



HEALTH & DISABILITY COMMISSIONER  
TE TOIHAU HAUORA, HAUĀTANGA

## Care provider breaches resident's right to services of an appropriate standard 21HDC01877

A resident's rights under the Code of Health and Disability Services Consumers' Rights (the Code) have been breached by Elmswood Care Centre (Oceania Care Company Ltd) and a registered nurse, says Aged Care Commissioner Carolyn Cooper in a report released today.

The female resident was living with dementia and other health issues and was admitted to Elmswood Care Centre for dementia-level care. The failings in care outlined in the report cover the period from her admission until her death.

The woman incurred a forearm fracture, but the injury was not promptly assessed, or documented, and her family was not informed immediately. She also had multiple unwitnessed falls which were not adequately documented or followed up with appropriate care plans. Despite significant symptoms accompanying the overall deterioration of the woman's condition, there was a lack of timely and appropriate medical intervention.

The woman's family were not adequately informed about her changing symptoms or their severity or changes to her care plan. The woman's condition subsequently deteriorated and an ambulance took the woman to hospital where she was diagnosed with septic shock and cellulitis. Sadly, she passed away ten days later.

Ms Cooper found Oceania Care Company breached the Code for failing to provide services of an appropriate standard | Tautikanga.

The shortcomings in care covered: care planning, monitoring and assessment, documentation and communication, which combined led to substandard care provided by multiple staff.

Ms Cooper said that the deficiencies in the care provided to the resident were systemic issues for which Elmswood bears responsibility.

"Elmswood had a responsibility to operate the dementia unit in a manner that provided its residents with services of an appropriate standard," said Ms Cooper. "The overall deficiencies in care provided in this case demonstrate a pattern of suboptimal care and a lack of critical thinking from staff members."

Ms Cooper found the registered nurse also breached the Code for not providing services of an appropriate standard | Tautikanga.

The nurse failed to carry out necessary observations, did not administer medications as required, did not document or communicate effectively and did not adequately monitor the woman's condition or respond appropriately to her health decline.

Ms Cooper acknowledged the family's distress and offered her condolences for their loss.

Oceania Care Company Ltd has acknowledged the findings and are taking steps to address the issues identified in the report. In her report, Ms Cooper made several further recommendations for the Elmswood Care Centre.

11 November 2024

### **Editor's notes**

Please only use the photo provided with this media release. For any questions about the photo, please contact the communications team.

The full report of this case can be viewed on HDC's website - see HDC's '[Latest Decisions](#)'.

Names have been removed from the report to protect privacy of the individuals involved in this case.

The Commissioner will usually name group providers and public hospitals found in breach of the Code unless it would not be in the public interest or would unfairly compromise the privacy interests of an individual provider or a consumer. More information for the media, including HDC's naming policy and why we don't comment on complaints, can be found on our website [here](#).

HDC promotes and protects the rights of people using health and disability services as set out in the [Code of Health and Disability Services Consumers' Rights](#) (the Code).

In 2022/23 HDC made 592 quality improvement recommendations to individual complaints and we have a high compliance rate of around 96%.

Health and disability service users can now access an [animated video](#) to help them understand their health and disability service rights under the Code.

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