



Community Legal Information Association of PEI

Moving to a Community Care Facility or Nursing Home



902-892-0853 or 1-800-240-9798

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This booklet is part of a series called “**Putting Your Affairs in Order at Any Age**”. Publications in this series include:

- Putting Your Affairs in Order At Any Age
- Wills
- Powers of Attorney
- Consent to Treatment
- Health Care Directives
- Moving to a Community Care Facility or Nursing Home
- New Relationships: Legal and Safety Concerns
- Preventing Abuse and Neglect of Older Adults
- You and Your Grandchildren

All of these publications can be found at www.cliapei.ca or can be ordered by calling Community Legal Information Association (CLIA) at 892-0853 or 1-800-240-9798. To view the acts mentioned in these booklets, go to www.gov.pe.ca, click on “Government”, “Supreme Court” and then click on “Statutes”. A list of the acts will come up in alphabetical order. You can also order paper copies from Island Information Service at 368-4000 or 1-800-236-5196. There is a small fee for paper copies.

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Moving To A Community Care Facility or Nursing Home

The following stories are examples of situations people may experience in PEI. At the end of the booklet, we explain how the information helped.

Marty and Pat have been together for 30 years. Pat, age 67, is now in hospital with multiple sclerosis and has been told nursing home care is recommended at this stage of the disease. He is afraid that Marty will have to sell the house to pay for his care if he goes into a nursing home.

Jackie and Gina are unable to stay in their home. Both are getting frail and they can no longer deal with snow removal, upkeep of their home or meal preparation. They do not yet need nursing care. They don't want to move to an apartment because Gina's arthritis will likely mean they will have to move again in a year or two.

Alex has been diagnosed with cancer that has metastasized into the bone. It is slow-moving but terminal. Eventually, palliative care will be needed. Alex's spouse Jamie, who is much older, is showing signs of dementia.

This booklet is designed to give people like Marty, Pat, Jackie, Gina, Alex and Jamie general information about moving to a nursing home or community care facility. We'll meet them again at the end of the booklet.

What is a nursing home?

A nursing home is a facility that provides 24-hour nursing care and supervision to people who have been assessed as needing to live in a place with 24-hour access to nursing staff. In Prince Edward Island, there are many nursing homes - about half are privately operated and the rest are public nursing homes or manors. Private nursing homes must be licensed to operate. For a list of nursing homes, see page 26.

What is community care?

A community care facility is a private facility or co-operative that provides accommodation, meals, housekeeping, help and supervision with daily activities and with personal care. Twenty-four hour nursing care is not provided. Community care facilities must be licensed to operate. For a list of community care facilities, go to page 24.

What are dual facilities?

Dual facilities are licensed to provide community care and nursing care in the same facility. Some of the private facilities in PEI are dual facilities. This can be helpful for spouses who require different levels of care but want to remain in the same place. For a list of dual facilities, see page 27.

How do I know what level of care is right for me?

Contact your local Home Care Office to arrange for a health assessment. These can be reached at:

Charlottetown	368-4790
Montague	838-0786
O'Leary	859-8730
Souris	687-7096
Summerside	888-8440

The Home Care staff person will come to your home to discuss your personal situation and complete a health assessment. The health assessment lists your daily care requirements and helps staff determine what level of care you need. Home Care staff may suggest certain services, like respite care, that could allow you to stay in your home, if that is what you wish. The staff person will also explain what type of facility fits with your care needs. If a nursing home is what you require, staff will use the assessment to begin the application process for you.



If your care requirements can be met by moving to a community care facility, you are free to decide which facility is right for you. If you need to apply for a subsidy because you cannot pay the whole bill, it is important to find out the costs for the home first. Many community care homes have subsidized beds but not all beds are subsidized. There is an upper limit to the subsidy that may dictate which home you can afford to go to.

If you have had an assessment, you can arrange for a copy of your Home Care assessment to go to the community care facility so they can understand your care requirements. With your permission, your doctor can also talk to the community care facility about your admission and your personal health history.

What is an assessment and who does it?

An assessment is carried out by a team of professionals to determine what level of care you need. It is started by contacting the Home Care office. Sometimes your doctor or a family member will arrange for this assessment to be done or you could phone to ask for an assessment. The assessment can be done in your home or, if you are already in a hospital, staff can do the assessment there.

The assessment usually begins with a nurse or a social worker speaking to you about your health needs and any particular issues that may be a challenge for you. Depending on your unique circumstances, the assessment usually includes many people - you, your family, your doctor and other professionals working with you. Your doctor provides the medical information. Usually you or your family are the first people talked to about the assessment.

If the assessment shows that you need nursing home care, your name is put on the placement list until a bed becomes available. The same list is used whether you applied for a public or a private nursing home. You will be asked to list your top three choices of nursing home. You may not get into one of your first choices right away. You can ask to have your name put on a waiting list so you can transfer as soon as a bed becomes available.

NOTE: If you are in hospital and put on the waiting list for a nursing home bed, it is important that you accept the first bed available to you. If you refuse, you will be charged for your stay in hospital from the time of your refusal until you accept a bed offered to you.

Do I have to meet any other requirements to get into a home?

You must be 60 years of age or older to be admitted to a nursing home and you must need level 4 care or above . In some rare cases, someone younger may be considered for admission.



What if I am assessed as not needing nursing home care?

If your assessment indicates that you need Level 3 care or below, you are not eligible for nursing home admission. You can apply to a community care facility for admission there. This is a private application made by you or by someone in your family. You may be able to arrange for a copy of your assessment for nursing care to go to the community care facility. With your permission, your doctor can talk to the community care facility about your admission.

What if I am in a community care facility and I now need more care than it can provide?

If you are in this situation, the community care facility is required to have an assessment done to determine the level of care you need. Many of the community care facilities do their own assessments. If your assessment shows you need a level 4 or 5 care, your name will go on the waiting list for a nursing home bed.

What do competent and capable mean?

Competent and capable both mean mentally competent. Competency is difficult to define and difficult to determine, but it is usually a decision made after a professional consultation.

If someone is competent to make medical decisions, that person has the ability to understand the subject matter for which consent is required and understands the consequences of giving or refusing consent.

If someone is competent to make financial decisions, that person is able to understand financial and legal matters and has the ability to make decisions.

Someone can be competent to make medical decisions but incompetent to deal with complicated financial affairs. A person may be competent at one time, lose that competency because of a stroke, perhaps, and then regain it later.

Can anyone force me to go to a nursing home or community care facility?

You cannot be forced to go into a community care facility or a nursing home against your will as long as you are mentally competent. It is a choice you make. If you are mentally competent, you cannot be forced to undergo an assessment against your wishes.

If you have been declared mentally incompetent by your health practitioner, then the proxy you have named in a health care directive will make decisions for you.



If you have not named a proxy, the health practitioner will name a substitute decision-maker for you from a list provided in the *Consent to Treatment and Health Care Directives Act*. You may regain competency later and you may be able to make decisions for yourself. An example of this could be if you have had a stroke and are unconscious or cannot speak – if you regain consciousness and the ability to communicate and make decisions, you may have regained competency and may be able to make these decisions yourself.



It is important that your family knows your wishes in the area of medical treatment so they can advise health practitioners. It is also a good idea to name a proxy in a health care directive so you know that it will be someone you trust who is making decisions for you if you cannot make them or communicate them yourself.

For more information on proxies, substitute decision-makers, competence and health care directives, call Community Legal Information Association at 892-0853 or 1-800-240-9798.

How do I decide my top choices of nursing homes?

It is a good idea to visit the nursing homes you are interested in before you list them as your top three choices. Call ahead to make an appointment to have a tour of the home. Ask lots of questions when you are there. If you can't go yourself, ask a family member or friend to go. You can make a list of the questions you would like them to ask when they are there. You could also ask a family member or friend to go with you so you can get their impressions.

Here are some questions you could ask while visiting the facility:

- If I become ill and have to go to the hospital, how long will my bed be kept for me?
- How many people live here?
- Can a couple share a room even if they need different levels of care?
- What furniture and personal belongings can I take with me to the nursing home?
- When can my family and friends visit?
- What activities are available?
- Are services like physiotherapy, occupational therapy and speech therapy available? Is there a cost for these services?
- Is foot care available?
- Will I have my own bathroom?
- Will I continue to have my own doctor or is there a house doctor?
- Is there a residents' council?
- If I have special dietary requirements, will they be provided by the home?

If you have more questions, write them down so you won't forget to ask them.

How do I know which community care facility to apply to?

This is a personal choice. If you are applying to enter a community care facility, it is important to visit a few before you make your choice. Many facilities offer welcoming tours. Make a list of your questions to take with you. The list of questions for nursing homes will get you started.



The rates for beds vary slightly in community care facilities. You may wish to comparison shop for costs of care. Don't forget to ask what services are included in the rate.

If you need to apply for a subsidy because you cannot pay the whole bill, it is important to find out the costs for the home first. Many homes have subsidized beds but not all beds are subsidized. There is an upper limit to the subsidy that may dictate which home you can afford to go to.

Most nursing homes and community care facilities have booklets describing their facility, their policies, and their prices. You can call the home to have this information sent to you. For a list of community care homes in PEI, see page 24.

What are my rights in a nursing home or a community care facility?

Your rights in a home are similar to your rights in the community. You will have to make adjustments to living in a facility with other people who have likes and dislikes that may differ from yours. However, you should expect the home to ensure certain basic rights such as privacy, dignity, and individuality.

Financial Information About Community Care Facilities

What are my financial obligations when I move to a community care facility?

If you are moving to a community care facility, you are expected to pay for your care to whatever extent you can. If your assets (income and savings or investments) are not enough to cover your bill each month, the province may subsidize your care under the *Social Assistance Act*. To see the *Social Assistance Act*, go to www.gov.pe.ca, click on “Government”, “Supreme Court” and then click on “Statutes”. A list of the acts will come up in alphabetical order.

To be considered for financial assistance, you have to go through a financial assessment. You will have to give complete information about all your assets, income and liabilities or debts.

Community Care Financial – cont'd

If you are a Veteran, you may be eligible for assistance with the cost of community care. For further information, contact Veterans Affairs Canada by calling toll free 1-866-522-2122 (English) or 1-866-522-2022 (French).

Do I have to disclose my financial situation if I go into a community care facility?

You have to disclose your information only if you are asking for subsidization.

What happens to my home (principal residence) if I cannot pay for community care?

Your principal residence is protected only if you have a family member or spouse living in it as their principal residence when you move to the community care facility. The person occupying your home must have been living there before you applied for admission to the home. If no family member is occupying the home at the time you move, it must be sold for fair market value and the proceeds used to pay your bill.

After your death, your principal residence remains exempt from claims as long as it was deemed exempt upon your admission to the facility and circumstances have not changed – that is, the family member is still living in the home.



What happens to my other assets?

Property that can be converted to cash, including house and land, Registered Retirement Savings Plans, life insurance, pensions, bonds, an inheritance or a benefit received from a trust, is considered an asset available to pay your bill.

What happens to the unpaid bill after my death?

If you have no assets, the debt is forgiven. If you have remaining assets, these will go towards paying your bill.

Does the government take over my bank account and my pension once I go into a community care facility?

Government does not take over control of either bank accounts or pensions. If you go into community care, you will receive a monthly itemized bill that you are expected to pay. Your income comes to you in the same way it always has, unless you make other arrangements.

If my spouse is still living, does all my income go towards the cost of community care?

If you have a spouse who is not in the community care facility, only half (50%) of any savings, investments or cash that you have together will be applied against your bill.

If you and your spouse receive significantly different pension amounts, you must apply to Canada Pension Plan and Old Age

Community Care Financial – cont'd

Security for involuntary separation. This means you are not living together because of circumstances beyond your control and it will allow a 50/50 splitting of your total pension income.

Some cases of hardship may make it possible to vary from the 50% policy. Each situation is looked at individually.

Can trusts for my children or grandchildren be taken to pay my bill?

Every case is looked at individually. If it appears that you set up these trusts very recently in an attempt to avoid paying your bill, a claim will be made to recover the amount owing. Ongoing payments into the trust will stop as they cannot be made from your income or assets.



What happens if my spouse dies and our home (principal residence) is empty?

There is an expectation that the home will be sold. The proceeds are considered available to pay your bill.

Can my farm be taken to pay for my care?

A working family farm may be protected, but it depends on the family's situation. Provincial law recognizes hardship and each case is dealt with individually.

What happens to my son or daughter and their family if they are living in my home?

If your family shared the home with you as their principal residence prior to you going to community care, there would not be an expectation that the home be sold.

If my bill is not paid in full, does it affect my will?

Your debts will be paid from your estate before bequests are honored.

What happens if my money runs out?

You can apply for a subsidy under the *Social Assistance Act*. You will go through the financial assessment process described in this booklet. Your costs in the community care facility may then be subsidized by the province.

If my income does not cover my bill, will I have any money for the little extras, like writing paper?

A comfort allowance is provided to residents who are subsidized under the *Social Assistance Act*.



Community Care Financial – cont'd

What if I receive an inheritance or other proceeds while I am living in a community care facility on a subsidy?

If your financial situation changes while you are living in a facility, you will be reassessed. If the assessment shows that you can now pay for some or all of your care, you will be billed.

Is there any way to protect my planned retirement savings?

If you are going into a community care facility, you are expected to pay for your care. Money and assets you have will go toward the bill.

If you are single, 100% of your money from any source is considered available to pay your bill. If you have a spouse living in the community, including a common law spouse, 50% of the family assets is considered available to pay your bill. You may need to arrange for pension income to be evenly split.

What documents do I need for a financial assessment?

You will need to take the following with you to the financial assessment meeting:

- Social Insurance Number
- Personal Health Number
- Written documentation or recent bank statements of all income for both you and your spouse
- Documentation of current value of all financial assets including investments, stocks, bonds, Registered

Retirement Savings Plans, Registered Retirement Income Funds, Registered Education Savings Plans, trust funds, Guaranteed Investment Certificates, mutual funds, annuities, and other similar investments

- Receipt if you have a prepaid funeral
- Bank statements for the past 2 years
- Deeds, tax receipts and rental receipts for all properties you own including your home. This includes any property you sold or transferred in the past 2 years
- Written documentation of life insurance policies and written confirmation of cash surrender value to date
- Written documentation of safety deposit box contents
- Proof of ownership of any cars and recreational vehicles
- Income tax returns for the past 2 years for both you and your spouse
- Documentation of Power of Attorney
- Legal documents for separations, divorce, and/or custody
- Information about medical insurance

Financial Information About Nursing Home Admission

What are my financial obligations when I move to a nursing home?

Since January 1, 2007 only your net income is considered when paying for your stay at a nursing home. The cost of basic health care is covered by the PEI Department of Health and Wellness.

Nursing Homes Financial – cont'd

You are billed only for room and board in the home and that is paid using your net income. This means that your assets, like property and investments, do not have to be used to pay your nursing home bill.

What happens if I don't have enough income to pay my bill?

If your income is not high enough to pay the room and board bill, you may be subsidized by the province for the rest under the *Long Term Care Subsidization Act*. You will have to apply for the subsidy. Your income will be used to determine your eligibility. To see the *Long-Term Care Subsidization Act*, go to www.gov.pe.ca, click on "Government", "Supreme Court" and then click on "Statutes". A list of the acts will come up in alphabetical order.

Usually the income used by the province to determine if you are eligible for subsidy is the net income on your income tax return. This is line 236 on your Canada Revenue Agency Notice of Assessment. There may be adjustments to the line 236 amount, such as rental income or some tax-free investments, if they are not claimed on your income tax.

What do I need to provide to apply for subsidization?

You or a family member or the person with your Power of Attorney needs to provide copies of your tax returns for the last two years and a copy of the most recent Canada Revenue Agency Notice of Assessment. If you have a spouse, you need to take a copy of his or her tax return and Notice of Assessment as well.

If your spouse is living in the community, your assessed income will be half of what you make together. There are a few exemptions you can make before the amount is halved.

What are the rules concerning my property if I go into a nursing home?

Your property is yours and not considered at all – it is an asset, not income. Assets are no longer considered in the financial assessment for nursing home admission. You are not expected to use assets to pay your bill unless you want a private room or other special services not provided within the subsidy program.

What do nursing homes cost?

If you are insured through the PEI medical insurance plan, you pay for your room and board only - the cost of basic health care will be covered by the Department of Health and Wellness. The cost for room and board is set each year. A yearly increase is usually due to increases in the actual cost of providing room and board. In 2009, the rate was \$69.30 per day.

Your eligibility for long-term care subsidization is reassessed each year. This means you must file an income tax return each year. The PEI Department of Health and Wellness must be able to get a copy of your records from the Canada Revenue Agency to do this yearly assessment.

It is important that you have a Power of Attorney document prepared before you go into a nursing home. If you become incompetent or physically unable to sign your name while you

Nursing Homes Financial – cont'd

are in a nursing home, a Power of Attorney can authorize access to your Canada Revenue Agency records. Without a Power of Attorney, a longer and more expensive process of having the Supreme Court appoint a committee for you must be done. For more information, see the booklet called “Powers of Attorney” in this series.

Now let's check back with Marty, Pat, Jackie, Gina, Alex and Jamie...

Marty checks with CLIA and finds out that Pat pays only for room and board in the nursing home and that only half of their combined income will go towards Pat's expenses in the home. This will still leave enough for Marty to stay in their home. Pat feels much better now about having to go to a nursing home and is glad that someone will be there to help with his care – it was getting to be too much for Marty.

Jackie and Gina apply to a community care facility and are given a small suite with a bedroom, bathroom and sitting room where they can be together. It costs more than they expected, but they have enough money with pensions and investments to pay the bill for seven years. They are able to enjoy being together without the worry of all the little things needing to be done in their home.

Alex and Jamie decide to move to a dual facility. They will apply to the community care unit and then, when Alex needs palliative care or Jamie needs more care for his dementia, one or both of them may move to a nursing care bed. This will be much less

confusing for Jamie and they may be able to stay in the same facility for the rest of their lives. If a nursing bed is not available in the dual facility when one of them needs it, one may have to move temporarily, and request a transfer back when a bed is available.

Community Care Facilities in PEI

Queens County

Andrews Lodge, Charlottetown 368-2790; Stratford 367-4100

Charlotte Residence, Charlottetown 894-8134 (women)

Corrigan Home, Charlottetown 894-9686

Corrigan Lodge, Charlottetown 894-5858

Elm Crest Lodge, Charlottetown 566-5996

Geneva Villa, Charlottetown 628-6642

Grafton House, Charlottetown 367-2875

Langille House, Charlottetown 628-8228

McQuaid Lodge, Charlottetown 892-0791

Old Rose Lodge, Charlottetown 368-8313

Smith Lodge, Charlottetown 892-4220

Stamper Residence, Charlottetown 894-3815 (women)

Valley House, Charlottetown 628-8268

Kings County

Bayview Lodge, Souris 687-3122

Carroll's Lodge, Georgetown 652-2369

French Creek Lodge Inc., Montague 838-4298

MacIntyre House, Souris 687-3247

MacKinnon Pines Lodge, Montague 838-2656

Perrin's Marina Villa, Montague 838-4075

Prince County

Andrews Lodge, Summerside 436-0859

Chez-Nous Ltee., Wellington 854-3426

Kensington Community Care Home 836-3019

Lady Slipper Villa, O'Leary 859-3544

Miscouche Villa, Miscouche 436-1946

Parkhill Place, Summerside 888-2273

MacEwen Mews Seniors Residence, Margate 836-4678

Rev. W.J. Phillips Residence, Alberton 853-3109

Rosewood Residence, Hunter River 964-2436

Tignish Seniors Home Care Co-op, Tignish 882-4663

Tyne Valley Community Care, Tyne Valley 831-2878

Nursing Homes

Queens County

Garden Home, Charlottetown 892-4131

MacMillan Lodge, Charlottetown 894-7173

Atlantic Baptist Home, Charlottetown 566-5975

Beach Grove Home, Charlottetown 368-6750

Prince Edward Home, Charlottetown 368-4607

Kings County

Colville Manor, Souris 687-7090

Riverview Manor, Montague 838-0772

Prince County

Maplewood Manor, Alberton 853-8610

Stewart Memorial Hospital, Tyne Valley 831-7900

Margaret Stewart Ellis Wing, O'Leary 859-8750

Wedgewood Manor, Summerside 888-8340

Summerset Manor, Summerside 888-8310

Dual Facilities (both community care and nursing home care)

Dr. John M Gillis Memorial Lodge, Belfast 659-2337

Park West Lodge, Charlottetown 566-2260

Perrin's Clinton View Lodge, Clinton 886-2276

South Shore Villa, Crapaud 658-2228

Whisperwood Villa, Charlottetown 566-5556

Listings were correct as of date of publication.



Caution:

The contents of these booklets are general information only and should not form the basis of legal advice. The contents are not a complete statement of the law or policy in these areas. Changes in law and policy occur frequently, so readers should check with CLIA or a lawyer for up-to-date information. For legal advice, contact a lawyer or call the Lawyer Referral Service at 892-0853 or 1-800-240-9798.

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