

Intervention report (excerpts)

Intervention at Centre intégré universitaire de santé
et de services sociaux de la Capitale-Nationale
Québec City, October 11, 2017

The intervention

The Québec Ombudsman received a report concerning the process of accessing a place in a public residential resource on the territory of Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale. According to the report, users who could afford to live in a private residential resource were refused access to a public residential facility.

Given the information received and the risk of harm for the people concerned, the Québec Ombudsman decided to intervene to ensure that the access criteria and process respect users' rights and needs.

Conclusion

The Québec Ombudsman received a report concerning the process of accessing a place in a public residential resource on the territory of Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale (hereinafter the CIUSSS). The Québec Ombudsman decided to intervene to ensure that the access criteria and process respect users' rights and needs.

Further to the investigation it conducted, the Québec Ombudsman recommended improvements to the process for accessing public residential resources on the territory of the CIUSSS, given that its actions are incompatible with the principles of equity and access that are the basis of the health care system. Three recommendations were therefore made to the CIUSSS and one to the Ministère de la Santé et des Services sociaux. The Québec Ombudsman is confident that they will take the required corrective measures as soon as possible.

Recommendations

Given the results of the investigation, the Québec Ombudsman recommended the following to Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale (hereinafter the CIUSSS):

R-1 Identify the needs and behaviour parameters that determine whether an applicant qualifies for the "brokerage" of private seniors' residences, especially when there is a high risk for falling or there are behavioural disorders.

By December 31, 2017, the CIUSSS must inform the Québec Ombudsman of these parameters and of the means employed to inform the stakeholders concerned.

R-2 Obtain the free and informed consent of users' or their families before undertaking the process of "brokering" with living environments in the private sector.

By December 31, 2017, the CIUSSS must indicate to the Québec Ombudsman the means established for that purpose.

R-3 Present users and their families with all residential options for which they qualify, whether public or private, at the same time and on equal footing throughout the process.

By December 31, 2017, the CIUSSS must indicate to the Québec Ombudsman the means established for that purpose.

Given the results of the investigation, the Québec Ombudsman recommended the following to the Ministère de la Santé et des Services sociaux (the Department):

R-4 Clarify the criteria for access to public residential resources by ruling on the legitimacy of taking applicants' income into account in assessing their admissibility for this type of resource.

By December 31, 2017, the Department must inform the Québec Ombudsman about the content of the clarification and indicate the means used to disseminate this information to the institutions concerned.

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, the institutions must inform the Québec Ombudsman that they agree to implement the recommendations made to them, or if they have decided not to act on them, of the reasons for it.