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Director under the [Fixing Long-Term Care Act, 2021](#)

Ministry of Long-Term Care
Capital Planning Branch
438 University Avenue, 8th Floor
Toronto, Ontario M5G 2K8

October 17, 2022

Re: Proposal to give Orchard Villa a new 30-year license and bed expansion (Project #23-034)

The government is reviewing a proposal to issue for-profit long-term care operator **Southbridge Care Homes Inc.** a new 30-year license and the development of additional long-term care beds at its Orchard Villa facility. We are writing to oppose this proposal.

For the dozens of family members whose loved ones needlessly suffered and died as residents of Orchard Villa due to the home's failure to keep them safe during the COVID-19 pandemic, the prospect of Southbridge being granted a new, 30-year license is unjust and disturbing.

Orchard Villa gained national notoriety during the pandemic for its unsafe, unsanitary and negligent conditions. More than 70 residents of the home died of COVID-19. Still others died of dehydration, starvation and neglect. The government's own long-term care commission highlighted the failure of the home to protect residents and staff during outbreaks of COVID-19. In the commission's final report, it described what hospital staff found when they arrived at the home to provide assistance:

The appropriate signage was not present. Staff had a poor understanding of the proper use of personal protective equipment (PPE); the team leader described "very shocking visuals of multiple masks, multiple gowns, gloves being worn sort of at all times, sort of everything one should not do with PPE.".. Staffing was so low that those on duty could not keep the home clean. Garbage was everywhere and nothing seemed to have been wiped down. (p 152)

Conditions at Orchard Villa were so bad that ultimately the Red Cross and the Canadian Armed Forces (CAF) were called in to intervene. In reports that later made national news, CAF personnel described the following:



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- Residents left in beds in soiled diapers
- Staff failing to sit residents up to feed and administer medication, and one choking incident that appeared to have contributed to a resident's death
- Unsafe nursing medication administration errors
- Staff putting belongings of residents out of their reach
- A likely fractured hip not addressed by staff
- Some residents sleeping on bare mattresses due to a lack of supplies
- A lack of training for new staff: "Nursing staff unsure where or how to document status changes, how to change medications, where order sets are located; where supplies are located."

While the revelations in these reports were shocking to many Ontarians, multiple family members of residents told media that they were not surprised. Before the pandemic, Orchard Villa had a Level 3 compliance history, the second-worst designation the ministry assigns to long-term care homes. The Ontario Auditor General's special 2021 report on Pandemic Readiness and Response in Long-Term Care noted that Orchard Villa had reported respiratory outbreaks every year since 2016 – with seven reported in 2017 alone (p45). Orchard Villa and Southbridge Care are currently facing lawsuits related to negligence.

Section 98 of the provincial *Long-Term Care Act* states that a corporation “is only eligible to be issued a licence for a long-term care home if, in the Director’s opinion... the past conduct relating to the operation of a long-term care home or any other matter or business of the following affords reasonable grounds to believe that the home will not be operated in a manner that is prejudicial to the health, safety or welfare of its residents.” It is very clear that Orchard Villa has failed to meet this fundamental standard.

Moreover, as the government’s own long-term care commission made clear: “Care should be the sole focus of the entities responsible for long-term care homes... It is difficult to see how one can build a culture of excellence in care when care is only a means to profit on the infrastructure and hoteling.” Southbridge Care Homes Inc. is a for-profit corporation, the primary goal of which is to rake in profits, not residents’ care. This needs to change. That’s why the NDP has been fighting to end for-profit long-term care and make the system fully public and not-for-profit.

Given the harrowing conditions reported and the over 70 lives lost while under the care of Orchard Villa, it is unacceptable for the operator of this home to maintain its current license, much less receive an extended license that would place additional beds under its control.

Families have not seen justice for the tragic loss of their loved ones at Orchard Villa. Southbridge has failed in its duty to protect long-term care residents, and has not demonstrated any sense of accountability for its gross negligence. Extending Southbridge’s license for another 30 years would be



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an insult to all who tragically lost their lives and their families, and a potential danger to current and future residents.

Sincerely,

A handwritten signature in black ink that reads "Jennifer French".

Jennifer French, MPP for Oshawa

A handwritten signature in blue ink that reads "Wayne Gates".

Wayne Gates, NDP critic for Long-Term Care

A handwritten signature in black ink that reads "Peter Tabuns".

Interim Ontario NDP Leader Peter Tabuns