

Families worry about loved ones' fate under new Ontario hospital and nursing home law

By Liam Casey The Canadian Press
Sept. 15, 2022

Jamie Daw drew a 70 kilometre-wide radius on a map this week to show her mother how far she'd have to drive to visit her ailing husband if he's moved to a nursing home not of his choosing under a new provincial law.

Daw's father is 93 years old and has had so many falls that he's no longer welcome in his Simcoe, Ont., retirement home. He's been at the Norfolk General Hospital since June after a bad fall, which was followed by catching COVID-19 while recovering.

Dementia has begun to creep in and he's been on a waiting list to get into one of five local long-term care homes for more than a year. But new rules revealed this week mean he may be moved to a nursing home much farther away.

"It already felt like there was very little control and now it feels like we're at the mercy of the system and we'll be sent where we're sent regardless of what we want," Daw said in an interview Thursday.

Daw's 71-year-old mother is currently a two-minute drive from the hospital where her husband has been staying, and his five preferred nursing homes are all nearby, Daw said.

Daw showed her mother that her father could be sent as far as Hamilton, London, Ont., or Kitchener, Ont.

"Hamilton is a bigger city and not easy to drive in for small-town people," she said. "And to take somebody out of their community -- there's a good chance that my dad would know people in the homes on our list -- and disrupt that sense of belonging will be hard, if it happens."

The province revealed rules Wednesday that allow hospitals to send discharged patients awaiting a spot in long-term care to nursing homes not of their choosing up to 70 kilometres away in southern Ontario and up to 150 kilometres away in northern regions on a temporary basis, with charges of \$400 per day if they refuse.

The province said the law behind the rules, which passed last month, is part of its efforts to ease pressures on hospitals that have seen emergency department closures for periods of time and a massive surgical backlog.

Patients like Daw would remain on the priority list for their preferred homes.

The law has sparked outrage among seniors and advocates.

For Ceciley White, the new law has triggered real concern about where her 81-year-old sister will end up once she's ready to leave hospital.

Dianne Marshall is in a hospital in Brockville, Ont., with a gallbladder problem, White said. That issue, compounded by her existing poor kidney function and fibromyalgia, means her recovery will not be easy and surgery, if it happens, will be complicated.

Marshall will likely need help wherever she ends up going after the hospital – her 83-year-old husband has serious heart issues and is limited in how much he can support his wife, White said.

Recovery in a long-term care home is on the table, White said, especially if surgery is required, but the new rules detailed by the province this week have Marshall's family worried about what the future will bring.

"We're terrified right now, we feel powerless," White said in an interview.

She said her sister has been in hospital since Sunday after her husband called an ambulance. The family hopes she will recover enough to go home, but the future is uncertain.

"If they sent her far from her husband to recover in a nursing home, they'd be devastated," said White, who lives in Ajax, Ont. "You'd have two people ready to give up on life and that's why this new law is cruel."

White, 71, said she herself is healthy and walks five to seven kilometres a day, but realizes she's one bad fall from being sent to hospital.

"I've done some face plants, I'm known for being clumsy, but now I'm thinking, do I want to take a chance going to the hospital if I don't know where I'll end up?" she said. "These thoughts are in my mind now."

The new rules on the distance patients can be transferred take effect Wednesday of next week, with hospitals required to charge patients who refuse starting Nov. 20.

The government has said the distances patients are moved will be calculated based on the location of their preferred home.

The regulations apply to hospital patients deemed by doctors to need an "alternate level of care" who have been placed on a wait-list to get into a long-term care home. The province said there are about 1,800 such patients across the province.

The new rules will help free up at least 250 hospital beds in the first six months, the province said.

Patricia Spindel, the co-founder of Seniors for Social Action, said the new law amounts to financial coercion to force patients into facilities they do not want to go to.

“They’re using the club of a law to try to force us into these facilities and that’s a violation of their human rights,” Spindel said. “This is being targeted at the most frail and vulnerable people in Ontario and that’s bullying behaviour.”

This report by The Canadian Press was first published Sept. 15, 2022.