



Patient Bill of Rights, Responsibilities and Complaint Process

Policy & Procedures

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Accountable To: President & CEO

Key Policy Issues:

- Intent and Employee Awareness
- Patient/Client Bill of Rights
- Patient/Client Responsibilities
- Compliance with Ontario Regulation 187/22 under the Connecting Care Act, 2019
- Complaint Process
- Open Disclosure Expectations
- Education and Training



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1. **POLICY STATEMENT**

NHI Nursing & Homemakers Inc., is committed to implementing a policy that adheres to, and is in compliance with the Patient Bill of Rights as outlined in the Ontario Regulation 187/22, under the Connecting Care Act, 2019.

2. **INTENT AND EMPLOYEE AWARENESS**

This document is prepared for NHI Nursing & Homemakers Inc., 2347 Kennedy Road, Suite 204, Scarborough Ontario, M1T 3T8.

NHI Nursing & Homemakers Inc., as an organization, provides care to a diverse population. This policy heightens awareness of patient/client rights, and the rules and regulations that govern the delivery of safe, effective, and transparent patient/client care. Knowing your rights and responsibilities, as a patient/client, will ensure a mutually empowering and beneficial relationship with your service provider. At NHI, patient/client care is not just a service, but a duty that is carried out with respect, commitment and integrity. Awareness of patients'/clients' rights and responsibilities, enables NHI in delivering the highest quality of service.

This policy addresses NHI's *Patient Bill of Rights, Patient Responsibilities*, and goes over the mechanisms/steps in place to voice and launch a *complaint*, and seek resolution. Additionally, staff/employee Education and NHI's Open Disclosure processes are addressed.

3. **PATIENT/CLIENT BILL OF RIGHTS**

All employees of NHI Nursing & Homemakers Inc., are aware of the Patient/Client Bill of Rights, and they are articulated and communicated effectively. A copy is posted in NHI premises, NHI's website, and is included in the Patient's/Client's Chart and New Employee's Onboarding package.

As a patient/client, family member, Substitute Decision Maker ("SDM") or Caregiver/Health Care Provider/Professional, you have the right to expect that NHI Nursing & Homemakers Inc., shall respect and promote your rights as follows:

1. **To be dealt with in a respectful manner**, and to be free from physical, sexual, mental, emotional, verbal, and financial abuse.
2. **To be dealt with in a manner that respects your dignity and privacy**, and that promotes your autonomy and participation in decision-making.
3. **To be dealt with in a manner that recognizes your individuality** and that is sensitive to and responds to your needs and preferences, including preferences based on ethnic, spiritual, linguistic, familial or cultural factors.

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4. **To receive services free from discrimination** on any ground of discrimination that is prohibited by the *Human Rights Code* or the *Canadian Charter of Rights and Freedoms*.
5. **A patient/client who is First Nations, Métis or Inuk** has the right to receive services in a culturally safe manner.
6. **To receive information** about NHI and its services in a format that is *clear* and *accessible*.
7. **To participate in the assessment and reassessment of your needs**, as well as the development and revision of your care plan.
8. **To designate a person to be present** with you during assessments.
9. **To designate a person to participate** in the development, evaluation and revision of your care plan.
10. **To receive assistance in coordinating your services** from NHI.
11. **To give or refuse consent** to the provision of any NHI service.
12. **To raise concerns or recommend changes** in connection to the services that you receive, and with policies and decisions that affect your interests, without fear of interference, coercion, discrimination or reprisal.
13. **To be informed of the laws, rules and policies** affecting the delivery of NHI services, including this Patient/Client Bill of Rights, Responsibilities and Complaint Process.
14. **To be informed, in writing, of the procedures** for initiating complaints about the services you are receiving.

4. **PATIENT/CLIENT RESPONSIBILITIES**

Not only do patients/clients have rights, they also have responsibilities. Understanding these responsibilities ensures a mutually beneficial relationship with NHI.

As a patient/client, family member, Substitute Decision Maker (“SDM”) or Caregiver/Health Care Provider/Professional, you have the responsibility to:

1. **Be respectful and courteous** towards other patients/clients, visitors, and staff/employees, free from any forms of discrimination, harassment and acts of violence.
2. **Understand that any form of verbal or physical abuse** to other patients/clients, visitors, and staff/employees will not be tolerated.
3. **Participate in developing** your service/treatment plan.

4. **Understand that a service/treatment that you request** for may not be provided, if it is medically/ethically inappropriate.
5. **Keep your Health Care Professional/NHI informed** about any changes to your health status and/or support system, and to be honest and transparent about your personal health information or any updates.
6. **Inform your Health Care Professional/NHI in advance**, if you are not available to receive service.
7. **Inform NHI of changes** to your contact information and/or treatment address.
8. **Work together with your Health Care Professional/NHI** to identify and resolve any concerns related to your care.

5. **COMPLAINTS PROCESS AS PER ONTARIO REGULATION 187/22**

Please note NHI Nursing & Homemakers Inc., adheres to the Ontario Regulation 187/22 under the Connecting Care Act, 2019.

In accordance with Clause 30 (12) (a) of O. Reg. 187/22, NHI (Service Provider Organization – SPO) has developed and implemented a process for reviewing complaints about the services, that incorporates Clause 30 (12) (a) of O. Reg. 187/22:

“(12) A health service provider or an Ontario Health Team shall ensure that their provider of home and community care services establishes a process for reviewing complaints respecting the services that includes, at a minimum,

(a) a process for immediately reporting to the provider or Team any incident that resulted in harm or a risk of harm to a patient”.

In accordance with Clause (12) (b) of O. Reg. 187/22, NHI (Service Provider Organization – SPO) has developed a process to review any allegation of abuse or neglect of a patient/client. The process includes the requirements set forth in Clause (12) (b) of O. Reg. 187/22:

“(12) A health service provider or an Ontario Health Team shall ensure that their provider of home and community care services establishes a process for reviewing complaints respecting the services that includes, at a minimum,

(b) in the case of a complaint described in paragraph 1 of subsection (1), requirements to,
(i) immediately report the complaint to the provider or Team,
(ii) provide a written record of the complaint to the provider or Team as soon as practicable,
(iii) inform the provider or Team of the response to the complaint, and

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(iv) if requested by the provider or Team, provide written status updates on any investigation commenced by the provider of the home and community care services.”

As per Clause (12) (b): “*paragraph 1 of subsection (1)*”:

“30. (1) The process for reviewing complaints required by section 43.10 of the Act must include, at a minimum, review of the following types of complaints received from any person:

1. An allegation of abuse or neglect of a patient that resulted in harm or a risk of harm to the patient, or improper or incompetent service delivery to a patient that resulted in harm or a risk of harm to the patient by any of the following:

i. The health service provider or Ontario Health Team.

ii. A staff member of the health service provider or Ontario Health Team.

iii. A provider of home and community care services of the health service provider or Ontario Health Team, including any employee or contractor of that provider.”

As a patient/client, not only do you have rights and responsibilities, but you can also bring forward complaints through NHI’s complaint process. NHI will work collaboratively to address any concerns, grievances, issues and complaints. Complaints will be handled with compassion, support, specialized skills and special understanding.

PLEASE NOTE: Patient/Client Care and Service(s) will not be penalized for initiating a complaint.

5.1. Process for Reporting Complaints

Process for reporting any incident that resulted in harm or risk of harm to a patient/client:

1. A complaint can be launched by the patient/client/family/Substitute Decision Maker (“SDM”).
2. Any incident that resulted in harm or a risk of harm to a patient must be reported immediately.
3. All complaints should be addressed in writing to the President and CEO of NHI Nursing & Homemakers Inc. Alternatively, complaints and concerns can be addressed verbally/writing with NHI’s Nursing Supervisor/Staffing Coordinator.
4. The complaint will be reviewed as soon as possible or within 24 hours of receipt.
5. A member of the leadership team will contact and collaborate with the patient/client/family/SDM/complainant, and inform them that the complaint has been received and is being reviewed.
6. A member of NHI’s leadership team will investigate the matter with the staff involved.
7. NHI leadership team will report the incident to Ontario Health atHome.
8. If requested by Ontario Health atHome, NHI will provide written status updates to Ontario Health atHome on any investigation commenced by NHI.

9. A member of NHI's leadership team will then follow-up with the staff as necessary for disciplinary or remedial actions.

5.2. **Process for Reviewing Complaints**

Process for reviewing any allegation of abuse or neglect of a patient/client that resulted in harm or a risk of harm, or improper or incompetent service delivery to a patient/client that resulted in harm or a risk of harm to the patient/client by the Service Provider, a Service Provider employee, Ontario Health at Home, or Ontario Health atHome employee:

1. Immediately report the complaint to Ontario Health atHome.
2. Provide a written record of the complaint to Ontario Health at Home as soon as practicable.
3. Inform Ontario Health atHome of NHI's response to the complaint.
4. If requested by Ontario Health atHome, NHI will provide written status updates to Ontario Health atHome on any investigation commenced by NHI.

6. **OPEN DISCLOSURE EXPECTATIONS**

NHI Nursing & Homemakers Inc., adheres to an 'Open Disclosure' procedure, and following are the expectations:

1. Full disclosure of any adverse events as soon as possible in a transparent and honest manner.
2. An appropriate apology, if necessary.
3. To be treated with empathy and respect, and provided with emotional support.
4. A brief overview of the investigation process that will follow, and what the client/patient/family/SDM/POA can expect to learn, with appropriate timelines.
5. An offer for future meetings along with the name of the key contact for such requests.
6. An allowance of time for clarification of questions.
7. Disciplinary/remedial action implemented where necessary.

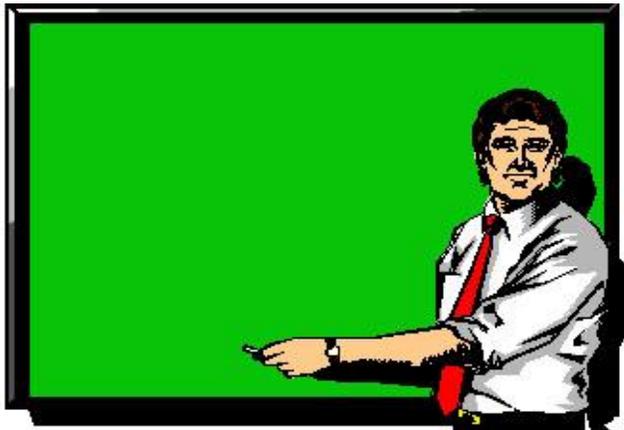
7. EDUCATION AND TRAINING

On-going Education and Training are provided regarding the Patient's/Client's Bill of Rights, Responsibilities and Complaint Process.

New Hire package includes a copy of the Patient's/Client's Bill of Rights.

Employees/Clients are encouraged to seek clarification.

Issues that compromise Patient's/Client's Bill of Rights are utilized as opportunities for on-going Education and Training.



8. REFERENCES

1. Government of Ontario (Ontario.ca). e-Laws. Connecting Care Act, 2019, S.O. 2019, c. 5, Sched. 1. [Connecting Care Act, 2019, S.O. 2019, c. 5, Sched. 1 | ontario.ca](#)
2. Government of Ontario (Ontario.ca). e-Laws. O. Reg. 187/22: Home and Community Care Services: Patient Bill of Rights. [O. Reg. 187/22 HOME AND COMMUNITY CARE SERVICES | ontario.ca](#)
3. Ontario Health atHome. Patient Bill of Rights and Responsibilities. [Patient Bill of Rights and Responsibilities | Ontario Health atHome](#)
4. Ontario Health atHome. Compliments & Concerns. [Compliments & Concerns | Ontario Health atHome](#)
5. Social Patient Networks Canada. Understanding the Canadian Patients' Bill of Rights – Ensuring Quality Healthcare and Empowering Individuals. [Empower Your Healthcare Journey with Canada's Patients' Bill of Rights](#)
6. University Health Network (UHN). Patient Bill of Rights and Responsibilities. [Patient Bill of Rights and Responsibilities](#)
7. Government of Ontario (Ontario.ca). e-Laws. Connecting Care Act, 2019 Ontario Regulation 187/22 - Home and Community Care Services. [O. Reg. 187/22 HOME AND COMMUNITY CARE SERVICES | ontario.ca](#)