

Protection for Persons in Care
Quarterly Report
July 1, 2000 to September 30, 2000



**Protection for
Persons in Care**

A PROGRAM OF

***ALBERTA
COMMUNITY
DEVELOPMENT***

PROTECTION FOR PERSONS IN CARE

PART I

REPORTED ALLEGATIONS Second Quarter 2000- 2001 (July 1-September 30, 2000)

NUMBER OF REPORTS:

- Since January 5, 1998, when the *PPC Act* came into force, there have been 1770 reports of alleged abuse received by the reporting line at Alberta Community Development.
- During this quarter, 120 reports were received. The number of reports has remained fairly constant over this past 12 months, averaging 30-40 reports each month.
- Health and Wellness (H&W) has responsibility for the facilities named in 112 of the cases, Community Development (CD) has responsibility for the facilities in 7 cases and Children's Services has responsibility for 1 case.
- There were no cases reported from facilities under the responsibility of Human Resources and Employment.

AGENCIES:

The majority of allegations involve persons in care in long term care facilities.

Agency/Ministry Responsibility	# of Reports			
	1 st Quarter	2 nd Quarter	Fiscal Year	
			Total	%
Regional Health Authorities/ H&W	78	93	171	73.0%
Persons with Developmental Disabilities/H&W	27	19	46	19.7%
Alberta Mental Health Board /H&W	1	0	1	.4%
Management Bodies/CD	8	7	15	6.4%
Children's Services	0	1	1	0.4%
Total	114	120	234	100%

See figure 1 for further breakdown by organizational structure

TYPES OF ALLEGED ABUSE:

- While allegations of emotional abuse are the largest group, there is an increase in allegations against facilities in general of failure to provide the basic necessities. This has shown a marked increase in this quarter for all agency categories and now surpasses physical abuse.

Types of abuse	1 st Quarter	2 nd Quarter	Fiscal Year	
			Total	%
Physical	39	37	76	27.8%
Emotional	50	48	98	35.9%
Misappropriate medications	2	0	2	0.7%
Sexual	8	11	19	7.0%
Financial	4	4	8	2.9%
Neglect	28	42	70	25.6%
Total	131	142	273	100%

*Each report can have more than one type of abuse.

See figure 2 for individual breakdown by organizational structure

ALLEGED ABUSERS:

- There is an increase in the number of cases where the family or volunteer has been considered as the alleged abuser.

Alleged Abuser	1 st	2 nd	Fiscal Year	
	Quarter	Quarter	Total	%
Staff	75	66	141	60.3%
Agency/facility	18	20	38	16.2%
Client	20	21	41	17.5%
Family/other	1	13	14	6.0%
Total	114	120	234	100%

See figure 3 for further breakdown by organizational structure

INVESTIGATORS:

- External investigators conducted almost 83.5% of the investigations in this quarter.
- Currently, the services of 16 investigators have been contracted. The investigators have various backgrounds such as law enforcement, nursing, social work, speech-language pathology, and human resources. Several investigators from Calgary/South have been recruited to reduce travel costs and response time in appointing the investigator.
- During this quarter, 9.1% of the cases have been referred to a professional association for investigation and 7.4% have been referred to a police service.

Investigator	1 st	2 nd	Fiscal Year	
	Quarter	Quarter	Total	%
External Investigators	101	101	202	86.0%
Professional Assoc:	10	11	21	8.9%
*AARN (RNs)	6	8	14	
*CLPN (LPNs)	4	2	6	
*CPS	0	1	1	
Police	2	9	11	4.7%
Other (MHPAO)	1	0	1	0.4%
Total	114	121*	235*	100%

* One case was investigated by an external investigator and a professional association

Part I Attachments: First and Second Quarter Summary Report of reported PPC cases - 2000 – 2001
 Figure 1 – Number of reports
 Figure 2 – Types of alleged abuse
 Figure 3 – Types of alleged abusers

Protection for Persons in Care Number of Reports

April 1 -September 30, 2000

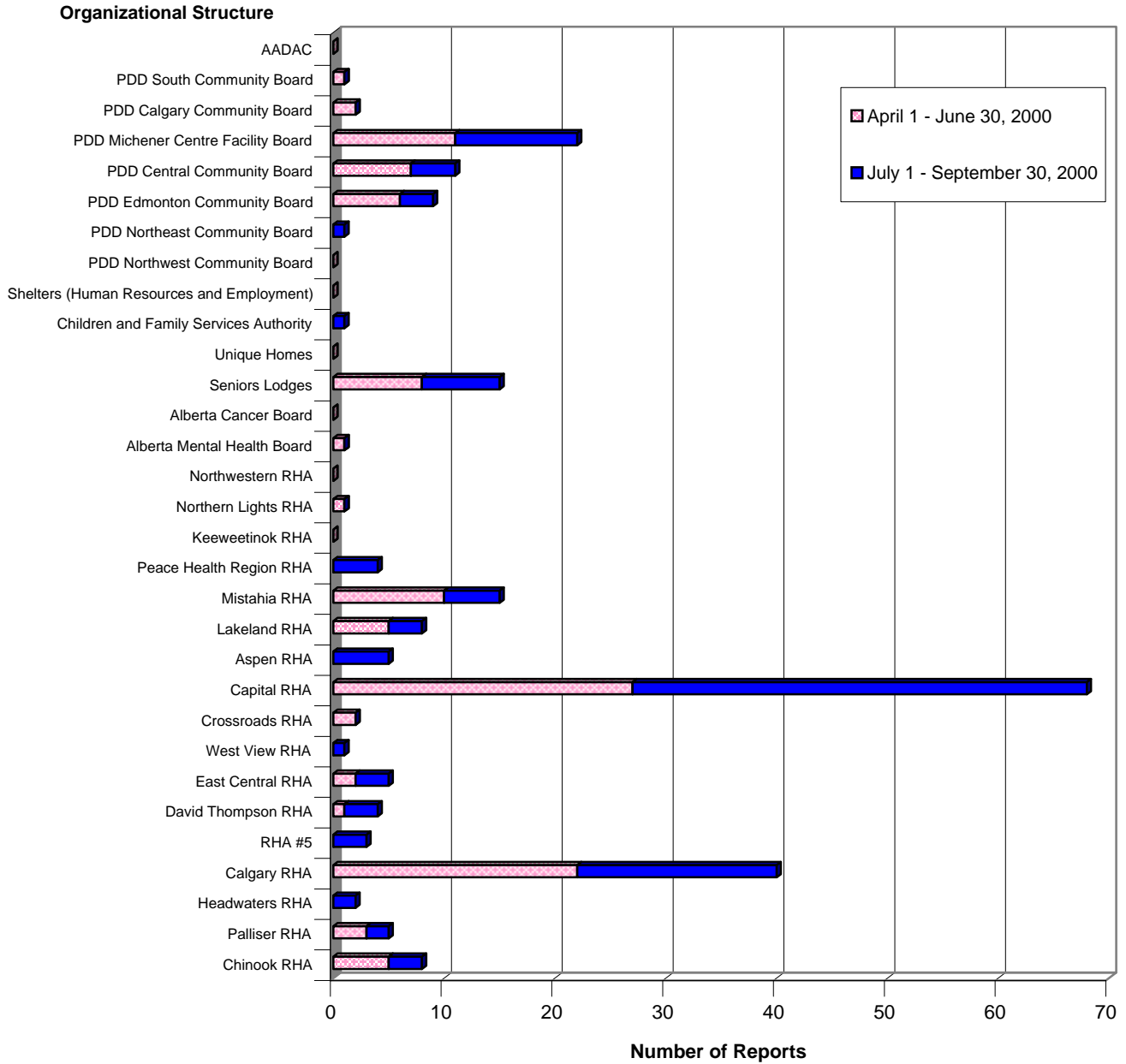
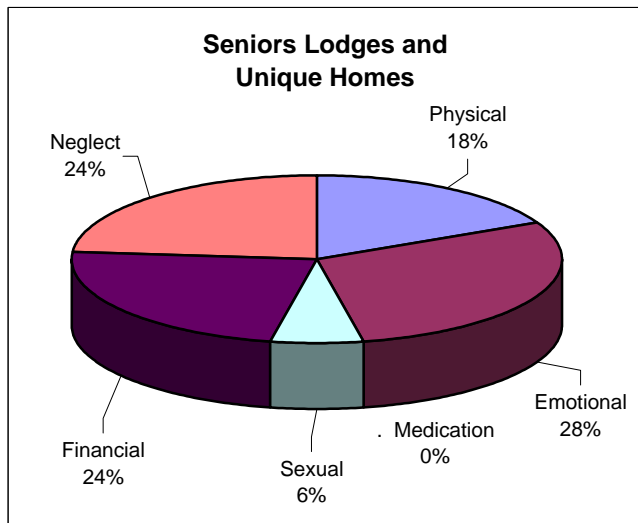
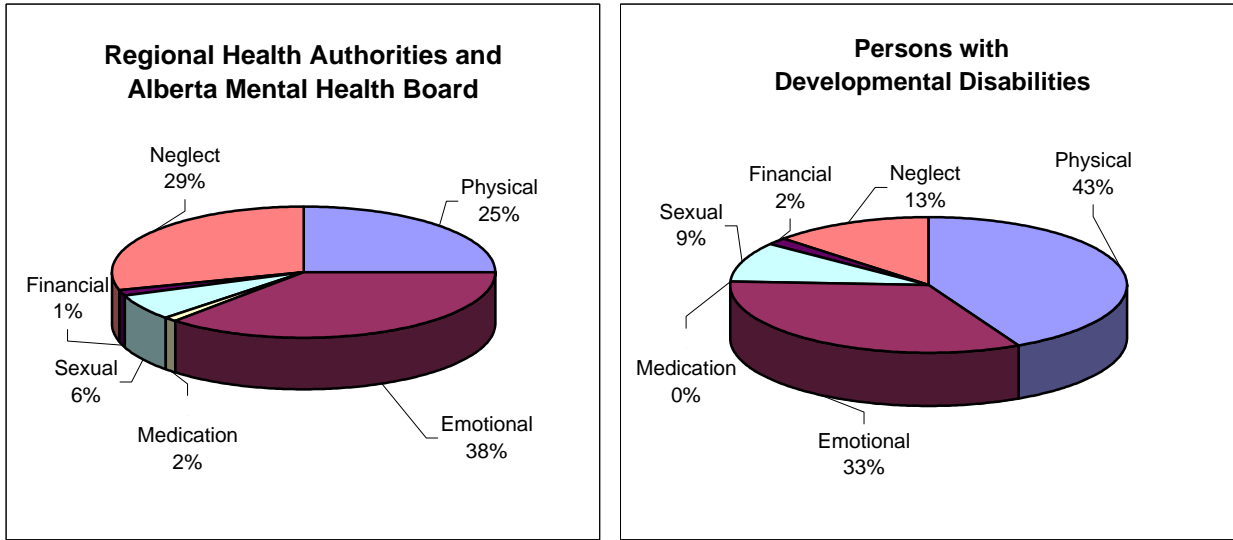


Figure 1

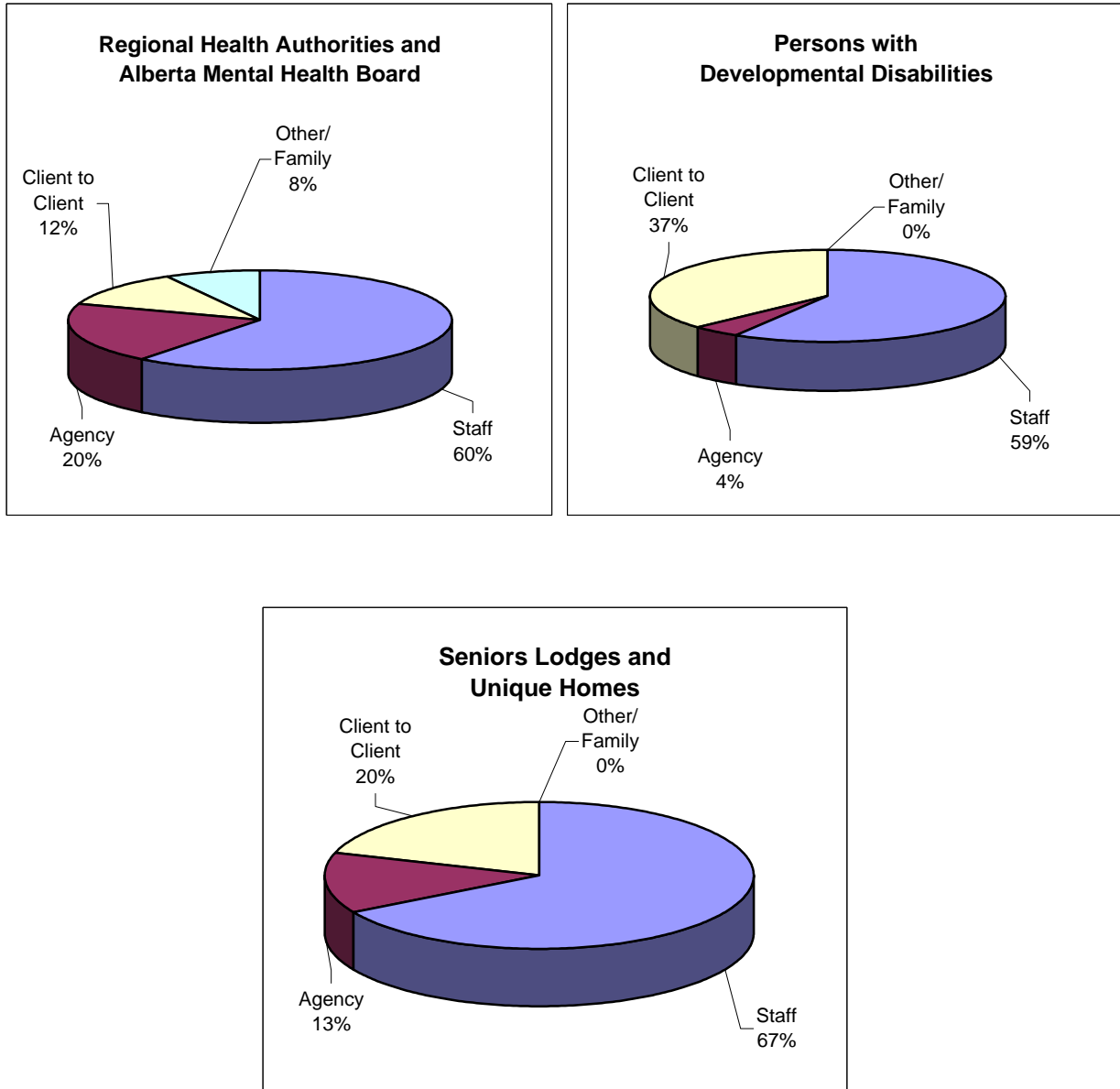
**Protection for Persons in Care
Types of Alleged Abuse by Organizational Structure
April 1, 2000 - September 30, 2000**



Children and Family Services Regional Authorities: 1 report

Figure 2

**Protection for Persons in Care
Types of Alleged Abusers by Organizational Structure
April 1, 2000 - September 30, 2000**



Children and Family Services Regional Authorities: 1 report

Figure 3

PROTECTION FOR PERSONS IN CARE

PART II

INVESTIGATION OUTCOMES* First Quarter 2000- 2001 (April 1-June 30, 2000)

- Of the 114 cases reported during the first quarter, 80 files are closed. There are 34 reports still under investigation.
- Of the 80 closed files, 33.75% (27) were upheld and 66.25% (53) were dismissed.

Report Outcomes April 1 – June 30, 2000

Organization	Upheld	Dismissed	Ongoing	Total
RHA	21	28	29	78
PDD	3	20	4	27
PMHB	1	0	0	1
Lodges	2	5	1	8
TOTAL	27	53	34	114

See figure 4 for further breakdown by organizational structure

RECOMMENDATIONS AS RELATED TO HUMAN RESOURCES:

- In 10 reports involving staff as the alleged abuser, the agency took prior disciplinary action before the external investigator started or completed the report. Action taken included:
 - Staff were terminated or resigned as a result of the report and investigation (3);
 - Staff were disciplined with a 5 day suspension without pay and a note to the personnel file (2);
 - Staff were appropriately disciplined but not specified (3);
 - Staff was disciplined with a suspension with pay and verbal warning (1);
 - Staff was given a letter of warning for not following protocols (1).
- In 12 reports involving staff as the alleged abuser, the external investigator made the following recommendations:
 - The facility to take appropriate disciplinary action against the staff and the staff be referred to their professional associations (5);
 - The facility to take appropriate disciplinary action and monitor performance (4);
 - The facility should conduct staff training in financial abuse, the importance of documenting incidents of care practice issues and transferring of clients (2);
 - The contract for approved home services not be renewed (1).
- As indicated above, several registered nurses were referred to the Alberta Association of Registered Nurses (AARN) for further review of their professional practice regarding not doing adequate client assessments.

* The outcome of the investigations from the quarter July 1-September 30, 2000 will be included in the next quarterly report, as the majority of the cases are not closed at this time.

OTHER INVESTIGATOR RECOMMENDATIONS FREQUENTLY CITED:

- Facilities should provide regular staff training in patient lifts and transfers, care of dementia and difficult to handle clients, proper charting and incident charting and various facility policies and procedures (30);
- Facilities should monitor the performance of staff and conduct regular performance reviews, even though the report of abuse had been dismissed (20);
- Facilities should have better communication with the service providers about the care plan for the client (20);
- Facilities should review and update their policies and procedures on a regular basis (8);
- Facilities should have better communication with the family about the care plan for the client (6);
- Facilities should review, with family members, the need for legal guardianship for residents who are not mentally competent to give consent or direction on their care (6).

COMMENTS ON AGENCY RESPONSIBILITIES:

- Recommendations were made in 13 cases that the facility's abuse policy should clearly state the legislative requirement of the *PPC Act*. Under the *Act*, individuals, who have reasonable and probable grounds to suspect abuse against a client, are required to report abuse in accordance with section 2(1) regardless of whether they have reported the matter internally (see attached PPC Bulletin 4).
- It is noted that many facilities have excellent abuse policies with very clear direction on reporting.
- Investigators have noticed that several facilities have brochures available but do not have posters up so that clients and staff have the reporting line number readily available to them. Smaller posters, as well as brochures, are available free of charge by calling the toll-free reporting line at 1-888-357-9339.

90 DAY AGENCY RESPONSES TO RECOMMENDATIONS:

- Agencies have responded to the recommendations in a timely manner.
- The majority of the agencies have taken the action as recommended in the best interest of the client.

Part II Attachments: Figure 4 – Report Outcomes (April 1 – June 30, 2000)
 PPC Bulletin 4 - Agency Responsibilities

Contact: Edith Baraniecki, Manager Protection for Persons in Care
Phone: (780) 427-0552

**Protection for Persons in Care
Report Outcomes
April 1, 2000 - June 30, 2000**

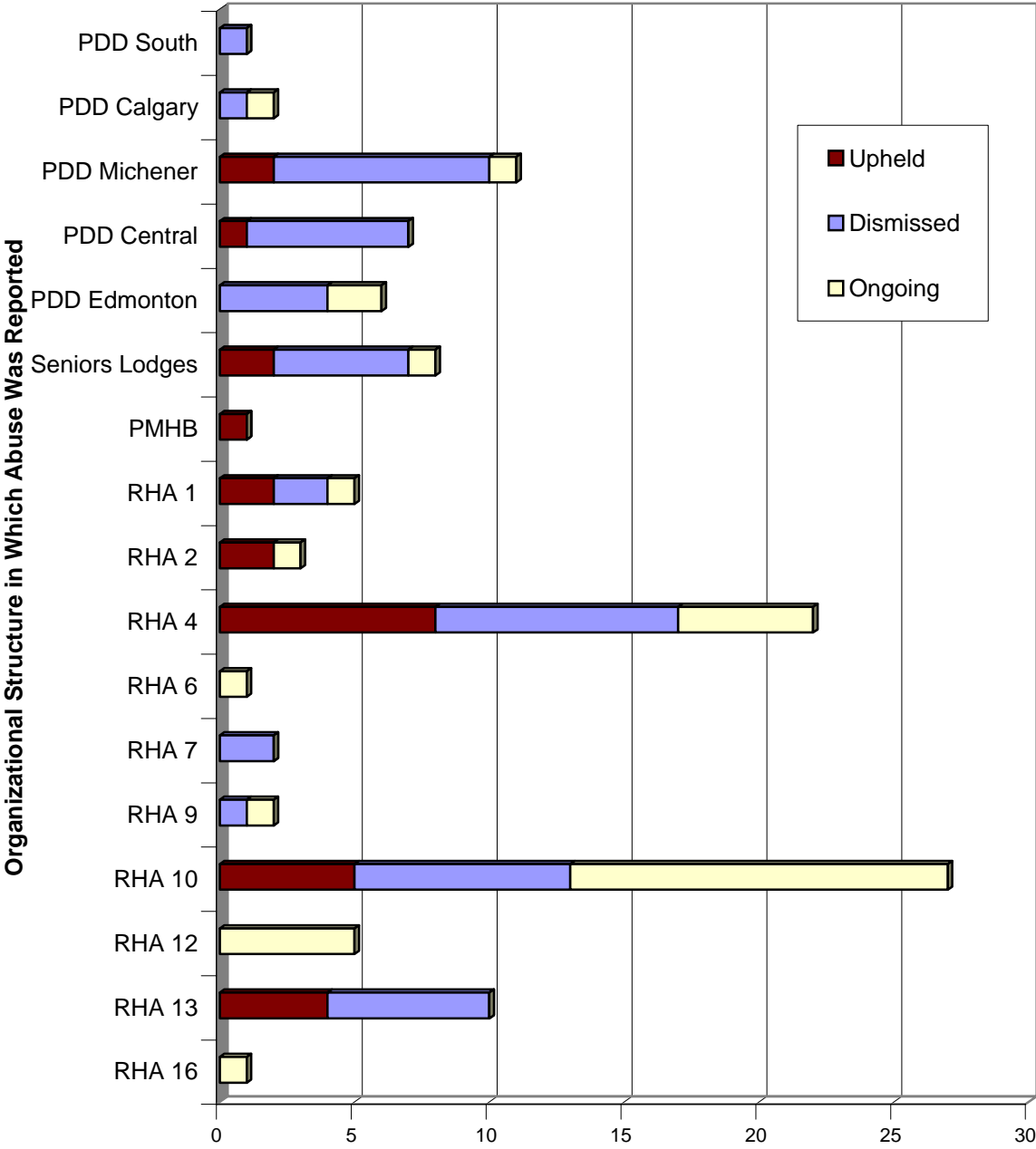


Figure 4

Agency Responsibilities – Protection for Persons in Care

Overview:

Agency policy should reflect the legislative requirement that abuse or suspected abuse of a client in a publicly funded care agency must be reported directly to the Community Development reporting line at 1-888-357-9339, a police service or a committee, body or person authorized under another enactment to investigate such an abuse.

Legislative source:

Protection for Persons in Care Act

Duties of the Agency

5(1) Every agency shall have a duty to protect the clients it serves from abuse and to maintain a reasonable level of safety for its clients.

5(2) Every agency shall make the provisions of this Act available to service providers, employees and clients.

Policy Statement:

It is mandatory for any staff member who has reasonable and probable grounds to believe abuse has taken place, to report it directly to the reporting line, whether or not it has been reported internally.

Protection for Persons in Care
Box 3100
Edmonton, Alberta T5J 4W3
Tel 780/427-0552 Fax 780/422-5954
Website:
www.gov.ab.ca/mcd/seniors/ppica/ppica.htm

Implementation of Agency Abuse Policy Review:

- Investigators will request a copy of the agency abuse policy, unless one has already been provided, in order to determine if the legislative requirement for reporting is in the agency abuse policy. Investigators will make recommendations if the legislative requirement for reporting abuse is missing from the policy.
- It is in the best interest of the agency and the client that individuals inform management that abuse may have occurred so that the agency, in accordance with section 5(1), can take action. However, only reporting internally does not satisfy the legislative requirements of the *Act*.
- In keeping with section 5(2) of the *Act*, agencies are also encouraged to provide yearly inservices, display brochures and hang posters on the *Act* so that the reporting number is readily available to staff, clients and their families.
- To order more posters and brochures, call the reporting line toll-free at 1-888-357-9339.

Purpose

PPC Bulletins are intended to provide individuals/agencies with more detailed information for interpreting the *Protection for Persons in Care Act (PPC Act)*. These Bulletins supply information concerning procedures and practices to aid in the effective and consistent administration of the *PPC Act*. PPC Bulletins are not a substitute for legal advice.