

January 25, 2024

Marion Wells, Detox Supervisor
Phoenix Centre
922 3 Ave.
Kamloops B.C.
V2C 6W5

Sent via email: marion.wells@dayonesociety.ca

Dear Marion Wells:

Re: Request for an Exemption from a Legislative Requirement of the Residential Care Regulation (B.C. Reg. 96/2009; "the Regulation")

Facility Name: Phoenix Centre
Service Type(s): Substance Use

Facility Number: 14-092-00286
Maximum Capacity: 25

Exemption Type: 46(2)(c) Prohibited Service

46(2) A licensee must not do any of the following: (c) accommodate persons less than 19 years of age if persons aged 19 or older are also accommodated in the community care facility.

This requested exemption is for up to 7 of the 25 beds in the facility to be able to house youth, as needed during the approved dates listed below, as per submitted plan

Start Date: Feb-01-2024 Expiry Date: Feb-15-2027 Approval Date: Jan-25-2024

This exemption is not valid until the specific dates identified above.

I have reviewed your request for an exemption from the above referenced section of the Regulation in accordance with Section 16 of the *Community Care and Assisted Living Act* (SBC 2002 c 75), which states that "A medical health officer may grant an exemption from a requirement of this Act or the regulations ... if satisfied that (a) there will be no increased risk to the health and safety of persons in care, and (b) the exemption meets prescribed

Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Däkelh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, Syilx, and Tšilhqot'in Nations where we live, learn, collaborate and work together.

requirements". Section 16 of the Act also allows the medical health officer to "attach terms and conditions to the exemption and suspend, cancel or vary an exemption".

Your facility currently has two exemptions in place (Youth accommodations for up to two beds within an adult facility on an emergency basis, and Hand written MARs related to short term stays).

Based on your application, I am of the opinion that the requested exemption will not result in increased risk to the health and safety of persons in care.

Licensing Officer Rationale:

- A file review indicates the facility is currently a Low risk. In the last three years there have been (3) routine inspections, leading to (3) low risk ratings, (0) moderate risk ratings, and (0) high risk ratings.
- A plan of action has been received that states that the proposed staffing plan and room placements for supervision are appropriate.

There appears to be no increased risk to the health and safety of persons in care; therefore, your request is granted with the agreed upon Health and Safety plan:

- A plan, and policies created, which include measures for supervision of youth, meal and recreation provision while admitted to facility, are appropriate.
- NEXUS NUMBER NX2024-160715
- If circumstances relating to this exemption change you must notify Licensing.

Your exemption is time limited. If the exemption is required beyond the expiry date, a new application must be submitted. Please allow time for the new request to be processed before the exemption expires.

Please be aware that the decision to grant an exemption can be appealed to the Provincial Appeal Board by specified person as defined in Section 29 of the Act as follows:

29 (3) within 30 days after a decision is made under section to grant an exemption from this Act and the regulations, the decision may be appealed to the board under this section by

- (a) a person in care or the agent or personal representative of a person in care, or,*
- (b) a spouse, relative or friend of a person in care*

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It is your responsibility, as the Licensee, to ensure that all families are made aware of this exemption and the 30-day appeal process as noted in the legislation. Any families that are considered "new families" within the 30-day appeal period are also required to be notified of the exemption approval and provided with information on the appeal process.

Should any specified person wish to file an appeal, they may contact the Provincial Appeal Board at:

Provincial Appeal Board
Community Care and Assisted Living Appeal Board
Health Appeal Boards Registry
P.O. Box 9425 Stn Prov Govt
Victoria B.C. V8W 9V1

If you have any questions or concerns, please contact Licensing Direct at 1-877-980-5118.

Sincerely,



Melissa Moran, Licensing Officer
Community Care Facility Licensing

MM/bmm

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