concerned.

#### **Conclusion**

The Québec Ombudsman received a report concerning violation of the rights of the users hospitalized on units 4C and 4 D, especially regarding employees’ inadequate attitudes, the use of means of control and users’ access to their personal belongings.

Given the information brought to its attention, the Québec Ombudsman decided to intervene to ensure that the users’ basic rights are upheld.

Several failings were noted by the head of nursing of the units who had worked there since the fall of 2015. She and the mental health coordinator feel that changes are necessary in order to improve care and service quality. This is also what emerged from the investigation and why the Québec Ombudsman considers that recommendations are needed so as to ensure that users’ rights are upheld.

#### **Recommendations**

Given the preceding, the Québec Ombudsman recommends that Centre intégré de santé et de services sociaux de Lanaudière:

- R-1 Produce a code of living for units 4C and 4D of Centre hospitalier régional de Lanaudière and present it to unit staff and as well as to users;

By November 1, 2016, send the Québec Ombudsman a copy of the code of living and the date at which it will be presented to the staff.

- R-2** Take the measures deemed necessary to ensure that all unit 4C and 4D users have intervention plans that comply with the standards in force, that users or their representatives are aware of the intervention plans, that the staff abide by them, and that the plans be reassessed at the appropriate time;

By November 1, 2016, inform the Québec Ombudsman about the means to be introduced in order to achieve this.

- R-3** Take the measures deemed necessary to ensure that unit 4C and 4D staff do not use punitive measures on users and to support the acquisition of new attitudes through an approach based on a return to health and the development of a therapeutic partnership;

By November 1, 2016, inform the Québec Ombudsman about the means to be introduced in order to achieve this.

- R-4** Modify the regulation on the application of means of control to contain the terminology used by the Ministère de la Santé et des Services sociaux regarding the use of such measures, notably concerning the notion of “retrait sensoriel” (“time out”) and “mesures ultimes d’encadrement” (means of control involving the use of restraints as part of planned interventions), including chemical substances, as provided for in the latest reference framework;

By December 5, 2016, inform the Québec Ombudsman about the means to be introduced.

- R-5** Distribute to the Centre hospitalier régional de Lanaudière staff concerned the new version of the regulation on the application of control measures;

By December 5, 2016, send the Québec Ombudsman a copy of the action plan for distributing the new version to the staff.

- R-6** Take the measures deemed necessary to ensure that the members of the staff concerned report as isolation, regardless of the terminology, the use of a means of control consisting of confining for a determined time a person to a place which they cannot leave freely;

By November 1, 2016, inform the Québec Ombudsman about the means to be introduced in order to achieve this.

- R-7** Ensure that unit 4C and 4D staff identify alternative measures, soon after the admission to the units in question of users likely to be subject to means of control, that the staff obtain users’ free and informed consent in the case of planned measures, and that, where applicable, the information be entered in the intervention plan;

By November 1, 2016, inform the Québec Ombudsman about the means to be introduced in order to achieve this.

**Expected follow-up**

In accordance with the *Act respecting the Health and Social Services Ombudsman* (CQLR, c. P-31.1), within 30 days of receipt of this report, the institution concerned must inform the Québec Ombudsman of the actions to be taken as a result of the recommendations or, if the institution has decided not to act upon them, of the reasons for such a decision.