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## **SPECIAL REPORT BY THE QUÉBEC OMBUDSMAN (EXCERPTS)**

*For access to public residential  
resources that respects the rights and  
needs of elderly people and of their  
families*

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Québec City, October 28, 2021

# SUMMARY

## Context

Every year, the Québec Ombudsman receives complaints from elderly people or their families when the would-be residents try to get a place in a public residential resource. The complaints, which concern the mechanism for accessing these resources, depict a complex administrative structure that leaves little room for human considerations.

In 2018, the Québec Ombudsman therefore undertook a systemic investigation of the rules and practices surrounding access to public residential resources. The purpose was to document the quality of the response to elderly people whose condition requires that they be placed in a residential resource, as well as the obstacles they face. It based the investigation on:

- An analysis of the complaints and reports it received and handled between April 1, 2015, and March 31, 2019;
- Study of the access mechanisms of the 22 CISSSs and CIUSSSs, as well as of the Cadre de référence provincial du mécanisme d'accès à l'hébergement en CHSLD et en RI-RTF project by the Ministère de la Santé et des Services sociaux (MSSS);
- The results of the survey of elderly residents of these resources and of their families;
- Data on the access process collected from 12 sampled institutions;
- Interviews with the staff and managers of these 12 institutions: Support for elderly autonomy (SAPA) directors, the people in charge of access mechanisms, and several social workers who assist would-be residents with the access process.

## Background of access to residential resources

For elderly people, the reality of access to residential resources is a series of bereavements at a time of life when they are particularly vulnerable. For many of them, the place they go to live will be their last home. Given this, three principles underpinned the Québec Ombudsman's analysis and recommendations:

1. Uphold service users' rights, particularly regarding their residential resource choices.
2. Consider all the needs of would-be residents.
3. Limit the upheaval suffered by the elderly person.

## **From findings to orientations**

Its investigation completed, the Québec Ombudsman made 14 recommendations to MSSS that fall within four distinct orientations which respond directly to the main findings of the investigation.

### **Orientation 1: Show consideration for would-be residents**

Not only do the various practices involved in accessing residential resources needlessly heighten the distress of the people concerned, but in some cases they violate the rights of those the process is meant to serve.

First, the Québec Ombudsman identified the failure to provide the required information to elderly people and their families throughout the access process (Recommendation 1) and the difficulty visiting these resources (Recommendation 2). Secondly, it was highly critical of forced moves carried out in fewer than 48 hours and cancelled applications if a would-be resident refuses a place offered (Recommendation 3). Lastly, the Québec Ombudsman considered that frequent recourse to temporary resources, which causes a form of homelessness at the end of life, is a practice that must be questioned (Recommendation 4).

### **Orientation 2: Standardize practices province-wide**

It quickly became clear that the access process is not standard. There are significant differences from region to region regarding the access process itself and average wait times. This lack of uniformity compromises the fair processing of applications province-wide.

Differences in interpreting the notions of temporary and permanent residential resources yield a misleading portrait of access to the place chosen (Recommendation 5). In addition, the different ways of indicating preferences at the time of applying and the lack of consistency in the priority criteria used compromise the rights of the elderly person and the fairness sought (Recommendation 6).

### **Orientation 3: Review application prioritization**

The Québec Ombudsman is concerned about recurrent problems in application prioritization.

As it now stands, access mechanisms lean towards assessment mainly related to clinical needs when people are assigned a priority ranking at the time of applying, and social and emotional needs are scarcely considered. For example, factors such as the proximity of informal caregivers and the desire to live in the same residential resource as a spouse should be given more weight during this assessment (Recommendation 7).

In the real world, the network's limited resources and the imperatives of the hospital-care system short-circuit the access principles adopted by institutions. While, theoretically, prioritization is based on criteria that reflect the needs of every person who needs a residential resource, the fact is that hospitalization has become the fast track. In addition to being a substantial problem in terms of fairness, this also increases wait times for people who are still living at home. This in turn opens the door to their health declining so much that they too need to be hospitalized (Recommendations 8 and 9).

The investigation also highlighted the difficulty that arises when elderly people ask to be assigned a place outside of the territory where they lived when they applied. This runs counter to the idea that keeping residents and their families as close together as possible in distance should be encouraged. The Québec Ombudsman felt that a single mechanism for following up on interterritorial applications must be established, and that access to a resource within the requested intake territory must be facilitated (Recommendations 10 and 11).

#### **Orientation 4: Produce an exhaustive portrait of the situation regarding access to residential resources**

Throughout its investigation, the Québec Ombudsman saw inefficient management of access data, which were either not collated the same way by the different institutions, ignored or made inaccessible by MSSS, or only partly distributed by the Department.

In many situations, MSSS deprives itself of information it could use to carry out analyses useful in determining action to improve access to residential resources within the territory of the various institutions (Recommendation 14). That is why a single system common to MSSS and all institutions for consigning, managing and sharing data is imperative (Recommendation 12).

For the sake of transparency, the Québec Ombudsman also recommended publication of the full waiting list for a permanent place in intermediate resources, family-type resources or CHSLDs. Currently, this list is made public only in part (Recommendation 13).

#### **For better access...effective immediately**

The purpose of the recommendations is to improve the rules and practices surrounding access to public residential resources, to make them more compassionate, and to strengthen respect for the rights and needs of elderly people and their families.

The Québec Ombudsman feels that the time is ripe to review the issues raised in this report as the move to overhaul the residential resource system for elderly people gets underway. Refusing to seize this opportunity to improve the way things are done would be tantamount to refusing to create fair, thoughtful and compassionate access for our elderly population.



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