

New Challenges Emerging for Senior Care

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It's no secret that Canada's long-term care facilities need an overhaul. There were problems with staff burnout and poor working conditions long before the COVID-19 pandemic. Now, with the virus straining the healthcare system as well as the expected increase in demand due to Canada's aging baby boomer population, the need for government action is more urgent than ever.

The government has responded. New national standards were released in January to improve Canada's long-term care facilities, where residents and staff have suffered the most because of the COVID-19 pandemic. (1)

The Health Standards Organization (HSO) released for public review a draft of recommendations earlier this year. Over 18,000 Canadians and stakeholders participated in a 21-month process that included town halls and consultation workbooks in March 2021 - a year after the COVID-19 pandemic hit Canada.

What's changed? The 42-page document included the following highlights:

- The new guidelines add criteria for resident-centred care, safe practices, and a competent and healthy workforce.
- A document clearly defines what a designated support person, caregiver or essential caregiver is: A person or persons chosen by a resident to participate in the resident's ongoing care, i.e. not members of the LTC home's workforce.
- Residents have the right to include or not include any of their designated support persons in any aspect of their personal and other care. They also reserve the right to change who they wish to identify as a designated support person.

Overarching these changes is a shift in focus to the importance of social interaction and the importance of dignity in residents' lives, largely catalyzed by the pandemic.

Laura Tamblyn Watts, founder and CEO of CanAge, Canada's national seniors' advocacy organization, told Global News, "What we really see in these new standards is a balancing out of risk and choice. So a more institutional model would be taking all of the risk away and that keeps people in a bubble, but not in a bubble, really, that no one wants to live in." (1)

Counting the Cost of Care: Workplace Hazards in Senior Care Settings

Despite these amendments, senior care still faces many of the same challenges that leave care providers exposed to liability risk and their patients at risk of injury or other poor outcomes.

The possibility of negligence is based on the following factors:

- Injuries caused by improperly retrofitted or outdated houses
- The training and qualifications of nursing staff and personal support workers are inadequate
- When and for how long the facility was understaffed and patients were left unsupervised
- Healthcare staff/contractors are overwhelmed, stressed, or inexperienced in dealing with a particular patient's condition
- Lack of supervision of staff/contractors resulting in elder abuse

An injury or death caused by a misdiagnosis or an undiagnosed condition may also be considered negligence. There is also a risk of miscommunication amongst nursing staff, the resident, and the caregiver when residents are unable to communicate or have limited mobility.

Given the challenges facing Canadian long-term care homes and the public perception of senior care in the country, it is crucial that senior care homes maintain sufficient coverage to protect themselves against third-party claims of negligence or malpractice.

The MedThree Advantage

Taking care of Canada's ageing population comes with its share of complex risks. Brokers who understand the unique risks and common coverage gaps associated with senior care facilities, and who can offer tailored coverage to meet these needs, are essential to senior care operations.

MedThree is a leader in the healthcare industry and understands the inherent risks associated with care providers, which its underwriters can assist brokers within the senior care industry. MedThree offers a senior care program that addresses the unique risks facing this industry. Coverage includes Property, Equipment Breakdown, Professional and General Liability, Crime, Cyber Liability, Excess Liability, and Commercial Legal Expense.

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Sources:

1. <https://globalnews.ca/news/8540978/long-term-care-national-standards-2022/>