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Protection for Persons in Care

Nova Scotia Department of Health and Wellness

2019-20
(Apr-Jun)

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Overview

The *Protection for Persons in Care Act (PPCA)* is a safeguard for patients or residents 16 years of age or older receiving care from a hospital under the *Hospital's Act* or a facility licensed under the *Homes for Special Care Act. PPCA* requires facility administrators and service providers, including staff and volunteers, to promptly report all allegations or instances of abuse. Members of the public may also report abuse under the Act by calling 1-800-225-7225.

After a report is received by the Protection for Persons in Care unit, a detailed review of each referral is done to determine if a more extensive investigation is necessary. If so, an investigator is assigned to conduct a formal investigation, which may involve referrals to police or a regulator. The investigator develops a report with conclusions, and there may be directives issued to the health facility that are to be complied with.

Types of Abuse

Under the *Protection for Persons in Care Act*, abuse is defined in section 3(1) of the Regulations as follows:

- 3(1)(a) the use of physical force resulting in pain, discomfort or injury, including slapping, hitting, beating, burning, rough handling, tying up or binding;
- 3(1)(b) mistreatment causing emotional harm, including threatening, intimidating, humiliating, harassing, coercing or restricting from appropriate social contact;
- 3(1)(c) the administration, withholding or prescribing of medication for inappropriate purposes;
- 3(1)(d) sexual contact, activity or behaviour between a service provider and a patient or resident;
- 3(1)(e) non-consensual sexual contact, activity or behaviour between patients or residents;
- 3(1)(f) the misappropriation or improper or illegal conversion of money or other valuable possessions;
- 3(1)(g) failure to provide adequate nutrition, care, medical attention or necessities of life without valid consent.

Role of the Protection for Persons in Care Unit:

The role of the Protection for Persons in Care unit includes:

- Receiving reports of alleged abuse.
- Conducting a thorough review of all reports of alleged abuse to determine if the case falls under the scope of PPCA.
- Conducting extensive investigations of alleged abuse where there are reasonable grounds to believe abuse occurred. Issuing Ministerial directives to health facilities regarding operational and other measures considered necessary to protect all patients or residents from abuse, regardless of the results of the investigation.
- Monitoring health facilities actions taken to address any directives that are issued.
- Making referrals to professional regulators where appropriate.
- Providing education for the public, health care staff, and organizations about the Act and on the identification, reporting, prevention, and management of abuse and neglect.

Protection for Persons in Care Process

After receiving a report of alleged abuse, each referral is reviewed in detail. During this phase, information is gathered by contacting the complainant, health facility, and any other relevant individuals. The purpose of this is to check the reliability and validity of the intake information, confirm if the allegation falls within the scope of PPCA, and to gather and review detailed information to determine if there are reasonable grounds to believe that abuse has occurred, or is likely to occur.

If the Protection for Persons in Care unit determines there are reasonable grounds to believe a patient or resident has been abused, or is likely to be abused, and it has been determined that the case is most appropriately handled by the Department of Health and Wellness rather than another regulator, an investigator will carry out a more extensive investigation.

A decision to not conduct an investigation could be because: the referral is not within the scope of the PPCA, the facility has provided reasonable care and support to address the incident, the referral is more appropriately addressed by another jurisdiction (such as licensing), or the allegation has been referred to the police or a regulator.

The investigation process includes:

- Notifying the administrator, and relevant people involved in the incident (or the substitute decision maker) of the investigation.
- Gathering evidence by conducting interviews with the complainant, the person who has allegedly been abused (if they are able), the person who is alleged to have committed the abuse, health care staff, and any witnesses.
- Reviewing health records, facility based policies, procedures and processes, and provincial legislation and standards.
- Consulting with experts.
- Sharing a preliminary investigation report with the administrator of the health facility, and relevant people involved in the incident (or the substitute decision maker) to provide an opportunity to respond with additional information or clarification.

- Sharing a final investigation report with the administrator of the health facility and relevant people involved in the incident which outlines the findings of the investigation and any directives that may be issued. Directives include measures necessary to protect all patients or residents from abuse, regardless of whether the investigation has determined that abuse occurred.

Additional information about Protection for Persons in Care can be found at: https://novascotia.ca/dhw/ppcact/

Statistical Information

Historical PPCA Statistics:

Fiscal Year	Referrals (Total)	Referrals (Hospitals)	Referrals (LTC)	Investigations (Total)	Investigations (Hospitals)	Investigations (LTC)	Unfounded Cases of Abuse	Founded Cases of Abuse	Decision not yet determined
2015-16	298	76	222	72	16	56	35	37	0
2016-17	312	97	215	54	5	49	21	33	0
2017-18	426	103	323	90	15	75	23	63	4
2018-19	513	149	364	74	16	58	31	24	19

Fiscal Year 2019-20 Quarterly Statistics

	Referrals (Total)	Referrals (Hospitals)	Referrals (LTC)	Investigations (Total)	Investigations (Hospitals)	Investigations (LTC)	Unfounded Cases of Abuse	Founded Cases of Abuse	Decision not yet determined
Apr-Jun	158	51	107	10	0	10	0	0	10
Jul-Sep									
Oct-Dec									
Jan-Mar									
Total	158	51	107	10	0	10	0	0	10

Fiscal Year 2019-20 Quarterly Statistics (investigations by nature of alleged abuse)*

	3(1)(a)	3(1)(b)	3(1)(c)	3(1)(d)	3(1)(e)	3(1)(f)	3(1)(g)
Q1 (Apr-Jun)	3	4	0	0	1	0	2
Q2 (Jul - Sep)							
Q3 (Oct - Dec)							
Q4 (Jan - Mar)							

*3(1)(a) the use of physical force resulting in pain, discomfort or injury, including slapping, hitting, beating, burning, rough handling, tying up or binding;
3(1)(b) mistreatment causing emotional harm, including threatening, intimidating, humiliating, harassing, coercing or restricting from appropriate social contact;
3(1)(c) the administration, withholding or prescribing of medication for inappropriate purposes;
3(1)(d) sexual contact, activity or behaviour between a service provider and a patient or resident;
3(1)(e) non-consensual sexual contact, activity or behaviour between patients or residents;
3(1)(f) the misappropriation or improper or illegal conversion of money or other valuable possessions;
3(1)(g) failure to provide adequate nutrition, care, medical attention or necessities of life without valid consent.

Protection for Persons in Care Investigation Summary

The following tables present a summary of investigations pursuant to section 8(2) of the *Protection for Persons in Care Act*. The summary includes the facility name, the nature of abuse investigated, whether the investigation was founded, unfounded, or a decision is yet to be determined, and whether directives were issued to the facility.

This summary is for information purposes only and represents findings regarding a specific incident at a particular point in time. The summary should not be used to form conclusions about the current or future quality of care offered by the identified health care facility.

To protect the privacy of residents, the names of facilities with 5 or less patients or residents have been redacted and replaced with “5 or less”.

Table 1: 2018-19 Investigations

(Total = 74; Unfounded = 31; Founded = 24; Decision yet to be determined (TBD) = 19)

Facility	Nature	Decision	Directives
Arborstone Enhanced Care Limited	Section 3(1)(e)	TBD	TBD
Arborstone Enhanced Care Limited	Section 3(1)(g)	TBD	TBD
Arborstone Enhanced Care Limited	Section 3(1)(a)	founded	Yes
Arborstone Enhanced Care Limited	Section 3(1)(a)	unfounded	Yes
Cape Breton Regional Hospital	Section 3(1)(e)	TBD	TBD
Cape Breton Regional Hospital	Section 3(1)(g)	founded	Yes
Cedarstone Enhanced Care Limited	Section 3(1)(a)	TBD	TBD
Cedarstone Enhanced Care Limited	Section 3(1)(a)	unfounded	Yes
Dartmouth General Hospital	Section 3(1)(a)	unfounded	Yes
Dartmouth General Hospital	Section 3(1)(a)	unfounded	Yes
Debert Court	Section 3(1)(a)	unfounded	Yes
Debert Court	Section 3(1)(b)	unfounded	Yes
Debert Court	Section 3(1)(a)	unfounded	Yes
Digby General Hospital	Section 3(1)(e)	founded	No
Fisherman's Memorial Hospital	Section 3(1)(d)	TBD	TBD
Gables Lodge Limited	Section 3(1)(e)	founded	Yes
Glasgow Hall - Parkland at the Lakes Ltd.	Section 3(1)(g)	TBD	TBD
Glen Haven Manor	Section 3(1)(b)	founded	Yes
Glen Haven Manor	Section 3(1)(d)	founded	Yes
Grand View Manor	Section 3(1)(f)	founded	No
Grand View Manor	Section 3(1)(a)	unfounded	Yes
Harbourstone Enhanced Care Ltd.	Section 3(1)(a)	TBD	TBD
Heart of the Valley	Section 3(1)(e)	founded	Yes
Heart of the Valley	Section 3(1)(g)	founded	Yes
High Crest Place	Section 3(1)(f)	founded	Yes
Mahone Nursing Home	Section 3(1)(e)	founded	Yes
Maple Hill Manor	Section 3(1)(a)	TBD	TBD
Melville Lodge	Section 3(1)(a)	founded	Yes

Facility	Nature	Decision	Directives
Melville Lodge	Section 3(1)(a)	founded	No
Nakile Home for Special Care	Section 3(1)(a)	unfounded	Yes
Northside Community Guest Home	Section 3(1)(a)	founded	Yes
Northside Community Guest Home	Section 3(1)(b)	founded	Yes
Northside General Hospital	Section 3(1)(a)	TBD	TBD
Northwood Bedford Incorporated	Section 3(1)(a)	unfounded	No
Northwood Bedford Incorporated	Section 3(1)(a)	unfounded	Yes
Northwoodcare Incorporated	Section 3(1)(a)	TBD	TBD
Northwoodcare Incorporated	Section 3(1)(a)	unfounded	Yes
Northwoodcare Incorporated	Section 3(1)(a)	unfounded	Yes
Oakwood Terrace	Section 3(1)(e)	founded	No
Oakwood Terrace	Section 3(1)(b)	unfounded	No
Oakwood Terrace	Section 3(1)(b)	unfounded	No
Oakwood Terrace	Section 3(1)(a)	unfounded	Yes
Oakwood Terrace	Section 3(1)(a)	unfounded	No
Ocean View Manor	Section 3(1)(b)	founded	Yes
Ocean View Manor	Section 3(1)(b)	TBD	TBD
Ocean View Manor	Section 3(1)(e)	TBD	TBD
Orchard Court Continuing Care Residence	Section 3(1)(a)	founded	Yes
Parkland Antigonish (Mary's Court)	Section 3(1)(a)	unfounded	No
Parkstone Enhanced Care Ltd.	Section 3(1)(b)	TBD	TBD
Parkstone Enhanced Care Ltd.	Section 3(1)(a)	founded	No
Parkstone Enhanced Care Ltd.	Section 3(1)(a)	unfounded	Yes
Queens Manor	Section 3(1)(a)	unfounded	Yes
Richmond Villa	Section 3(1)(a)	unfounded	Yes
RK MacDonald Nursing Home	Section 3(1)(g)	unfounded	Yes
Ryan Hall	Section 3(1)(b)	TBD	TBD
Saint Vincent’s Nursing Home	Section 3(1)(a)	unfounded	Yes
Shiretown Nursing Home	Section 3(1)(b)	unfounded	No
Shoreham Village	Section 3(1)(b)	TBD	TBD
Soldiers Memorial Hospital	Section 3(1)(e)	founded	No
Soldiers Memorial Hospital	Section 3(1)(a)	TBD	TBD
Soldiers Memorial Hospital	Section 3(1)(e)	unfounded	Yes
Soldiers Memorial Hospital	Section 3(1)(a)	unfounded	No
South Shore Regional Hospital	Section 3(1)(a)	TBD	TBD
South Shore Regional Hospital	Section 3(1)(a)	founded	No
St. Anne Community and Nursing Care Centre	Section 3(1)(a)	unfounded	Yes
St. Martha's Regional Hospital	Section 3(1)(a)	TBD	TBD
Surf Lodge Community Continuing Care	Section 3(1)(g)	founded	Yes
Taigh Na Mara Facility	Section 3(1)(a)	unfounded	Yes
The Admiral Long Term Care Facility	Section 3(1)(b)	founded	Yes
The Nova Scotia Hospital	Section 3(1)(a)	TBD	TBD
The Nova Scotia Hospital	Section 3(1)(b)	unfounded	No

Facility	Nature	Decision	Directives
The Sagewood Continuing Care Centre	Section 3(1)(e)	founded	Yes
Vimy Court	Section 3(1)(f)	unfounded	No
Wolfville Nursing Home	Section 3(1)(b)	unfounded	Yes

Table 2: 2019-20 Investigations (Apr-Jun)

(Total = 10; Unfounded = 0; Founded = 0; Decision yet to be determined (TBD) = 10)

Facility	Nature	Decision	Directives
Dykeland Lodge	Section 3(1)(a)	TBD	TBD
Gables Lodge Limited	Section 3(1)(b)	TBD	TBD
Harbourstone Enhanced Care Ltd.	Section 3(1)(g)	TBD	TBD
Hillside Pines	Section 3(1)(g)	TBD	TBD
Melville Gardens Nursing Home	Section 3(1)(b)	TBD	TBD
Northwoodcare Incorporated	Section 3(1)(a)	TBD	TBD
Parkstone Enhanced Care Ltd.	Section 3(1)(b)	TBD	TBD
Ryan Hall	Section 3(1)(a)	TBD	TBD
The Magnolia	Section 3(1)(b)	TBD	TBD
Valley View Villa	Section 3(1)(e)	TBD	TBD