

## Will Canada's Senior Care Challenges Increase Litigation?

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Where do senior care and long-term care stand as of the end of 2021? The average Canadian lives longer than ever before. In Canada, seniors outnumber children for the first time and, by 2056, a third of the population will be 65 or older. Health care is already making a significant shift due to that demographic shift. More than half of health care spending goes to seniors.

### Seniors in Canada continue to face long wait times for care

However, more work is needed. In many communities, older adults can wait for long-term care up to three years, occupying hospital beds normally reserved for patients requiring surgery or emergency treatment. And according to a report released by the Conference Board of Canada in 2015, the number of seniors needing continued care will rise by 71% from 2011 to 2026.

### Costs of senior care are on the rise

According to a 2017 Canadian Home Care Association report, caregivers in Canada provide around \$25 billion in unpaid labour, including medical and personal care. Ageing will result in an increased cost of health care of \$93 billion over the next 10 years, according to a 2018 CMA / Conference Board of Canada report. (1)

### Public is wary of senior care in LTC centres

Given the widespread concerns about the state of long-term care homes, it is no surprise that most Canadians prefer not to live in them. These preferences are even less surprising among older Canadians and those who reside in regions negatively affected by COVID-19's second wave.

- 81% of Canadians believe the challenges faced by LTC homes were apparent before the pandemic, and COVID-19 only made them worse. For those 65 and older, the figure increases to 92%.
- Only around one in four (26%) respondents believe that LTC homes were safe and operated at high standards before the pandemic. The percentage drops to 13% among Canadians 65 years and older.

- 83% of respondents believe that long-term care homes are understaffed, and 78% believe that people who work in LTC are underpaid. This trend increases significantly with age. In a survey of respondents 65 and older, 91% believe that LTC homes are understaffed, and 86% believe that staff are underpaid.
- A mere 40% of respondents believe their provincial or territorial government has handled the COVID-19 pandemic well (31%) or excellently (8%); only 43% have trust in the provincial and territorial governments' ability to ensure the health and safety of LTC residents. (2)

## Senior care homes are exposed to workplace hazards on a regular basis

In light of current challenges facing long-term care homes and public perceptions of senior care in Canada, it is critical that senior care homes have the right coverage in place to protect themselves against claims of negligence or malpractice by a third party. The following are some of the most common risks they face.

- The possibility of negligence based on the following factors:
  - Injury due to improperly retrofitted or outdated homes
  - Inadequate training and qualifications of nursing staff and personal support workers, including contractors
  - When and for how long the facility was short-staffed and the patients were left unsupervised
  - The healthcare staff/contractors are overworked, stressed, or inexperienced in dealing with a particular patient's condition
  - Lack of staff/contractor supervision resulting in elder abuse
- An injury or death caused by a misdiagnosis or an undiagnosed condition could also result in allegations of negligence.
- In addition, in cases where residents struggle to communicate or have limited mobility, there is a risk of miscommunication between nursing staff, the resident, and their caregiver.

## 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://www.cma.ca/seniors-care>
2. <https://www.cma.ca/sites/default/files/pdf/Activities/National-Institute-on-Ageing-CMA-Report-EN.pdf>