

Protection for Persons in Care 2019-2020 Annual Report



Protection for Persons in Care 2019-2020 Annual Report

Alberta Health

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Preface

The Protection for Persons in Care 2019-2020 Annual Report was prepared by the Ministry of Health to support the Government of Alberta's commitment to transparency, accountability, and system improvement.

The annual report contains statistics for the 2019-2020 fiscal year (April 1, 2019 to March 31, 2020). Previous statistical reports can be found at: <https://www.alberta.ca/protection-for-persons-in-care.aspx>.

Definition of Terms

Abuse

The *Protection for Persons in Care Act* defines abuse as an **act** or **omission** that:

- Causes serious **bodily** harm;
- Causes serious **emotional** harm;
- Results in the administration, withholding or prescribing of **medication** for an inappropriate purpose, resulting in serious bodily harm;
- Subjects an individual to non-consensual **sexual** contact, activity, or behavior;
- Involves misappropriating, or improperly or illegally converting a significant amount of **money** or other valuable possessions; and/or
- Results in failing to provide adequate nutrition, medical attention, or another **necessity of life** without a valid consent resulting in serious bodily harm.

Client

An adult receiving publicly funded care or support services from a service provider.

Complainant

The individual who reported abuse.

Individual Involved

A person who allegedly abused a client or who allegedly failed to prevent the abuse of a client.

Legal Representative

An agent designated in a personal directive that is in effect under the *Personal Directives Act*, or a guardian or co-decision-maker as defined in the *Adult Guardianship and Trusteeship Act*.

Service Provider

Service providers that provide publicly funded care or support services include:

- Hospitals
- Nursing Homes
- Group Homes
- Shelters
- Lodges
- Mental Health facilities
- Addiction treatment centres
- Supportive living settings
- Some Persons with Developmental Disabilities funded care or support service settings

Ministry Overview

The Ministry of Health includes the Department of Health, Alberta Health Services (AHS), and the Health Quality Council of Alberta.

The Department of Health, led by the Deputy Minister of Health, implements the Government of Alberta's strategic direction for health and is responsible for overall policy, legislation, and monitoring of the health system's performance.

Key functions of the department include:

- Advising government on health policy, legislation, and standards;

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- Protecting public health and promoting wellness;
- Quality assurance;
- Planning capital infrastructure;
- Overseeing the delivery of health care;
- Supporting information management and technology;
- Enabling health care professionals;
- Funding the health system; and
- General oversight.

About Protection for Persons in Care

The [Protection for Persons in Care \(PPC\) program](#) is responsible for administering the [PPC Act](#). The PPC Act requires the reporting and promotes the prevention of abuse of adult clients who receive publicly funded care or support services. Further, the Act requires service providers to take reasonable steps to protect clients from abuse while providing care or support services. Additional information on the PPC Act can be found in the [Guide to Understanding the Protection for Persons in Care Act](#) document.

The PPC program is responsible for receiving allegations of abuse and determining whether an allegation fits within the scope of the PPC Act. A PPC Complaints Officer reviews the report of abuse to determine whether an investigation is required, if the matter needs to be referred to a police authority or another body, committee, or person authorized to investigate the abuse, or whether the report of abuse should be discontinued. A report of abuse may be discontinued if:

- the report of abuse is frivolous, vexatious, or was made in bad faith;
- the report of abuse was self-reported more than two years from the date the alleged abuse occurred; or
- an investigation is not necessary.

Investigations may not be necessary when:

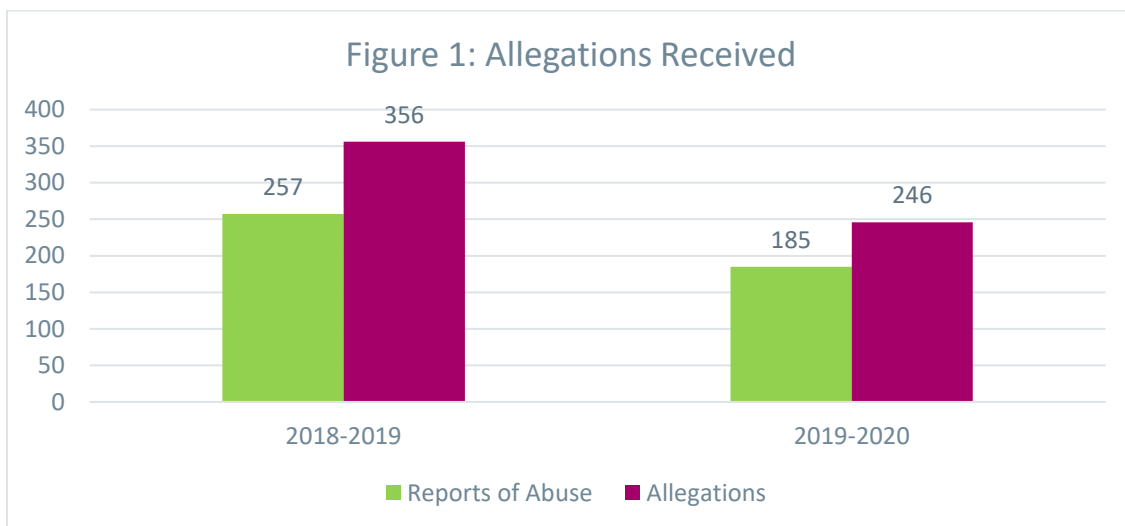
- the allegation has already been resolved;

- the allegation was previously reported to police or to a professional college or another body, and an investigation is already underway;
- the complainant withdrew the report – the complainant may have reported the abuse but after getting more information, determined it was not abuse; or
- the matter is not within the jurisdiction of the PPC Act.

Statistical Highlights

Allegations Received

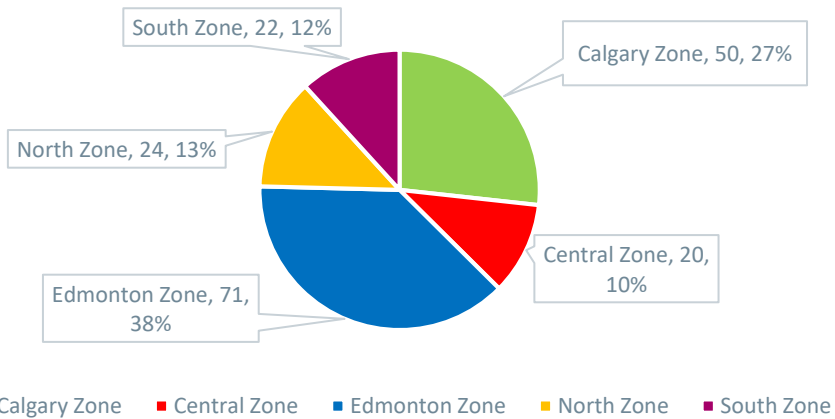
A report of abuse received by the PPC program may contain multiple allegations. This can cause the total number of allegations that PPC reports may exceed the total number of reports of abuses as shown in Figure 1 below.



Allegations that fall under the jurisdiction of PPC are categorized based on the organization that manages the funding from the Government of Alberta, such as Alberta Health Services (AHS) or the PDD program of the Ministry of Community and Social Services. The majority of allegations in 2019-2020 occurred in AHS and PDD funded settings. A small number (6) occurred in seniors lodges.

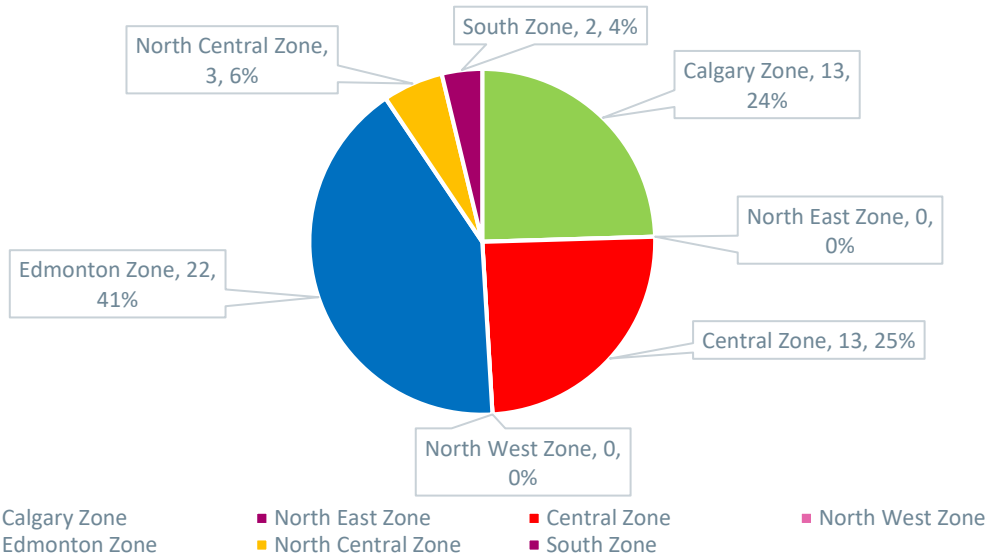
As seen in Figure 2 below, the majority of allegations of abuse in AHS facilities occurred in the Edmonton and Calgary zones.

Figure 2: 2019-2020 Alberta Health Services Allegations by Zone



While funding for PDD settings primarily comes from the Department of Community and Social Services, these service providers and their clients still fall under the jurisdiction of the PPC Act because of the publicly funded care or support services that PDD clients receive in these facilities. Similar to AHS facilities, as shown in Figure 3 below, the majority of PDD related allegations of abuse occurred in the Edmonton, Calgary, and Central zones.

Figure 3: Allegations Involving Persons with Developmental Disabilities

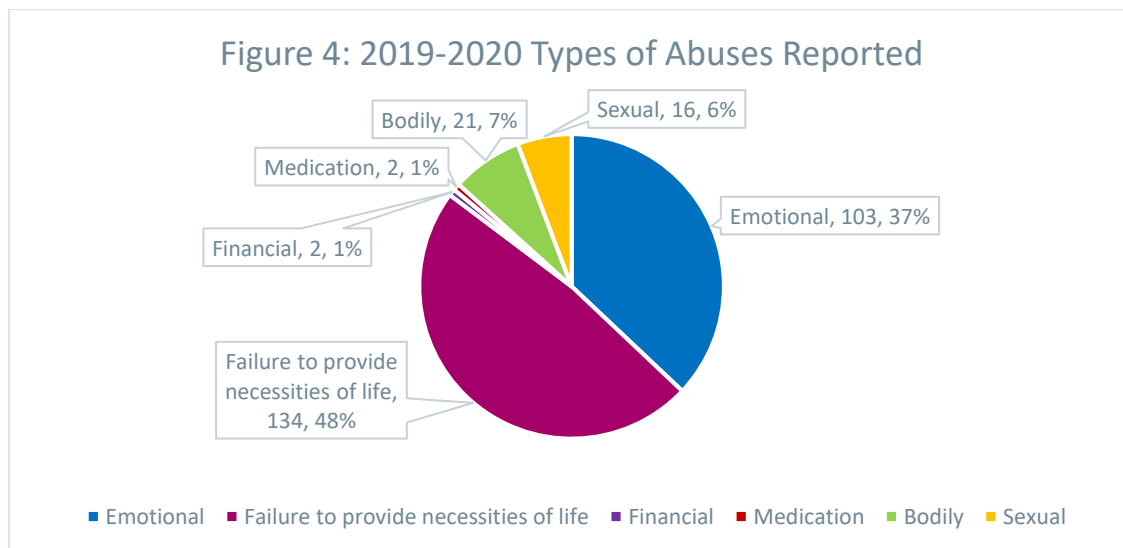


Individuals, whose concerns did not fall under the jurisdiction of PPC were referred to other government bodies and/or organizations that can more effectively address their concerns. Some of these government bodies and/or organizations include:

- AHS Patient Relations;
- Covenant Health Patient Relations;
- Office of the Public Guardian and Trustee;
- Persons with Developmental Disabilities (Ministry of Community and Social Services);
- Office of the Alberta Health Advocates;
- Police authorities (e.g. RCMP, Edmonton Police Service, Calgary Police Service, etc.);
- College of Physicians and Surgeons of Alberta;
- College and Association of Registered Nurses of Alberta; and/or
- College of Licensed Practical Nurses of Alberta.

Types of Abuses

The PPC Act outlines and defines six types of abuses. In 2019-2020, the top two highest reported types of abuse are failure to provide the necessities of life and emotional abuse (Figure 4). These two types of abuses have been consistently the top two highest reported since 2015.



Number of Allegations Investigated

A PPC Complaints Officer reviews reports of abuse. After their initial assessment, the Complaints Officer may decide that more information is needed to make a decision, refer the report of abuse to a PPC Investigator, or discontinue the report of abuse.

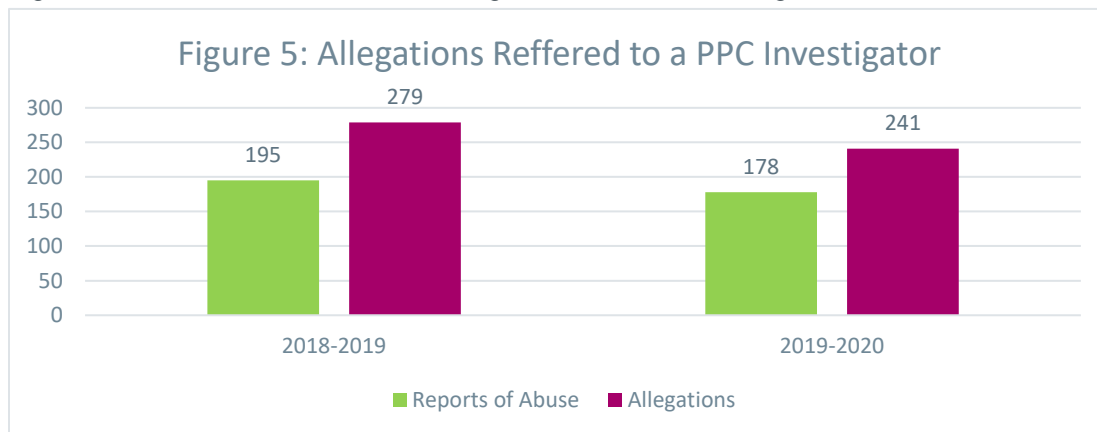
The PPC program can investigate allegations that are not criminal in nature, not an offence under another provincial law, and where there is no other committee, body, or person authorized to investigate the abuse. Each investigation is unique and is influenced by the nature, number, and complexity of the allegation(s), the client's personal circumstances, the type of service provider and/or individual involved, the setting, the culture of the organization, and the witnesses who can provide information.

The PPC statutory Director appoints individuals to be investigators who carry out the investigations.

The current roster of contracted PPC Investigators has a diverse skillset and experience to address the varying types of allegations that are reported to PPC. The current PPC Investigators have backgrounds in law enforcement, nursing, social work, psychology, and working with persons with developmental disabilities.

PPC investigators investigate allegations of abuse through on-site visits, interviews with persons relevant to the allegation of abuse, and review applicable information records. After all the information is collected and interviews completed, the PPC investigator prepares and submits a preliminary report to the PPC statutory Director. In the report, the PPC Investigator will state if the allegation of abuse is founded or not founded. The preliminary report may also include recommendations, with reasons, to improve the safety of clients and prevent abuse.

Figure 5 below shows the number of allegations that were investigated in 2019-2020.



Due to the complexities of reports of abuses, the length of time that it takes to conclude an investigation varies.

Decisions Rendered

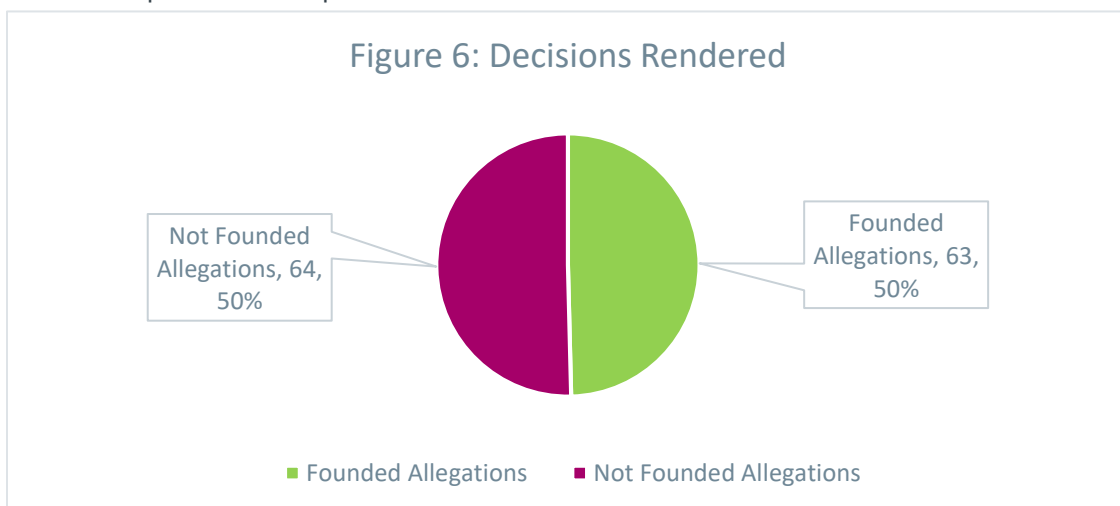
The PPC statutory Director reviews the PPC investigator's preliminary report and all of the information gathered during the investigation to make a decision that may agree or disagree with the recommendations of the PPC Investigator. The PPC statutory Director then makes a decision if the allegation is founded or not founded and may direct the service provider and/or individual involved to take actions to prevent future abuse. The PPC staff will work with a service provider until they are compliant with the statutory Director's decision. All decisions are consistent, fair, open, and transparent.

Once a decision has been rendered, the PPC statutory director will provide a copy of the decision to the complainant, client, service provider, individual involved, legal representatives (if any), and other parties relevant to the allegation of abuse.

Parties who do not comply with the statutory Director's directions may be guilty of an offense and be subject to a fine. Individuals can be fined up to \$10,000 and service providers up to \$100,000.

The client, complainant, service provider, and individual involved have the right to appeal the statutory Director's decision to an Appeal Panel within 15 days of receiving the decision.

Figure 6 show that in 2019-2020, the PPC statutory Director made decisions on 127 allegations. Half of these allegations are founded while the other half are not founded. Since the length of time that an investigation takes varies, the majority of the decisions below were for allegations that were reported to PPC prior 2019-2020.



Decision Summaries

PPC has been publicly posting decision summaries since 2015. The decision summaries contain information about allegations of abuse, the decision of the PPC statutory director if these allegations were founded or not founded, and directions aimed at improving client safety and preventing future abuse. Individually identifiable health and personal information are not included in the decision summaries to protect all who were involved. There may be several reasons if a particular service provider does not have a decision summary posted:

- PPC has not received an allegation of abuse for that service provider;
- An investigation has not been completed;
- The allegation of abuse was discontinued; or
- The service provider does not receive funding from the Government of Alberta.

The decision summaries are not intended to assist with determining the suitability or quality of a service provider. These documents are only for informational purposes and represent findings regarding specific allegations of abuse relating to a specific service provider at a particular point in time. Consequently, the absence of a decision summary for a service provider is not an indicator that a higher level of care is provided in that facility.

Similar to how the number of allegations reported to PPC are grouped, decision summaries are grouped based on the geographical zones of AHS facilities and PDD funded settings.

- Calgary Zone
- Central Zone
- Edmonton Zone
- North Zone
- South Zone
- PDD funded settings

The 2019-2020 decision summaries can be found at:

<https://open.alberta.ca/publications/protection-for-persons-in-care-decision-summaries-2019-2020>