

LICENSING SERVICES HANDBOOK

*Nova Scotia
Department of
Opportunities and
Social Development*

V. 5.0-2024

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Introduction

This handbook is intended to be used as a reference if you operate a licensed Child and Family Wellbeing (CFW) home or a Disability Support Program (DSP) home, under the *Children and Family Services Act* and *Regulations* or the *Homes for Special Care Act* and *Regulations* (also known as the *Acts*), and/or are interested in opening a licensed CFW/DSP home. It provides information on the following topics:

- The license application process
- Information about the license
- What is involved in the inspection and monitoring of your licensed home
- How to prepare for a licensing inspection
- The Compliance and Enforcement Policy
- How to report complaints and how Licensing Services responds to complaints
- Additional information

Licensing Services is a unit within the Department of Opportunities and Social Development (DOSD). Our purpose is to protect the health, safety, and well-being of those receiving out-of-home care. We do this through home inspections to ensure compliance with minimum requirements set out in the *Acts*.

Licensing Services is accountable for the following:

- Processing license applications, ensuring licensing requirements are met, and issuing the license
- Providing technical assistance to homes to help in achieving compliance with the *Acts*
- Performing a minimum of two inspections per year on-site at each licensed home
- Carrying out compliance enforcement activities for homes that are found to be in non-compliance of any requirement of the *Acts*
- Receiving and following up on complaints made against licensed homes

For additional information about Licensing Services, see the DOSD Licensing Services website: <https://novascotia.ca/coms/licensing/>

Section 1 – License application process

This section provides the steps on the license application process and issuance.

Step 1: Program Area proposal approval

Program Area proposals to operate a home are first submitted to the CFW Program or to DSP where they are reviewed, and approval may be granted. For more information about the CFW Program or DSP, and/or information on proposal guidance, contact the CFW/DSP office in your region (refer to Section 7 –DOSD Regional Offices).

Step 2: Licensing Services license recommendation and Minister approval

After your proposal is approved by the CFW Program or DSP, you will be required to complete and submit a license application form and supply the following required documentation:

- A letter from the Municipality stating that the home conforms to zoning by-laws
- A copy of the Occupancy Permit from the Municipal Building Inspector
- A letter from a qualified electrician approving the electrical aspects of the home
- A letter from a qualified plumber approving the plumbing aspects of the home
- A letter from a qualified heating expert approving the heating/cooling aspects of the home
- Proof of fire and liability insurance
- A copy of the Health Inspection Report, indicating that all health safety requirements are met (only required if 12 or more residents)
- A copy of the Fire Marshall Inspection Report, indicating that all fire safety requirements are met
- A current floor plan of the home
- A current water analysis report (only required if on a dug/drilled well)

It is recommended that you contact the Office of the Fire Marshall (fire inspection) and the Department of Environment (health inspection) early in the process because of the time it may take to arrange for these inspections.

Licensing Services will review your application to verify that all required documentation has been submitted. Before you are issued a license, a Licensing Officer will be assigned to your home and will contact you to arrange an on-site inspection of your home to confirm that all the requirements of the Acts are met. Once this is completed, a recommendation will be made to issue your new license. The Minister of Opportunities and Social Development provides the final approval and signs the license.

At Licensing Services, we are committed to having your license issued to you within 10 business days of receipt of the complete application, including the submission of all the required documentation. If you require any assistance during this stage of the application process, you can contact Licensing Services. (refer to Section 8 – Licensing Services contact information).

Section 2 – Information about the issued license

This section provides details of your responsibilities and what to expect once you have a licensed home, as well as the tools available to you should you wish to request a change to your license.

The Minister of Opportunities and Social Development issues the license to your registered Licensee name. The license contains the following information:

- Name of the home
- Location of the home
- Type of home
- Effective dates of the license
- Maximum number of residents – the total number of residents that can be living at the home at one time
- Age range (if applicable) – the allowable age range of the residents living at the home
- Terms, Conditions, or Restrictions of the license-any additional items will be detailed here (for example, the home has a waiver for a specific regulation, or the home is operating under a Probationary License)

Displaying the License

If you operate a licensed home, the license for your home must be displayed in a visible location of the home.

Renewal

Licenses are issued for 1-5 years. The issue term is at the discretion of the approving Program Area.

At least 30 days before the end of the term of your license, you will receive a license renewal application form, asking you to verify the information on your license.

Voluntary Closure

If for any reason during the term of your license you decide to close your home, you must advise your Licensing Officer of your decision. Licensing Services will provide you with a form to complete and will cancel your license accordingly.

Changes to the License

At any time during the term of your license, you may request changes to your license (for

example, the maximum number of residents, age range, or the location of the home). To request a change to your license, you will need to contact the CFW Program or DSP and discuss the proposed change. The CFW Program or DSP will provide guidance on the steps required and will provide a recommendation to proceed with the change.

Once the CFW Program or DSP has recommended your requested change, Licensing Services will provide you with a change request application form and the additional documentation required.

Licensing Services will review your application to verify that all required documentation has been submitted. Depending on the type of change requested, a Licensing Officer may conduct an inspection to ensure compliance with the *Acts*. If your request has been approved, an updated license will be issued.

Section 3 – Licensing inspections

This section provides information on the purpose of licensing inspections and a description of each type of inspection.

Purpose of Inspections

All licensed homes are required by law to be inspected. Inspections are intended to ensure that all licensed homes adhere to the Acts. Licensed homes will receive a minimum of two licensing inspections during a 12-month-period. However, if non-compliance is identified or a complaint received, Licensing Services may conduct additional inspections.

Licensing Inspection Report

Once the inspection has been completed, your Licensing Officer will issue a Licensing Inspection Report, which provides the results of the inspection and details of any identified non-compliance items. The Licensing Officer will review the inspection report with the home's Administrator, or designate, who will need to sign the Licensing Inspection Report. The home's Administrator is responsible for sharing the report with the Licensee, if applicable.

Types of Inspections:

Initial License Inspection

This inspection occurs when you apply for a new license. Its purpose is to ensure adherence to the Acts. The inspection will be scheduled in advance by the Licensing Officer who will conduct it.

Initial Unannounced Inspection

This inspection takes place four (4) to six (6) months after your new license is issued. You are not informed in advance of the inspection date.

Annual Announced Inspection

This inspection occurs on or before your Initial License Inspection anniversary date. Your Licensing Officer will contact you to schedule this inspection and will answer any questions you may have.

Annual Unannounced Inspection

This unannounced inspection occurs at least once within a 12-month period. The inspection is done four (4) to six (6) months from the date of your Annual Inspection, and you are not informed of the inspection date.

Monitoring Inspections

Monitoring Inspections are conducted if non-compliance items are identified during an inspection. A Licensing Officer will conduct a Monitoring Inspection by the date specified in the Licensing Inspection Report to correct the identified non-compliance items. If you are not sure how to correct the non-compliance items, you can contact your Licensing Officer for technical assistance.

If there are non-compliance items still outstanding and not corrected after a Monitoring Inspection, enforcement measures may be implemented according to the Compliance and Enforcement Policy (refer to Section 5 – Compliance and Enforcement Policy).

Enhanced Monitoring Inspections

Licensing Services may deem it necessary to conduct additional Monitoring Inspections to ensure continued safety of residents during periods of non-compliance or when renovations are occurring at your home. These inspections may be scheduled or unannounced.

Complaint Investigations

Licensing Services receives and manages complaints about licensed homes. It may be determined, based on the information received, that a Licensing Officer will have to inspect your home to determine if any action is required. This inspection may be announced or unannounced. If the complaint results in non-compliance with the requirements of the *Acts*, the non-compliance item(s) and the correct-by date is noted on the Licensing Inspection Report, and a Monitoring Inspection will be scheduled. If no action is required, a Licensing Inspection Report will be issued indicating there are no areas of non-compliance. Some complaints pertain to other Departments or Programs (for example the Department of Environment or the Office of the Fire Marshal), in these cases, a referral will be made to the appropriate area (refer to Section 6 – Complaints).

Section 4 – How to prepare for an inspection

This section provides some recommended practices to ensure that you and your home are prepared for an inspection.

Technical Assistance

You may request technical assistance from either your Licensing Officer or Licensing Services. The intent of technical assistance is to provide information and support to help you meet and maintain compliance with the Acts. Licensing Services are also available to meet with you and your staff to answer any questions you may have. Our goal at Licensing Services is to help homes meet compliance, and we encourage you to contact us at any time. Technical Assistance can occur via telephone, site visits, or email.

Know the minimum requirements

To ensure that your home always meets the minimum requirements, it is important that you and your staff are familiar with the Acts. If you have questions or need clarification, please connect with the applicable Program Area.

Review the Inspection Checklist

You may wish to review the Inspection Checklist used by Licensing Officers during inspection visits. A copy of the checklist is available on our website: <https://novascotia.ca/coms/licensing/> or you may request a copy from your Licensing Officer or by contacting Licensing Services.

Review previous Licensing Inspection Reports

You may wish to review Licensing Inspection Reports from previous inspections, as this will give you a listing of non-compliance items identified in the past.

Have resident and administrative records ready

Check to see that all records and required documentation are complete, organized, and up to date. Also, make sure that all required administrative records and information are accessible for review. Here are some examples of the records and documentation the Licensing Officer will ask to see:

- a copy of your policies and procedures
- program plan
- resident files
- medication records
- criminal record checks (if applicable)

- staff training

Some of the documentation, such as fire inspection reports or confirmation of staff training, may take several weeks to be completed. You will need to ensure that the documentation is obtained early enough in advance so that it can be reviewed at the time of your inspection.

Talk with your staff

You may wish to speak to your staff about the licensing inspection to better prepare them and help them understand the process. It is important for staff members to be familiar with the Inspection Checklist and to understand what the Licensing Officer may be looking for. They should feel free to speak with the Licensing Officer and to ask questions. Staff should be encouraged to follow regular routines during the inspection.

Talk with your residents

You may wish to speak to your residents about the licensing inspection to better prepare them and help them understand the process. They should feel free to speak with the Licensing Officer and to ask questions. Residents should be encouraged to follow regular routines during the inspection.

What to expect during an inspection

During an inspection, a Licensing Officer will record notes, complete observations, review records and information, and speak with the home Administrator (or appointee), staff, and residents. Once the inspection is complete, the Licensing Officer will determine whether your home meets the requirements. If there are any identified non-compliance items, the Licensing Officer will provide details on them and specify a correct-by-date. The Licensing Officer will generate the Licensing Inspection Report.

The length of an inspection varies and may take several hours. Feel free to inform the Licensing Officer of any needs during this timeframe (such as scheduled appointments or staff break coverage).

Section 5 – Compliance and Enforcement Policy

This section provides a summary of the actions that occur under the Compliance and Enforcement process when non-compliance is identified. The Compliance and Enforcement Policy can be reviewed online at <https://novascotia.ca/coms/licensing/docs/Compliance-Enforcement-Policy.pdf>.

First Monitoring Inspection

If non-compliance is identified during an inspection, a Monitoring Inspection is conducted by a Licensing Officer on or before the date specified on the Licensing Inspection Report to correct the identified non-compliance items.

Probationary License Warning Letter

If at the first Monitoring Inspection, the non-compliance items are not corrected, the Licensing Officer will escalate the non-compliance to Licensing Services and assign a second Monitoring Inspection date. Licensing Services, after reviewing the information on the outstanding non-compliance items, may recommend that the Director of Licensing Services issue a Probationary License Warning Letter. This letter will advise you that if the non-compliance items are not corrected by the specified correct-by-date, a Probationary License may be issued.

Probationary License

If at the second Monitoring Inspection, the non-compliance items are not corrected, Licensing Services will escalate the non-compliance to the Director of Licensing Services and assign a third Monitoring Inspection date. The Director, after reviewing the information on the outstanding non-compliance items, may recommend that the Minister of Opportunities and Social Development issue a Probationary License. A letter accompanying the Probationary License will advise you that if the non-compliance items are not corrected by the expiry date identified on the Probationary License, a recommendation may be made to the Minister to suspend or to cancel your license.

Suspension or Cancellation of License

If at the third Monitoring Inspection, the non-compliance items are not corrected, Licensing Services will escalate the non-compliance to the Director of Licensing Services. The Director, after reviewing the information on the outstanding non-compliance items, may recommend that the Minister of Opportunities and Social Development suspend or cancel your license. A letter from the Minister will be issued detailing the suspension or cancellation decision and the required next steps.

Please note that the Minister may at any time suspend or cancel a license. This would only occur when there is sufficient evidence to warrant the suspension or cancellation.

Action Plans

Depending on the nature of the non-compliance items and the circumstances, your Licensing Officer may suggest establishing an Action Plan for your home to come into compliance. For example, a home must undertake repairs but the work for various reasons cannot reasonably be completed within the identified correct-by-date, therefore, your Licensing Officer may recommend a Home Action Plan approved by Licensing Services.

Section 6 – Complaints

Licensing Services is responsible for following up on any complaints pertaining to licensed homes. You are encouraged to contact us when you have any concerns or questions. Phone 1-844-896-2494 or email osd_licensing@novascotia.ca.

Licensed homes

When a complaint is received, the information is assessed, and a determination is made as to whether an investigation is required. If the complainant provides information that indicates non-compliance to the *Acts*, a Licensing Officer will investigate. Depending on the nature of the complaint, Licensing Services may also refer the complaint to other government Departments or Programs.

Suspected Abuse or Neglect

Everyone has the duty to report if there is a suspicion that a child under 16 may need protective services. Once a report is made, child protection Social Workers can assess the information provided to determine an appropriate response.

If you suspect that a child is being abused or neglected contact the Child and Family Wellbeing office in the area where the child lives. To find a Child and Family Wellbeing office in your area, refer to [Offices with Child Welfare Services | Nova Scotia Department of Community Services](#). After regular business hours call 1-866-922-2434 if you believe a child is in immediate danger.

The Protection for Persons in Care Act came into force on October 1, 2007. This Act is an extra safeguard for patients and residents 16 years of age and older who are receiving care from Nova Scotia's hospitals, residential care facilities, nursing homes, homes for the aged or disabled persons under the *Homes for Special Care Act*. If you suspect abuse or neglect contact 1-800-225-7225 to report.

Section 7 –DOSD Regional Offices

Eastern Region

360 Prince Street, Suite 25
Sydney, NS, B1P 5L1
Phone: (902) 563-3302

Northern Region

161 Terra Cotta Drive
New Glasgow, NS, B2H 6B6
Phone: (902) 755-7023

Central Region

7071 Bayers Road,
Suite 1001
Halifax, NS, B3L 2C2
Phone: (902) 424-5474

Western Region

470 Main Street
Kentville, NS, B4N 1L2
Phone: (902) 679-5146

Section 8 - Licensing Services contact information

General Inquiries and Complaints

Phone: 1-844-896-2494

Email: osd_licensing@novascotia.ca

Licensing Services Head Office

PO Box 696

1894 Barrington Street, Barrington Tower

Halifax, NS, B3J 2T7