



28 May 2020

Ms Nicole D'Rozario
Coroner's Registrar
66 Kavanagh Street
SOUTHBANK VIC 3006

By email cpuresponse@coronerscourt.vic.gov.au

Dear Ms D'Rozario,

Investigation into the death of Mrs Dorothy May Nelson
Reference - COR 2017 006394

I refer to your letter dated 27 March 2020, received by my office on 15 April 2020 which included Coroner Simon McGregor's Finding without inquest into the death of Ms Dorothy May Nelson on 24 March 2020 (**Finding**).

I note the Finding includes the recommendations made by the Coroner to Samkay Health Pty Ltd. At the time of her death Ms Nelson was a resident of Kerala Manor residential aged care service. Samkay Health Pty Ltd is the approved provider of Kerala Manor.

The Coroner made three Recommendations in total:

1. That annual drills for staff around responding to a choking incident be included as part of First Aid Response Training at Kerala Manor;
2. That all staff at Kerala Manor receive education in assisting residents with eating at mealtimes, including how to manage the safe delivery of modified texture foods; and
3. That Kerala Manor submits its policy, RHL -D26 CHOKING for review and amendment by an AHPRA approved third party provider to give guidance on best practice for the management of a choking event.

Thank you for the opportunity to respond to the Recommendations. I confirm that all three Recommendations have been implemented.

Recommendations One and Two

On 21 January 2020 Samkay engaged an external training provider to deliver training to clinical staff (registered and enrolled nurses) and care staff (personal care attendants) on 'Managing the risks of Choking'.

This training focused on the effective management of high impact or high prevalence risks associated with the care of each consumer in relation to hydration and nutrition, including texture modified foods and beverages, and included prevention strategies and emergency management in



response to a choking or suspected choking incident. Each staff member's competency was assessed at the conclusion of the training. A copy of the training materials as presented is **enclosed**.

A further session of the above training is scheduled to be presented on 15 December 2020.

First Aid training and education is completed by all our Registered Nurses annually. This First Aid training includes specific training in resuscitation and responding to choking incidents as a permanent education session.

As part of the Orientation Program for new staff, we require staff to be assessed against the 'Staff Competency Assessment' to assess their practices and identify educational needs. The Staff Competency Assessment includes an assessment of practices related to knowing the care plans of the individuals they are caring for, including their preferences in relation to meals and drinks and assisting with the provision of food and beverages a part of a modified diet. A copy of the 'Staff Competency Assessment' is **enclosed**.

Recommendation Three

A copy of the policy document 'RHL-D26 CHOKING' was submitted for review by the Aged Care Quality and Safety Commission's clinical unit (**ACQSC**).

The ACQSC advised that the Policy was reviewed by an AHPRA approved clinician against the Department of Health and Human Services 'Better Health Channel' resources on choking and the Australian and New Zealand Resuscitation's Guideline on Airways. A copy of the ACQSC's decision is **enclosed**.

Samkay Health Pty Ltd has considered the Recommendations of the Coroner and will continue to take steps to ensure that the education and training provided to staff is reviewed to ensure it reflects best practice.

On behalf of Samkay Health Pty Ltd, I extend sincere condolences to the family of Ms Nelson.

Should you wish to discuss this correspondence further, please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Chacko Samuel'.

Chacko Samuel
Director



Case ID: S20/015225

Samkay Health Pty Ltd
Attention: Ms Shoba Samuel
PO Box 676
TEMPLESTOWE VIC 3106

Cc. Kerala Manor
2 / 203 Broadgully Road
DIAMOND CREEK VIC 3089

Dear Ms Samuel

As you are aware on 30 April 2020 the Coroner made recommendations to you based on its investigation into the death of Mrs Dorothy Nelson who at the time was residing at Kerala Manor.

At the conclusion of the investigation the Coroner also referred the recommendations to our office for follow up with you.

The recommendations made by the Coroner were:

1. Annual drills for staff at all aged care facilities including Kerala Manor as a first aid response to choking episodes.
2. Education for all staff in assisting residents with meals and safe delivery of texture modified foods.
3. Revision of Policy for management of choking episodes by an AHPRA approved professional body to give guidance in the best practice for the management of a choking episode.

In response you have submitted information to show that you have addressed the three recommendations.

Our analysis of this information is as follows:

1. Annual drills for staff as a first aid response to choking episodes.

You informed us that in addition to the education sessions attended by all staff, registered nurses (RNs) at the service are required to undertake an annual first aid training in resuscitation and response to choking.

2. Education for all staff in assisting residents with meals and safe delivery of texture modified foods.

- a. You have submitted attendance sheets for the education sessions held for all staff on 15 December 2019 and 21 January 2020. They show that carers, enrolled nurses and registered nurses (RNs) attended.
- b. A competency form was submitted which each attendee was required to complete at the conclusion of the training.

- c. Details of the education session was provided highlighting the risk factors for choking, preventative measures to be taken and emergency management in an acute situation.

The education also included detailed instruction regarding assistance of residents with texture modified foods and fluids.

2. The updated policy for responding to an episode of choking.

The policy submitted shows that it follows contemporary guidelines associated with first aid requirements of both a conscious and unconscious adult experiencing choking.

The policy has been checked by an AHPRA approved clinician against the following:

Victoria and the Department of Health & Human Services 'Better Health' channel
<<https://www.betterhealth.vic.gov.au/health/ConditionsAndTreatments/choking>> (2014)

Australian and New Zealand Resuscitation Council - ANZCOR Guideline 4 - Airway
<<https://resus.org.au/guidelines/>> (2016)

Our clinical unit has peer reviewed your submission and approved it pending clarification of certain aspects of the education.

You have since clarified that first aid competency for giving resuscitation and managing a person who is choking is an annual training activity for RNs.

You also provided us with detail of the content of the education sessions which we confirm meets expected standards.

The complaints officer has contacted the next of kin, Ms Kathy Siede to inform her that our office has followed up with you as per the Coroner's request.

I have therefore decided to finalise the case under section 14(1)(k) on the basis that having regard to all the circumstances, no further action in relation to the issue is required.

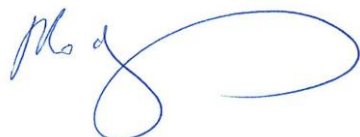
I make this decision under the *Aged Care Quality and Safety Commission Rules 2018*.

I trust this information is useful and if you have any queries or concerns about this decision or the process, please do not hesitate to contact me on 1800 951 822.

We will contact you within the next month to offer you the opportunity to provide feedback on your experience with us.

Thank you for your assistance and cooperation during this process.

Yours sincerely



Jacqueline Rodrigues
Delegate of the Commissioner
Aged Care Quality and Safety Commission

13 May 2020