



June 9, 2020

VIA EMAIL: merrilee.fullerton@pc.ola.org

Hon. Merrilee Fullerton
Minister of Long-Term Care
400 University Avenue, 6th Floor
Toronto Ontario M7A 1N3

Dear Dr. Fullerton,

RE Family Access to Elderly Residents in Ontario Long Term Care Homes

We write to express our objection to the deeply concerning mistreatment and neglect of the residents of many long-term care facilities in Ontario, particularly since March of 2020, when the pandemic-related lockdown began.

Serious existing problems in many facilities have been compounded exponentially by the now indefinite confinement of residents to their rooms, and prohibition on visits from family members. These restrictions have exacted a terrible toll on seniors and their families, and have prevented necessary accountability. The forced isolation without visits means long-term care homes are largely devoid of meaningful supervision. A lack of accountability has created conditions which allow indifference and neglect, and in some cases abuse, to flourish.

Family members often serve as caregivers for residents. This compensates for the lack of care received in facilities that do not have enough staff to be able to provide adequate and necessary care. Emerging evidence indicates that the situation in some facilities has only worsened since lockdown measures were imposed in March.

You are doubtless aware of the report from the Armed Forces, who were deployed to assume management of Orchard Villa in Pickering and Eatonville Care Centre in Etobicoke. Conditions in these long-term care homes were horrendous as ill-trained, burned-out (and, in some cases, neglectful) staff coped with the growing care needs of elderly residents, all while it

remained illegal for family members to visit and care for their own family members. In Orchard Villa, troops observed the choking death of one senior, who was lying down while being fed. Staff were unable to dislodge food or revive the resident. The practice of not having patients sit up appeared to have contributed to the patient's death. Other patients were left in soiled beds or in soiled diapers, rather than being ambulated to the toilets. Cockroaches and flies were present.

Our office receives accounts daily from family members in Ontario which paint a grim picture of how dire the situation is, and how much worse it will get if family members are not permitted to resume visiting and caring for their elderly loved ones.

For example, Margaret in London, described the suffering both her and her mother have experienced from the months-long isolation. She writes: “My mom is calling every day asking why I don’t want to visit her anymore. Her dementia and anxiety has worsened so badly they have had to increase her medication. She does not know what is going on, why she can’t leave, and why I cannot come and see her. She is calling many times a day asking why I don’t want to visit her anymore. She said “We used to be so close. What happened?” My mom doesn’t understand what is going on and it’s cruel. It is as hard on me as it is on her.”

Jane’s husband is in a facility in a small town that has had few cases of COVID-19. She writes: “The isolation is taking its toll on my husband. His condition is fragile. Every day there’s less engagement, fewer smiles and he’s sleeping more and more. Sometimes he can’t even wake up for me ... and now ... he’s having trouble taking a life-saving medication because he’s having trouble swallowing. My biggest fear is that he will die before this lockdown is lifted, he does not deserve this, I don’t deserve this. There needs to be a way to spend even 1 hour a week with him.”

Our office is inundated with similar stories from people across Ontario, unable to see their loved ones, and stymied by government officials and government regulations. These desperate people would gladly help their loved ones if they could, but the current policies of your government and government-operated care homes are preventing them from doing so.

The forced isolation of seniors, the prevention of visitations by family members, and the neglectful and inadequate care provided to them is blurring the lines between long term care and incarceration. We are advised that many long-term care home residents have been confined to their rooms for over 80 consecutive days. These seniors are suffering loneliness, depression, anxiety, neglect, lack of exposure to the outdoors and physical exercise, lack of loving interaction with family and loss of dignity. They are suffering a profound and ongoing violation of their constitutional rights to liberty and security of the person as protected by section 7 of the *Charter*. Their neglect and isolation is also a violation of the Residents’ Bill of Rights as

protected in section 3 of *Long-Term Care Homes Act*, 2007. These infringements are inexcusable, unjustifiable and inhumane.

We demand that your government lift these inhumane and *Charter*-violating restrictions immediately, such that residents will be permitted to leave their rooms, and such that immediate family members be permitted to once again visit their loved one and provide the basic care and love that every person deserves by virtue of their inherent dignity as a human being.

We are prepared to take legal action if your government and the facilities it operates do not take immediate steps to permit family members access to their loved ones, to ensure their continued safety and health.

Sincerely,



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"Defending the constitutional freedoms of Canadians"

cc Hon. Doug Ford, Premier of Ontario
Hon. Christine Elliot, Minister of Health
Dr. David Williams, Chief Medical Officer of Health