

Intervention report (excerpts)

Intervention at Centre intégré de santé et de services sociaux des Laurentides

March 26, 2018

The intervention

The Québec Ombudsman received a report concerning failings in the planning of the opening and the hasty closure of Résidence Yellen inc. (the resource), an intermediate resource. Yellen was under contract with Centre intégré de santé et de services sociaux des Laurentides (CISSS) and had 18 residents when it opened in March 2016. Most of them had come from Pavillon Sainte-Marie, a residential and long-term care centre (CHSLD) belonging to Groupe Champlain, which closed in the spring of 2016. When it closed in July 2017, the resource still had 14 full-time residents.

More specifically, the report concerned the following elements:

- poorly planned integration of the users within the resource further to the closure of Pavillon Sainte-Marie;
- unwarranted closure of the resource and poorly planned relocation of the users.

Conclusion

The Québec Ombudsman intervened further to a report concerning the planning for the integration of users and their relocation following the closure of an intermediate resource that had been in operation for slightly less than a year and a half.

Despite certain reminders by the CISSS and corrective measures that the CISSS demanded regarding the resource's practices, the Québec Ombudsman considered that the commitment of the CISSS's clinical staff, combined with the efforts of the resource's staff, made it possible to ensure the provision of adequate services in spite of major financial constraints and the poor condition of the premises.

In investigating, the Québec Ombudsman did not note any situations that had undermined the residents' integrity, but the investigation clearly revealed substantial shortcomings concerning the conformity of the premises.

In a context in which the fire department and the RBQ both specified that the building should have been up to code before residents were admitted, the Québec Ombudsman's opinion is that the CISSS should have limited use of the building to the first floor as part of the first phase of the project in order to better identify safety risks to the residents and to better control costs for bringing the building up to code.

While the investigation dealt primarily with poor administrative and financial planning of the project as a whole, the Québec Ombudsman considered that the CISSS had clearly underestimated the human and psychological impact on the residents and on their families further to two moves over a period of fewer than 18 months.

The investigation by the Québec Ombudsman confirmed that major financial issues involved in bringing Ressource Yellen up to code were combined with conflicts between the signatory of the initial contract, CISSS authorities and the new financial partners. However, the Québec Ombudsman considers that the CISSS's need to develop new residences for people with severe disabilities cannot legitimize or justify putting these people at risk by moving them to a building that was substandard.

This file illustrates the need for proper planning of transitions, even when decisions must be made quickly. A feeling of urgency must not result in hasty decisions which take their toll on users. Rather than having two moves within 18 months, it clearly would have been better to properly plan a single move.

Recommendations

Given the preceding, the Québec Ombudsman recommends the following to Centre intégré de santé et de services sociaux des Laurentides (CISSS):

R-1 **Establish** an internal policy for calls for tender for the awarding of contracts to non-institutional resources;

R-2 **Determine** the requirements governing and justifying the application of section 13 of the *Act respecting contracting by public bodies*;

R-3 **Ensure** that the CISSS representative who carries out the initial assessment of a new resource has all necessary information about the clinical project, the work to be done and the applicable standards;

R-4 **Obtain** a financial plan approved by the CISSS's financial department before signing a contract with an intermediate resource or a family-type resource;

R-5 **Obtain** a notice of compliance from the municipality concerned or the fire department for the resource's premises before relocating users;

R-6 **Ensure** that the planning of a transition to a new resource respects the ability of the people concerned to handle change;

R-7 **Ensure** that every employee who works with residents has all necessary information when a plan for the transition to or closure of a resource must be produced.

R-8 **Establish** an administrative policy that determines and governs the circumstances and steps that justify the emergency relocation of residents without their consent or authorization from their legal representative;

Inform the Québec Ombudsman, no later than May 18, 2018, of the measures put in place to implement its recommendations.

Expected follow-up

As provided for in the *Act respecting the Health and Social Services Ombudsman* (CQLR, c. P-31.1), within 30 days of receiving this report, Centre intégré de santé et de services sociaux des Laurentides must inform the Québec Ombudsman of whether or not it intends to implement the recommendations made to it, or of its reasons if it has decided not to act on them.