

# Submission to Ministry of Long-Term Care Public Consultation on New License & Expansion for Southbridge Care Homes Orchard Villa

To: The Director under the [Fixing Long-Term Care Act, 2021](#)  
Ministry of Long-Term Care  
Capital Planning Branch  
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From: Ontario Health Coalition

Re: PROJECT #23-034 Orchard Villa , Southbridge

Date: October 19, 2022

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Under Ontario's long-term care legislation, "A person is only eligible to be issued a license for a long-term care home if... the past conduct relating to the operation of a long-term care home or any other matter or business of the following affords reasonable grounds to believe that the home will be operated in accordance with the law and with honesty and integrity".

The law sets out eligibility criteria including:

- that the home and its operation would comply with the legislation and the regulations;
- that the past conduct relating to the operation of a long-term care home affords reasonable grounds to believe that the home will be operated in accordance with the law and with honesty and integrity;
- it has been demonstrated that the applicant is competent to operate a long-term care home in a responsible manner;
- the past conduct relating to the operation of a long-term care home affords reasonable grounds to believe that the home will not be operated in a manner that is prejudicial to the health, safety or welfare of its residents.

In light of Southbridge's appalling record at Orchard Villa, it would be unreasonable and contrary to law for the government to find that Southbridge is eligible to be approved for a new license and expansion at Orchard Villa. No reasonable assessment could conclude that Southbridge is competent to operate Orchard Villa, or that its conduct affords reasonable grounds to believe that the home will be operated with honesty and integrity and not in a manner that is prejudicial to the health, safety or welfare of its residents.

Orchard Villa LTC in Pickering Ontario gained widespread notoriety for its appalling record during the COVID-19 pandemic. At least 206 of Orchard Villa's 233 residents contracted COVID-19, along with more than 100 staff. At least 70 residents died. Reports from [families of residents](#), the [local hospital](#), the [Canadian Forces](#) and repeated [inspections](#) before and since the first wave of the pandemic provide hair-raising accounts of failures to provide sound infection control; dire understaffing; inadequate hydration and feeding; uncleanliness; flies and cockroaches; lack of vital supplies and egregious lack of care.

According to a [CBC analysis](#), for-profit LTC chain Southbridge, which owns Orchard Villa, had the worst record among the for-profits during the pandemic with 9 deaths per 100 residents in homes with outbreaks. Orchard Villa had at least 30 deaths per 100 residents.

Not only was Southbridge's record hair-raising during the first wave of the pandemic, since then, their [operating record](#) continues to be extremely poor. In the thirteen months from May 26, 2020 to June 29, 2021, there were fourteen inspections carried out at Orchard Villa. These inspections resulted in:

- 45 Written Notifications
- 26 Voluntary Plans of Corrections
- 7 Compliance Orders

Many of these are major violations related to keeping residents safe from abuse, failing to follow care plans, lack of PPE, failing to keep equipment in good repair, assessments not being completed after falls, failing to provide assessments for skin breakdowns/wounds, failing to ensure that drugs are not given to residents unless they are prescribed to them, and more

After June 29, 2021, even as the consultation on its new license and expansion has proceeded, Southbridge has continued to receive [non-compliance notices at Orchard Villa resulting from inspections for critical incidents, complaints and other inspections](#) as follows:

- A Written Notification on August 31, 2021 related to a critical incident for a resident fall and injury.
- 3 Written Notifications and 3 Voluntary Plans of Corrections on March 10, 2022 related to falls, poor food, failure to provide PPE to staff and ensure its use for residents with infectious disease, other breaches of infection control protocols.
- 2 Written Notifications and 2 Voluntary Plans of Corrections on March 16, 2022 related to failure to report an allegation of abuse that resulted in an injury to a resident.
- 2 Written Notifications and 1 Compliance Order on June 8, 2022 related to failure to report an allegation of abuse, failure to meet minimum heating temperatures in January, and another fall that resulted in the residents' death.

Thus, in the most recent year, Orchard Villa has again been found non-compliant repeatedly resulting in escalating enforcement attempts including: another 11 Written Notifications, 5 Voluntary Plans of Corrections and a Compliance Order.

This record of poor care stretches back to when Southbridge bought Orchard Villa from its previous owner, Community Lifecare Inc., in 2015, during what Southbridge's Chairman has called its "acquisition phase". Southbridge does not have a history of operating LTC homes. It purchases and licenses homes in order to draw a return on its investment. As it notes on its website, Southbridge hires a management firm, Extendicare Canada Inc., "to manage the operations of our homes, both before and after redevelopment." Extendicare is a for-profit LTC management company that trades on the TSX. Thus, investors are looking for a return on investment from two layers of Orchard Villa's operations.

Southbridge is currently licensed for 233 long-term care beds at Orchard Villa. That license was initially granted in July 2010 to Community Lifecare Inc. from which Southbridge purchased the home as noted above. Southbridge is now proposing to develop 87 additional long-term care beds "conditionally allocated by the Ministry of Long-Term Care" to be included in the proposed 320-bed development project; and the issuance of a new license with a term of up to 30 years for the operation of 320 new beds at the existing location, following the development.

In summary, the record of care provided by Southbridge at Orchard Villa is appalling. Recorded observations by hospital staff, the Canadian Forces, inspections officers include the following:

- Staffing levels at the home to be 20-25% of the normal complement, garbage “everywhere”, “very shocking” personal protective equipment (PPE) practices, and the absence of even rudimentary infection control measures. Just to “stabilize the situation,” Orchard Villa required a deep clean costing almost \$500,000.”  
Source: Ontario’s Long-Term Care COVID-19 Commission.
- Poor infection control practices, including improper use of PPE; the presence of cockroaches, flies and rotting food; such inadequate resident care that residents were being left in soiled diapers, experienced falls without the post-fall assessments required by regulation, were the victims of medication administration errors, were not properly hydrated or sat up for meals (increasing their choking risk); a broad lack of medical supplies, including limited and/or inaccessible wound care supplies, linens and soaker pads, or properly functioning oxygen generators and suction units; residents being left on mattresses on the floor to prevent them from getting up and walking; significant shortcomings concerning incident reporting and communication between all levels of staff; and lack of training for staff and “[n]o accountability for staff in regards to upholding basic care needs or best practices”.  
Source: Canadian Armed Forces.
- Dire understaffing, poor management, and the absence of infection control procedures at the home, conditions that resulted in extreme weight loss, bed sores, infections and other harms.  
Source: testimony of Orchard Villa families to Ontario’s Long-Term Care COVID-19 Commission.
- Routine failure to follow falls protocols – even those resulting in injury and death for residents; failure to report abuse resulting in harm; failure to follow infection control protocols; failure to provide PPE to staff and ensure they use it even in recent months; failure to follow care plans and provide safe clinical care; failure to keep equipment in good operating order and to keep the home heated adequately in the winter.  
Source: Inspection non-compliance reports, Ministry of Long-Term Care.

Given its long-standing record of regulatory non-compliance; its persistent failure to operate the Orchard Villa home in accordance with the law and with honesty; its demonstrable failure to operate Orchard Villa in a competent and responsible manner; and its chronic failure to protect the health, safety and welfare of its residents, the Applicant is clearly not eligible for a license to operate this long-term care home and its application for a license to do so must be denied.

Respectfully Submitted By:

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