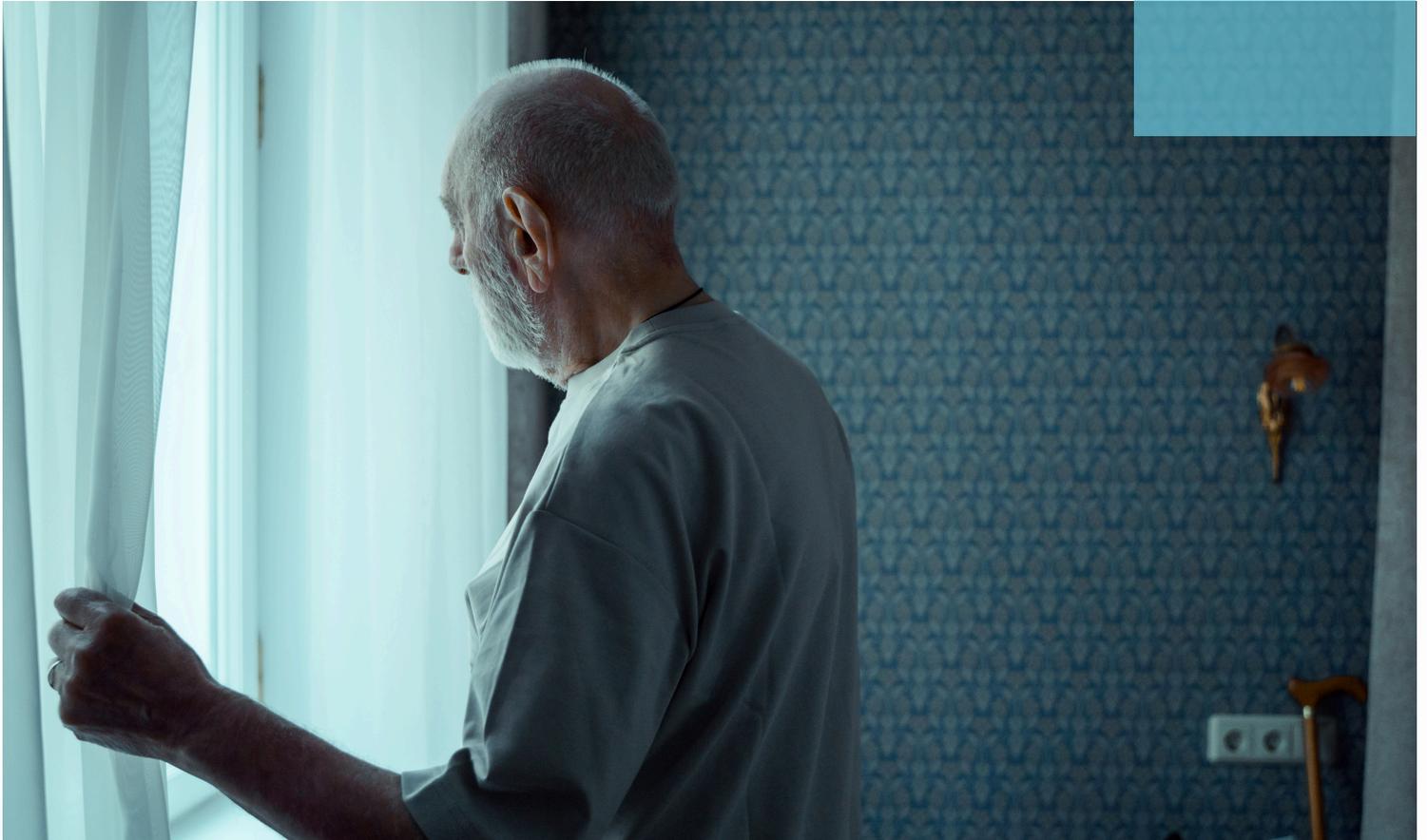




Office of the
SENIORS' ADVOCATE
Newfoundland and Labrador



From Review to Action: A CONTINUUM OF CARE APPROACH

MAY 15, 2025

Authority

The Office of the Seniors' Advocate (OSA) was established to identify, review and analyze systemic issues impacting seniors. The **Seniors' Advocate Act** provides the OSA with legislative authority to make recommendations to government, government agencies, service providers and community groups respecting legislation, policies, programs and services impacting seniors. All recommendations made by the OSA are the result of extensive research and analysis of best practices and informed by input from seniors, families and stakeholders. All recommendations are monitored for compliance and annual updates on the status of the progress are publicly reported.

Background

Significant problems in the long term care and personal care home systems were identified as a systemic issue by the OSA dating back to 2018. As a result, in September 2019, the OSA made recommendation in its report titled **Long May Your Big Jib Draw**, that government undertake a significant review of the long term care and personal care home systems. However, government did not complete this review at that time.

The following is the timeline on this matter:

2019 (Sept.)

The Office of the Seniors' Advocate recommended government undertake a significant review of Long Term Care and Personal Care Home systems.

2022 (Oct.)

The Office of the Seniors' Advocate wrote then Minister of Health and Community Services (HCS) (and later issued a News Release) to request immediate implementation of the 2019 recommendation of the OSA report to complete a review of these two systems.

2023 (Feb.)

The Minister of HCS acknowledged the waitlist for long term care and that improvements were needed in the system, and announced the commencement of the review, the establishment of an Expert Panel and stated the timeline for the Expert Panel to have the report back to government with recommendations for implementation was six to eight months.

2023 (Nov.)

Government issued a News Release noting a contract had been awarded “MNP to complete a comprehensive review” and that this “adds to the work already underway by an expert panel that was launched in February 2023.” It also noted that “The final report and recommendations are anticipated spring 2024.”

Dec. 3, 2024

The Premier stated in the House of Assembly “As far as I know, we have the review. It’s been analyzed within the department and as soon as the minister is ready, hopefully in days to weeks, we’ll make that review fully available to the public.”

Jan. 10, 2025

The Seniors’ Advocate wrote to the Minister of HCS requesting that this report be released publicly. The Minister responded on Jan 12, 2025, noting that “this report should be ready to be released in the very near future.”

Feb. 3, 2025

The Seniors’ Advocate wrote the Department of HCS requesting a copy of the Long Term Care and Personal Care Home review as Section 16(2) of the **Seniors’ Advocate Act** requires, “A service provider, department or government agency who receives a request for information under this Act shall, if he, she or it has custody or control of the information, provide the information.”

Feb. 5, 2025

The report was released publicly.

Feb. 6, 2025

HCS wrote the OSA back to note the report was released publicly and could be obtained on the HCS website.

Current Status

The OSA was pleased that the provincial government responded to our office and commissioned a review of the long term care and personal care home systems, as detailed by the OSA. Specifically, this entailed establishing an Expert Panel to conduct the review. The OSA supports the 23 recommendations in the **Newfoundland and Labrador Long Term Care and Personal Care Home Review** which focus on the need for strong governance, quality of life, high-quality people-centred care, and workforce satisfaction.

To ensure accountability to the seniors of NL, due diligence dictated that the OSA undertake its own assessment of the review findings and recommendations. Further, in the three months following the release of the review, government has not released an implementation plan.

Therefore, the intent of this OSA report is to identify any areas requiring specific recommendations not included in the **Newfoundland and Labrador Long Term Care and Personal Care Home Review** and to provide government recommendations to inform its implementation plan with the goal of seeing immediate actionable measures to begin the work of improving NL's long term care and personal care homes systems for the seniors of this province.

OSA Analysis

A jurisdictional scan of provinces and territories in Canada found that Alberta's 2021 **Facility Based Continuing Care Review and Recommendations** offers a particularly comprehensive and forward-thinking roadmap for the redesign of services to seniors. While Alberta's review was conducted by the same firm that the Expert Panel in NL contracted to write the **Newfoundland and Labrador Long Term Care and Personal Care Home Review**, it contains 42 strategic recommendations (19 more than the NL review). Some of the recommendations outlined in the Alberta review that were not in the NL review include:

- Establish a task force to lead the work of making quality of life the top priority;
- Developing and publicly reporting quality of life outcome measures for care homes;
- Enhancing performance measurement across all ownership types and making results public;
- Strengthening regulatory enforcement and accountability;
- Prioritizing smaller, person-centered care models for all facilities; and,
- Phasing out shared rooms, with a plan to eliminate them entirely by 2027.

In Canada, Alberta is the province with the most up to date legislative framework for seniors' services. Their **Continuing Care Act** encompasses the entire continuum of care for seniors. Further, Alberta is implementing a complete redesign of their service delivery structure. The Alberta model employs a continuum of care model for seniors' programs and services meaning there is a coordinated system of services, with strong integrated communication so that all service providers are working together to ensure that the broad spectrum of services are considered, and available, as a person's care needs change over time. Services include home supports, rehabilitative or restorative care, adult day programs, personal care and long term care, and end-of-life care.

The OSA supports a continuum of care approach as seniors need to be able to seamlessly move in and out and through the system, perhaps from one care provider, facility or service to another, utilizing different supports as needed to ensure their needs are met. At one end of the continuum of care, you might find a person living independently at home with home supports, and at the other end a person moving into a long term care facility where they may spend the rest of their lives, and palliative care. And between both, there are a myriad of options that should be available, coordinated and offered to people, as care needs and wants dictate. When people are provided with consistent and coordinated health care over time and across the care spectrum, care is enhanced, and inefficiencies are decreased.

The OSA recommends transforming services to seniors in NL with a continuum of care lens and long term care and personal care homes are only one aspect of this. This transformation begins with the development of inclusive continuum of care legislation that outlines the regulations and guides standards under a clearly defined governance model. To champion this new legislation, the OSA supports the concept of a separate department and minister of government focused on seniors. However, this department must be more than a policy division; it must have full responsibility for the development, oversight, implementation, and operationalization of the continuum of health care services (excluding the acute care system) for seniors. This will require transferring the human and fiscal resources related to, minimally, home support services, rehabilitative and restorative care, adult day programs, personal care homes and long term care homes and end-of-life care from the Department of Health and Community Services to the new Department of Seniors.

The new Continuum of Care Legislation and accompanying operational standards must include provisions to address issues concerning rent and evictions. NL long term care and personal care homes are not subject to the **Residential Tenancies Act**, meaning there is no protection for residents and families against excessive and/or frequent rate increases. Further, while there are circumstances when a resident may be required to leave a home, there must be safeguards in place to ensure that the person receives assistance to find a new home and that under no circumstances is that person rendered homeless.

The legislation must cultivate a model of proactive care that focuses on person-centered, relationship-focused holistic care that promotes rehabilitation and offers timely access to allied health services. Further, when seniors are prescribed medications, they have a right to timely access to those medications to ensure their health needs are met and they do not endure preventable pain or discomfort. Seniors living with disabilities must have their rights and needs met under this new legislation to ensure they are able to live their lives to the fullest. The OSA has heard from seniors in the Deaf community and many senior serving community organizations noting that seniors with disabilities living in long term care and personal care homes, have been made to endure compromises that seniors without disabilities do not have to make.

The new legislation must recognize that improvements to quality of life must include dignity and freedom to live as an adult which means having the income to purchase personal items. The Comfort Allowance, by definition, should be an amount that provides people with the ability to buy items as they choose to make their lives more comfortable.

Caregivers, often themselves seniors, are providing untold hours of unpaid care to a loved one both at home and in personal care homes and long term care homes. This is a labour of love but done with little in the way of support. Many provinces in Canada have developed formal caregiver networks with an emphasis on emotional support, information sharing on programs and services, caregiver training and system navigation. This approach would be of benefit in a province like Newfoundland and Labrador given the vast geography, limited rural resources and disintegrated delivery structure.

The new Continuum of Care Legislation must identify a strong governance model. The OSA supports the governance model outlined in the NL Health Accord and therefore makes recommendation that an external body, named the NL Council for Health Quality and Performance, be created through independent legislation and mandated to report to the House of Assembly on the oversight of the continuum of care for seniors in Newfoundland and Labrador. The establishment of the NL Council for Health Quality and Performance will be a significant move toward ensuring independent accountability of programs and services mandated through the continuum of care. Further, the creation of a Provincial Data Governance structure, as recommended in the Health Accord, will support the role of the NL Council for Health Quality and Performance to publicly report on key performance indicators through collecting, compiling and analyzing data from the new Department of Seniors and NL Health Services. This data will include but is not limited to staffing complement, incident reports, inspections and compliance status in all areas of the continuum of care and each individual personal care home and long term care home.

Currently, within long term care homes, Resident and Family Councils exist to provide input to management of the homes with regard to satisfaction levels and lived experiences of residents and families; they are mechanisms for public voices to be heard. However, in some cases these councils do not exist or are not functioning well. The OSA has heard that often participants do not feel that the issues being raised are being addressed. They feel powerless to create the changes for the other residents and disillusioned with the role of the council. The OSA recommends the mandatory establishment of Resident and Family Councils in both long term care and personal care homes. To help address the oversight and successful resolution of resident and family concerns, in addition to informing the individual long term care and personal care home management/operators, the Resident and Family Councils will provide all meeting minutes and any other reports to a newly created Zonal Resident and Family Council. These Zonal Councils will help to proactively identify systemic issues and promote a culture of continuous quality improvement that centers on the care and quality of life for residents. The Zonal Resident and Family Councils will compile the reports from each Resident and Family council and report first to NL Health Services and then to the NL Council for Health Quality and Performance, through the Provincial Data Governance. The intent of this dual reporting is to ensure that NL health Services is made aware of concerns, any effort the facility has made to address them, and has the opportunity to provide oversight to ensure resolution. The NL Council for Health Quality and Performance will publicly report on these concerns. The Provincial Data Governance will also provide this data to the OSA. The OSA will monitor the issues raised by residents and families to ensure that issues are resolved by the appropriate body/bodies.

Recommendations

Recommendation 1

The Government of Newfoundland and Labrador will mandate the new Department of Seniors with the full and independent responsibility and authority for the development, oversight, implementation and operationalization of the continuum of health care for seniors. This will include:

- Creating a continuum of care vision with an emphasis on people-centeredness within a transparent and accountable system;
- Moving all aspects of health care services for seniors – including, but not limited to, home support services, rehabilitative and restorative care, adult day programs, personal care homes and long term care homes and end-of-life care - to the new Department of Seniors and requiring NL Health Services as the delivery arm to report to the Department of Seniors for these services;
- Creating a Branch within the new department responsible for long term care and personal care home systems and all aspects of these homes including but not limited to licensing, monitoring/oversight, inspections, compliance, accreditation and reporting; and,
- Developing and enforcing all relevant legislation, regulations and standards to ensure compliance and accountability.

Recommendation 2

The Department of Seniors immediately develop and implement an Action Plan to respond to the recommendations in the **Newfoundland and Labrador Long Term Care and Personal Care Home Review** and this OSA Report to include an implementation plan outlining priorities, measurable key performance indicators, timelines, and responsibility. This plan must be released publicly.

Recommendation 3

The Department of Seniors in conjunction with the Department of Justice and Public Safety develop Continuum of Care Legislation and associated regulations which will: a) set the legislative standards for all programs within the continuum, b) provide authority for oversight of the continuum and consequences for non-compliance, and c) outline roles and responsibilities of all relevant entities including but not limited to government, NL Health Services, owner/operators and agencies.

Recommendation 4

The Department of Seniors develop and implement Operational Standards for seniors' services and programs across the continuum including home supports, long term care, and personal care homes based on the Continuum of Care legislative framework.

Recommendation 5

The Department of Seniors ensure that the new Continuum of Care Legislation and accompanying Operational Standards for long term care and personal care homes include:

- That all homes must adopt and implement, with associated training, a formalized model of care that shifts from the traditional institutional and task oriented approaches to person-centered, relationship-focused holistic care.
- Encompass Key Performance Indicators (KPIs) that promote proactive care, rehabilitation and timely access to allied health services.
- That the rights and needs of seniors with disabilities are met.
- That rental rates not increase more than once a year, increases can be no more than the rate of inflation and residents must receive a 4 month written notice prior to incurring the new rate.
- The comfort allowance increase to a minimum of \$360 per month and be indexed to inflation annually to enable seniors to purchase personal effects, pay their telephone and television bills, and engage in community activities.
- Evictions are not permitted until a transition plan is developed and operationalized, or financial penalties will be incurred.
- Personal care homes must supply prescribed medications to residents immediately and within no longer than 24 hours of the medication being prescribed.

Recommendation 6

The Department of Seniors establish and financially resource a Provincial Caregivers Network to provide emotional support, program and service information, and navigation to any caregiver of a person receiving services in the continuum of care.

Recommendation 7

The Department of Health and Community Services establish the NL Council for Health Quality and Performance which reports to the House of Assembly, as recommended in the Health Accord, immediately and make its first action the development of a publicly available dashboard on the KPIs of the long term care and personal care home systems including, but not limited to, staffing complement, incident reports, inspections and compliance status on each long term care and personal care home in the province.

Recommendation 8

The Department of Seniors and NL Health Services report on their legislated monitoring and compliance activities of each service under the continuum of care quarterly to the NL Council for Health Quality and Performance.

Recommendation 9

The Department of Seniors ensure that the Continuum of Care legislation require all long term care and personal care homes to establish resident and/or family led Resident and Family Councils.

Recommendation 10

The Department of Seniors ensure that the Continuum of Care legislation must outline a strong governance structure for the Resident and Family Councils to ensure they receive the supports necessary to operate and their concerns are addressed. This will include:

- The creation of Zonal Resident and Family Councils, which will support the Resident and Family Councils and compile reports from each.
- The Zonal Resident and Family Councils will report to NL Health Services and to the NL Council for Health Quality and Performance, through the Provincial Data Governance.

Recommendation 11

The Department of Health and Community Services ensure that the Provincial Data Governance will annually provide a report to the OSA of their analysis of the data provided by each of the Zonal Resident and Family Councils.

Conclusion

The success of the recommendations to fix the long term care and personal care home systems can only be achieved by the new Department of Seniors, in conjunction with NL Health Services as the delivery arm, having the full and sole departmental responsibility for the continuum of care for seniors in the province and developing and implementing a coordinated strategy with a robust implementation timeline and comprehensive oversight within an accountability framework.

Developing an action and implementation plan outlining priorities, measurable key performance indicators, timelines, and responsibility is an initial piece of work needed to advance the recommendations of this review. Even the Expert Panel noted in their review *we have detailed the key actions and areas required to support achieving these recommendations. We believe that the LTC and PCH sector is ready for change; and what is needed now is leadership commitment to invest in and drive transformation throughout the sector.*



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