

17th October 2024

Deputy Patricia Ryan, T.D.,
Dáil Éireann
Dublin 2

PQ ref 40366/24:

"To ask the Minister for Health further to Parliamentary Question No. 227 of 2 October 2024, the level of engagement, if any, which has been had between the head of older persons' services in CHO4, the owners/receivers of a nursing home (details supplied) and any prospective purchasers".

Details Supplied: Aperee Camp/Ocean View Nursing Home Co. Kerry.

PQ ref 40367/24:

"To ask the Minister for Health with regard to a nursing home (details supplied), to confirm that the HSE has/is completing the necessary fire safety repairs/remediations there, in line with its obligations under the Health Act 2007; and if not, when the HSE intends to commence such repairs".

Details Supplied: Ocean View Nursing Home, Camp, Co. Kerry

PQ ref: 40368/24:

"To ask the Minister for Health his views on a matter (details supplied); and if he will make a statement on the matter".

Details Supplied: In circumstances where the HSE has to assume responsibility for day to day delivery of health services in a nursing home (details provided: Ocean View Nursing Home, Camp, Co. Kerry) which has lost its HIQA registration due to Provider resourcing issues - can the Minister detail if it is the standard HSE operating practice to transfer and/or move residents to other facilities, causing untold distress and hardship to residents and their families, instead of keeping them in the facility while the necessary repairs are carried out.

Dear Deputy Ryan,

The Health Service Executive has been requested to reply directly to you in the context of the above Parliamentary Questions, which you submitted to the Minister for Health for response.

The Health Service Executive (HSE) has become the temporary registered provider for continuing services at Ocean View Living Camp Nursing Home, in line with the provisions of Section 64 of the Health Act 2007, from 11th September 2024. Ensuring the welfare and safety of residents, their families and staff is our key focus.

We recognise that the Health Information and Quality Authority's (HIQA) decision to cancel the registration of Ocean View Care Home Camp Ltd has been distressing for the residents, families and staff within the home, however it is outside of the control of the HSE. Section 51 of the legislation sets out that the authority can cancel the registration for a number of reasons and the particular reason in this case is that the provider has not completed the imposed condition under section 51 c (1) and it is outstanding since February 2023. These issues are chronic and enduring fire safety risks. A nursing home cannot operate without a valid registration.

When a centre's registration is cancelled, the HSE is the responsible body that must take over the running of the designated centre until alternative arrangements can be made for the residents under section 64 of the Health Act 2007 (as amended). Since the HSE became the temporary provider of care at Ocean Living Camp, we have prioritised the safety, welfare and wellbeing of the residents and this remains our paramount concern. The HSE does not own Ocean View and is currently supporting its operation on a specific and limited basis.

A HSE team is on-site every day as we are committed to keeping residents, families and staff updated on this evolving situation. SAGE Advocacy is available to provide independent support and guidance. We also continue to engage with HIQA and the owners of Ocean View Living Camp.

In relation to **PQ ref 40366/24**, if there are private investors interested in the nursing home, every effort will be made to facilitate any such potential interest. As Head of Service, I have ensured that members of my team have been on-site daily engaging with residents and their families, management and staff and the HSE has explored all avenues as this situation has evolved. You will appreciate that the building is owned by a private company and at this point in time, any negotiations that may be underway are commercially sensitive, are not a matter for the HSE and further updates are awaited.

The HSE as interim provider continues to ensure that staff and suppliers are being paid in the meantime.

In the event that the owners of Ocean View identify a new provider to take over the home, take the required actions to bring the facility into compliance with standards and regain HIQA registration, then that would create an opportunity for residents to return to the home in the future.

With regard to **PQ ref 40367/24**, interim measures have been taken to address immediate fire risks at Ocean View Living Camp and to ensure the safety of residents and staff at the unit. These measures have been outlined in our response to PQ ref 39267/24. Section 64 of the Act does not provide for legal entitlements to the building; the HSE is an interim provider of the service only and has no legal right to put public tax payers money in to carry out any significant works to the building which is still owned by a private company, which we understand to be Ocean View Nursing Home Ltd.

In relation to **PQ ref 40368/24**, the fire safety measures outlined above which we have taken to date can only address the immediate risks. Extensive infrastructural works are required to remedy the fire safety concerns by the private provider. In line with our responsibilities under 64.4 of the Health Act 2007 the current HSE plan is to support residents to relocate to alternative accommodation.

The HSE team on site is committed to working closely with residents and family members to explore options regarding moving to a new nursing home and to ensure that the transition to new nursing homes respects their will and preference.

I recognise that Ocean View Living Camp has been a very happy home for its residents. Our shared interest is the safety and wellbeing of all residents. The HSE will continue to support them, their families and staff during this difficult time. All stakeholders including residents, families, staff and local representatives will be kept updated as this situation evolves and options are explored.

I trust this clarifies the position and if you require any further information, please do not hesitate to contact me.

Yours sincerely,



Jackie Daly
Head of Service for Older Persons