



Response to BC Ombudsperson's First Report on Seniors Care February 2010

Overview

On December 17, 2009, the BC Ombudsperson released the first of two reports on her systemic investigation into the care of seniors in British Columbia. It includes a set of 10 specific recommendations in three categories; seniors' rights, transparency and the role of family councils.

On behalf of care providers across the province, the BC Care Providers Association (BCCPA) thanks Kim Carter and her team for the work they have done to prepare this comprehensive analysis of our sector. We look forward to part two this spring.

BCCPA has been very supportive of the Ombudsperson's investigation. Many of our members have welcomed her into their facilities to provide a front-line account of the many complex challenges residents and care providers face across the province.

The Ombudsperson's first volume is one of three significant reports that have been released on seniors' care in the last 60 days.

In early December, the BCCPA released a report to the BC Health Minister that included a list of recommendations to make the seniors' care system safer, more efficient and sustainable (www.bccare.ca). In addition to supporting the Ombudsperson's focus on transparency the BCCPA report recommends a series of constructive ideas, including:

- apply new revenue to increased staffing & front-line residential care services
- establish ongoing consultation mechanism with care providers to attack inefficient practices & develop solutions to emerging cost pressures
- fill empty residential care beds with long stay seniors waiting in acute care hospital wards
- increase emphasis on home support services
- create more training opportunities for new care aides & LPNs
- mitigate negative HST impacts
- finalize a single & fair administrative contract for BC care providers

The Ombudsperson's report was followed in January 2010 by a study from the Alzheimer's Society of Canada (ASC) which predicted the number of Canadians living with the disease and other forms of dementia will more than double in our generation to 1.1 million (www.alzheimer.ca).

According to the ASC report, the number of long term care beds in Canada will need to increase by over 140% to meet demand – from 280,000 today to 690,000 by 2038.

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These three reports have sounded the alarm. They echo the Canadian Healthcare Association's September 2009 *New Directions for Facility-Based Long Term Care* that called for "adequate and sustainable funding for facility-based long term care tied to pan-Canadian principles" (www.cha.ca).

Now governments have to demonstrate that they understand the challenges of our aging society are no longer arriving at the feet of future leaders. They are knocking on the door today.

Failure to take action now will cost taxpayers hundreds of millions of dollars more in the long run and place a crippling financial and personal burden on families.

Resident Bill of Rights

The first section of the Ombudsperson's report relates to the rights of seniors in residential care. She concludes that the provincial government has not adequately identified their commitment to care and makes four specific recommendations to the Health Ministry:

- ensure a commitment to care and the rights of seniors living in all residential care facilities are set out clearly in law by March 31, 2010
- require all residential care operators to post rights at entrance of their facilities
- develop reliable and objective process to monitor the degree to which rights are respected
- report results of this evaluation annually starting in 2011

The Ombudsperson recognizes the province's introduction of a *Resident Bill of Rights* in November 2009 and suggests it can be strengthened in the future.

BCCPA Response

BCCPA supports a *Resident Bill of Rights* and the other recommendations associated with it. However, we feel that the Bill that has been introduced by the government has missed an opportunity to truly improve quality of care by not including meaningful measures related to transparency and commitment to staffing and funding levels.

The bottom line is the best way to enhance the dignity of seniors and the quality of their care is to ensure the system is adequately funded. In this light, BCCPA has recommended the Bill be strengthened to include the following provisions:

- full disclosure of funding rates for all residential care facilities in BC to help families/residents understand funding levels
- guarantee of adequate funding levels to ensure quality of care and increased staffing rates
- responsibilities of residents to treat their fellow residents, staff, visitors and volunteers with dignity and respect
- commitment to minimize waiting times for seniors' care

Transparency

The second section of the Ombudsperson's report relates to transparency. She concludes that the provincial government has not ensured adequate information about residential care facilities is publically available that allows seniors and their families to make informed decisions.

The report also shines a light on the uneven rates of seniors' care funding across the province by pointing out that some care facilities are receiving as little as \$95/day to deliver complex seniors care while others are receiving up to \$260/day.

In this light, the report includes two recommendations to the Health Ministry:

- develop a single provincial website for public reporting of useful information about residential care facilities by September 30, 2010
- review the evaluation model and information reporting that is to be implemented in Ontario after one year of operation to evaluate whether there are further improvements that can be made to the BC public information system

The provincial government has rejected the Ombudsperson's recommendation for a new website in favour of a commitment to build on current structures and establish a "Senior's Portal" within the Seniors Healthy Living Secretariat.

With regard to the list of items the Ombudsperson has recommended for disclosure, the province says they will consider it subject to a review of legal and privacy requirements.

BCCPA Response

BCCPA applauds the Ombudsperson for her emphasis on transparency and exposing the uneven funding rates for seniors' care across the province is very welcome. It reflects the recommendations BCCPA made to the Health Minister in December report.

Without increased transparency, families will remain in the dark on some of the most important decisions they will have to make in their lives. Why shouldn't seniors and their loved ones be empowered with the basic facts about our how our residential care system operates?

In response to the Ombudsperson's emphasis on transparency and the public's demand for increased accountability of government spending, BCCPA is recommending the provincial government conduct a full comparative analysis of all funding provided to Health Authority residential care facilities vs. the funding provided to not-for-profit and private operated care providers for the same service.

This analysis should be conducted by the Auditor General or another independent party, include home support services and be published on the "Senior's Portal" this fall.

Family Councils

The third section of the Ombudsperson's report relates to the role of family councils in the seniors' care system. She concludes that the provincial government has not taken the necessary steps to ensure resident and family councils are adequately supported. To address this, the report includes four recommendations to the Health Ministry:

- entrench and expanded role for resident and family councils in legislation or regulation which includes a requirement to designate a liaison person at each facility in each health authority by March 31, 2010
- provide guidelines to operators of all residential care facilities on the types of support they should offer family councils
- establish ongoing position to promote and help develop resident and family councils by June 30, 2010 and report on these activities each year
- support the establishment and development of regional family council organizations

The provincial government has accepted the intent of these recommendations. While they have not agreed to create an ongoing position to develop family councils, they will introduce new policies and guidelines by March 2010.

BCCPA Response

BCCPA members have extensive expertise and experience working with family councils and we feel the government can benefit from this invaluable insight as next steps are considered.

BCCPA generally supports the provincial government's response to this element of the Ombudsperson's report based on the following conditions:

- care providers must be consulted in development of new policies to ensure they are realistic, effective and not re-directing limited resources from direct care
- attention is paid to reducing duplication of responsibilities and growing regulatory burden on care providers

Conclusion

BCCPA is committed to working with the provincial government to renew our seniors' care partnership and make sure the Ombudsperson's recommendations are put into action for the seniors we serve. We look forward to working with provincial Ministers and officials on these recommendations in the coming weeks and months.