



Committee Report

To: Warden Mitch Twolan
Members of the Homes Committee

From: Sandra Datars Bere, Chief Administrative Officer

Date: July 9, 2020

Re: Long Term Care Management Services - Primacare Management Services

Staff Recommendation:

That the report on Long Term Care Management Services - Primacare Management Services be received; and

That approval be given to extend the current contract for Management Services by Primacare Management Services for the period January 1 to March 31, 2021.

Background:

Consistent with Section 119 (1) of the Long Term Care Homes Act (LTCHA) that indicates that every municipality which is a upper or single tier shall establish and maintain a municipal home (and may establish and maintain municipal homes in addition to the home that is required), the County of Bruce operates two homes, Brucelea Haven (BLH), a 144 bed residence in Walkerton and Gateway Haven (GWH), with 100 beds in Wiarton. As the Licensee under the Act for the homes, the County is required to take such measures as to ensure compliant provision of service to long term care residents including ensuring sufficient staffing and oversight, implementing all relevant policies and procedures to ensure legislative and regulatory compliance and ensuring the safety and well-being of residents.

In September 2019, in response to operational and compliance concerns identified by the Ministry of Health and Long Term Care (now the Ministry of Long Term Care) which resulted in the issuance of Compliance and Director's Orders and the suspension of resident admissions to BLH, the County of Bruce engaged Primacare Management Services to manage the homes as well as provide the seconded services of a Primacare employee to act as the Administrator for BLH. On November 7, 2019, Council directed the Acting Chief Administrative Officer (CAO) to execute the management contract with Primacare Living Solutions for Brucelea Haven and Gateway Haven.

Formal contracts were established between the County and Primacare for a seconded Administrator for a period of at least 6 months (with provision for extension by agreement of all parties) and management services for each home to extend until December 31, 2020. The management contracts include a provision for renewal / extension with a six-month notification in advance of the termination date (June 30, 2020). The management contract fee is equivalent to 3% of the revenue received to operate both homes. It is recognized that

this fee amount will fluctuate relative to the revenue amount received by the home. As such, the County is billed monthly in arrears and applies the management percentage fee (3%) against the actual revenue received in each month. There is some fluctuation in the monthly amount as well as in the additional disbursement expenditures incurred by Primacare.

Oversight of the contracts has been managed by the County. A senior leader with Primacare has provided management oversight to all home operations, supervising the Administrators in both homes and supporting the implementation of new initiatives and requirements to address all compliance issues.

Expenditures - Primacare Contracts: 2019 and 2020 year to date (YTD)

In 2019, Primacare was paid \$265,823.29 which includes the management fee for the 4th quarter (2019), the contract fee and related disbursement fees for the administrator services secondment (for the same period of time) and consulting fees for the Ministry-mandated compliance review. As these expenditures were identified in-year, they were not included in the County's annual budget. The funding to cover these expenditures was identified from approximately \$116,000 of reserve funds repurposed from other approved Brucelea Haven initiatives that came in under budget. The remaining amount created a departmental deficit that was offset by year end surpluses from the long-term care budget (administrative salaries) as well as other county departments.

In 2020, the County budget includes the projected cost of the Primacare Management Contract and the seconded Administrator's contract fees as well as disbursement fees negotiated and included in the both agreements (travel, accommodation, other approved expenditures for Primacare LTC consultants and the administrator). The annual budgeted amount for management fees for 2020 is \$579,600 with an additional \$35,000 for travel, meals and disbursements, a portion of which (\$18,000) was budgeted for administrator accommodations. Funding to cover the secondment agreement has been held in the salary staffing allocation for the BLH (\$180,283 - Administrator budget allocation).

As of the end of May 2020, the County has been invoiced for \$221,048 in management fees and contract and related expenses. An additional \$94,865 has been invoiced for seconded administrator services and approved disbursements, for a total payable year to date (May 2020) of \$315,914. It is expected that the expenditures will be consistent with budget projections for 2020 for a projected total expenditure of approximately \$760,000.

Status Update:

Working in partnership with the County, Primacare Management Services implemented actions to address compliance and operational issues within both homes. Actions have included:

- **Addressing Compliance Issues and Compliance and Director's Orders**

Identification of all compliance issues and development and implementation of action plans has occurred. Initial priority was given to BLH. Primacare has provided regular updates to County Council on all activities over the last several months.

In November 2019, on behalf of the Licensee, Primacare submitted a written response to the Director's order ceasing admissions at BLH. With the support of Primacare, the home staff continued to work towards full compliance. The order prohibiting admissions was lifted on March 16, 2020 and admissions to BLH were reinstated, only to be interrupted by the COVID-19 pandemic. Admissions continue at this time at a rate of 3 per week, although additional time is required to ensure that all new residents meet COVID testing requirements (must have a negative test result).

At this time, both BLH and GWH remain in compliance with the LTCHA although it is recognized that continued review and efforts to ensure compliance will be mandatory and essential moving forward. An audit and action plan for addressing issues at GWH has just recently been implemented, having also been delayed since March by COVID. Primacare will provide at least 3 months of intensive support to GWH (up to 3 days per week) to address required areas. The intent is to create, maintain and ensure stability during this period of time and into the future so as to ensure the continued compliant delivery of service.

- **Operational Issues and Actions:**

Over the last several months, Primacare in partnership with the County, has addressed several operational issues and taken action to address them including:

- Staff recruitment and retention
- Planned implementation of new staff scheduling processes
- Supporting staff recognition and rewards programs
- Stabilizing and adding to leadership staffing at BLH
- Review, revision and implementation of policies, procedures and assessment tools
- Development of operating budgets and monitoring of expenditures
- Devising and implementing on call schedules to ensure oversight for the homes

- **Pandemic Planning and Supports**

Since March 2020, the COVID-19 pandemic has had a significant impact on both homes. Operating under several provincial emergency orders and needing to respond quickly and appropriately to changing requirements while concurrently ensuring good service to residents, has meant that most efforts have been focused on ensuring safety for residents and staff. New protocols have been developed and implemented to address all provincial pandemic requirements and staff have been diligent in implementing new procedures. The homes have fared reasonably well during this time and remain compliant under the LTCHA although it is acknowledged, as indicated previously, that planned review and improvement activities, to be initiated specifically at GWH and as a continuation at BLH, have had to be delayed.

Analysis:

Bruce County and Primacare have worked over the last several months to address issues and improve service delivery at BLH and GWH. There has, however, been a significant impact of

COVID-19. Additionally, Ministry staff have not been in the homes although it is expected they will return in the very near future, with inspections becoming more regular again. This will provide an opportunity for the Ministry to provide feedback to the County and Primacare about service provision and compliance.

Issues and actions that the County and Primacare need to further address include:

1. Ensuring the legislative compliance of both BLH and GWH

This is an ongoing mandatory requirement and requires comprehensive and consistent oversight by those with LTC expertise.

2. Focussing on GWH to address needed worked identified through the Clinical Program and Gap Analysis review completed by Primacare

This has recently begun and will take at least three months. There will be a period of sustainability after implementation which will also require strict oversight. Primacare has also provided the County with an Operational Plan which outlines the necessary items for success as the homes transition to self-management.

3. Recruitment, planning, onboarding and supervision of the permanent Administrator for Brucelea Haven

This process has been initiated by the County and it is hoped that an incumbent will be in place by early to mid fall 2020. Primacare will participate and will create the plan for onboarding and provide initial supervision and support. It is understood that once the position is filled, the contract with the seconded Primacare administrator will cease (with the required 30-day notice provision). The County will ensure sufficient and appropriate overlap between the existing and new administrator so as to ensure effective sharing of information and support from Primacare.

4. Ensuring that any new provincial requirements resulting from Long Term Care enquiries and the proposed Independent Commission, expected to begin in July 2020, are implemented by the County

It is expected that given the challenges identified within the Long Term Care sector through the 2018 Long Term Care enquiry and the concerns experienced during the COVID pandemic (which will be subject to an Independent commission on long term care), that there may be fundamental changes to the delivery of long term care services. The County needs to be ready and well positioned to address any changes that may be required while concurrently ensuring that it maintains good service delivery and legislative and regulatory compliance. The County may need additional assistance to support it in these expected requirements.

5. Determination of the plan for County oversight of LTC services moving forward.

Oversight of the delivery of services at both BLH and GWH, supervision of the Homes' Administrators, leadership of the County's response to Ministry compliance requirements, management of emergency actions related to COVID and other

administrative oversight has been provided by the Acting Director of Long Term Care Operations, a senior director with Primacare.

Moving forward, the County must consider what oversight and ongoing expertise and support it desires to have in place to maintain service delivery standards and ensure legislative and regulatory compliance. The CAO has been considering this since her arrival and will return to Committee and Council with recommendations at a later date.

The CAO has also reviewed the requirement under the LTCHA for the County to establish a Committee of Management. In consultation with the County Clerk and with Primacare, it has been determined that the CAO will take the lead in development of a report for County Council which will provide an overview of the Committee of Management and a recommendation for consideration. It is expected that this will occur later this year and the development of the report and the protocol will be informed by Primacare and other long term care stakeholders.

6. Creation of a Long Term Care Coordinated System of Service for Bruce County.

Ongoing observations from both Primacare and County staff identify that each home continues to operate in a single/ siloed approach. Primacare has suggested and there is agreement from County staff that a functional structure be considered to be put in place to strengthen the relationship between the homes as well to include working collaboratively on new initiatives especially as these relate to quality and risk management.

Efforts in establishing this system have been initiated by Primacare and the County and will be continued over the next several months.

Recommendation:

The County of Bruce, its Council and staff are committed to ensuring the best possible service for all residents of both homes. Notwithstanding, the provision of long-term care services is highly regulated and ensuring ongoing legislative and regulatory compliance requires constant and appropriate oversight, knowledge and long-term care expertise. The County secured the services of Primacare Management Services to support the delivery of long-term care services and improve compliance and outcomes for residents. It is suggested that the County has benefitted from the services provided by Primacare and its staff.

The original agreement with Primacare concludes on December 31, 2020. An extension is supported under the agreement, with the provision of 6 months notice. In light of the additional work yet to be completed within the homes, the unavoidable delay created by COVID-19 emergency orders and the desire to ensure that long term care services remain compliant and effective moving forward, it is recommended that the agreement with Primacare be extended for a period of three months, from January 1, 2021 to March 31, 2021. An extension will support the county to address the six priority items identified above and continue to build additional in-house expertise. The existing conditions of the contract

would be kept in place and projected costs monthly, consistent with those currently being incurred by the County.

Prior to considering this recommendation, County staff did discuss contract extension parameters with Primacare as it relates to the notice provision. If Committee/ Council were to approve the request for the extension, it is recognized that Primacare would be advised outside of timeline parameters within the agreement's extension clause. Primacare is aware and supportive of this.

Alternatives to contract extension have also been considered. Committee could consider other options including allowing the contract to end and transitioning the services back to county-led services as of January 1, 2021 or possibly contracting for a shorter time. These options are for Committee's consideration although it is suggested that additional time with Primacare, given the "loss" of dedicated improvement/ support time during the COVID pandemic, would be of benefit so as to provide support to the six action items identified above.

Financial/Staffing/Legal/IT Considerations:

The projected costs to extend the existing management contract for three months, with related disbursements, is approximately \$138,000. This reflects a monthly estimate of \$44,500, comprised of management fees of approximately \$26,000 for BLH and \$18,500 for GWH plus projected disbursement expenditures of \$4,500.

Monthly seconded employee contract costs will cease once the County secures a permanent administrator (county staff) for BLH. Salary funding for the position exists within the BLH staffing/ salaries budget allocation. Pending council review and approval, it is suggested that there will be additional costs relating to the plan for ongoing LTC leadership oversight. All proposed expenditures will be included in the 2021 budget submission.

Interdepartmental Consultation:

Corporate Services, Workplace Engagement Services (WES) and Primacare Management Services (Long Term Care Services) have been consulted on the development of this report.

Link to Strategic Goals and Elements:

6. Explore alternate options to improve efficiency and service