

Interior Health Authority
Child Care – Unlawful – Licensing
Summary Report of Substantiated Complaint

<p>Facility Name Budding Minds Nature-Base Discovery Program</p> <p>Facility Address PO Box 1428 Golden BC V0A 1H0</p>	<p>Facility # F-2022-48029</p> <p>Facility Phone (403) 200-5622</p> <p>Licensee Brittany Verbeek</p> <p>Manager Brittany Verbeek</p>
<p>Inspection Date 08-Nov-2022</p>	
<p>Reason for Investigation Substantiated complaint</p>	
<p>Service Type Unlawful facility</p>	<p>Maximum Capacity N/A</p>

Report of Findings

As per Section 15 (1)(b)(i) of the Community Care and Assisted Living Act, Licensing is mandated to follow up on all complaints of any premise that is operating an unlicensed community care facility. The purpose of this inspection is to follow up a complaint received by Licensing on November 1, 2022.

The complaint involved allegations of noncompliance to the following sections of the Community Care and Assisted Living Act –Section 1: Definitions -“community care facility” means a premises or part of a premises in which a person provides care to 3 or more persons who are not related by blood or marriage to the person and includes any other premises or part of a premises that, in the opinion of the medical health officer, is used in conjunction with the community care facility for the purpose of providing care; Section 5: Operating or advertising without a licence - A person who does not hold a licence must not (a) operate, or hold themselves out as operating, a community care facility, (b) provide, or hold themselves out as providing, care in a community care facility, or (c) accommodate, or hold themselves out as accommodating, a person who, in the opinion of a medical health officer, requires care in a community care facility.

Based on information provided by the operator in a phone call with the Licensing Officer, it has been confirmed that a contravention of Section 5 of the Community Care and Assisted Living Act has occurred.

Contravention to Section 5 may be subject to actions as outlined in Section 33 of the Community Care and Assisted Living Act, which states: Offence and penalty -33 (1) A person who contravenes section 5, 6, 18 (2) or (3) or 26 (1) of this Act or a term or condition attached to a licence commits an offence. (2) A person who commits an offence under subsection (1) is liable to a fine of up to \$10, 000. (3) If an offence under subsection (1) is of a continuing nature, each day that the offence continues constitutes a separate offence.

Only issues of non-compliance relating to the unlawful operation are detailed in the body of this inspection report.

Observed Contraventions

Evidence for this report was based on a combination of the Licensing Officer’s observations, a review of facility records and information provided by the facility staff at the time of the complaint investigation, as appropriate.

CI1 - Initial

CI1.7 - Is the facility operating legally under the Act?

No

Follow up by: 11/14/2022 12:00:00 AM

The operator confirmed a premise has been accessed by children during inclement weather for programming within the building.

It was determined that programming which meets the definition of a care program was being provided to children three to five years old.

The operator confirmed children are in attendance for six hours two days a week.

The operator confirmed children access the same washroom regularly which is located in a building.

It was determined the summer camp offered for children does not meet the criteria for an exempted program.

- CI1.7A - A person must not operate or hold themselves out as operating a community care facility. Act(5)(a)
- CI1.7B - A person must not provide or hold themselves out as providing care in a community care facility. Act(5)(b)
- CI1.7C - A person must not accommodate or hold themselves out as accommodating a person who requires care in a community care facility. Act(5)(c)

Received By:

Inspector:

Brittany Verbeek

Yvette (Beth) Woodard, Licensing Officer

Follow up date, if required