

## **EPISODE 5 - "SHIRLEY AND TRACY"**

### **[COLD OPEN]**

#### **[ARSHY MANN]**

Here's what you need to understand about Shirley and Tracy: They both lived in Kitchener, one of the many mid-sized cities that dot Southern Ontario, and they met when Tracy started out helping Shirley with errands, like groceries and cleaning.

#### **[TRACY ROWLEY]**

She was the type of person that she either liked you or she didn't like you. And for some reason we just clicked from day one. And she was like, "No, you're my daughter. You're not my cleaning person, and you're not this. You're... You're my family."

#### **[ARSHY]**

That's Tracy Rowley. And she says, that's exactly what happened. She became Shirley Egerdeen's family. She became her daughter.

#### **[ROWLEY]**

So my mother and I, as... She called me her adopted mother, or surrogate mother. She never had any husband. She didn't have children.

#### **[ARSHY]**

They saw each other all the time and did the things mothers and daughters do together.

#### **[ROWLEY]**

We're both Libras, so our birthdays are three days apart, so we would have Law & Order marathons for our birthday and eat Swiss Chalet. She's very feisty.

#### **[ARSHY]**

But late last year, Shirley's health took a turn for the worse.

#### **[ROWLEY]**

So in December of last year, she got a really bad cold and the start of pneumonia. So she was put into our local hospital. And, at that time, she needed to recover a little more to be able to get back to the process of getting out of the bed into her wheelchair again, and she wasn't strong enough from that. So the hospital said, "The best thing we could do right now is put her in long-term care."

#### **[ARSHY]**

At first, Shirley was placed in a facility in Elmira, a nearby rural community. but she wanted to come back to town.

#### **[ROWLEY]**

She said, what's my best way of coming back to Kitchener? I want to be closer to my daughter. And the lady at the hospital said the quickest she'll get back to Kitchener is to go to Forest Heights because they always have openings. And I never thought twice about it. I really didn't.

**[ARSHY]**

It's a decision Tracy regrets to this day.

**[ROWLEY]**

But I understand now why so many seniors beg their kids, "Please don't put me in a senior's home. Please, please don't." Because I saw it firsthand, and if I had to do it over again, I would have done something. I would have found the room. I would have done something to make sure that she didn't have to go there.

**[ARSHY]**

A month ago, Shirley Egerdeen became one of almost 50 people to die of COVID-19 at Forest Heights. Forest Heights is owned by Revera, one of the biggest for-profit long-term care providers in Canada. Tracy believes that Shirley didn't have to die in this way. And today she's one of the many people who have joined a class action against Revera and another for-profit chain.

I'm Arshy Mann and, from CANADALAND, this is *Commons*.

## **[PART ONE]**

**[ARSHY]**

When Shirley moved to Forest Heights, Tracy visited her constantly. And right away, the trouble began.

**[ROWLEY]**

And I'd visit her every day and we watched TV. We'd still watch her Law & Order and everything else. Her bed was right beside the bathroom, which, you know, it happens. There's four people in a room. Nobody really talks to each other. There's a local dining room they could go to. But they didn't.

**[ARSHY]**

More disturbingly, Shirley wasn't bathed.

**[ROWLEY]**

My mom never had a shower the whole time. So she said no, cause maybe she was having a bad day or whatever. They never asked her again or they didn't come to me.

**[ARSHY]**

Shirley wasn't eating well either.

**[ROWLEY]**

And they would bring meals in. And if she was sleeping, they wouldn't wake her up and then would she'd wake up, her food was cold. So she'd ask for it to be heated up, but they wouldn't heat it. The potatoes would still feel like there was ice in the middle. So that's why she wasn't really eating.

**[ARSHY]**

Shirley soon became injured from just being there.

**[ROWLEY]**

She also had a bedsore on her butt and or like a pressure sore. It was a very big one. So she was put on a waterbed. And then they said, "Well, you know, she's not sitting in it right." So they took her off of it, put her in a regular bed. And within a week, that sore on her bottom had now infected and got worse, that they now had to put the waterbed back in again. So, she went through pain that she didn't need to.

**[ARSHY]**

If you've been listening to this series, you've heard similar stories already. You heard about Wyonne Somers, who died of improper wound care at McKenzie Towne, also a Revera facility, back in 2013. 22 people have died of COVID-19 at McKenzie Towne, making it the facility where more people have died than anywhere else in Alberta.

At Forest Heights, where Shirley Egerdeen lived, the death toll is more than double that. In fact, over 160 people have died of COVID-19 in Revera homes since the pandemic began.

So what is Revera?

**[SHERINA HARRIS]**

Revera is a privately owned long-term care home company. They are officially called Revera Inc. They also operate retirement homes.

**[ARSHY]**

That's Sherina Harris, a reporter for *HuffPost Canada*.

**[EMMA PALING]**

I believe there is about one hundred of their homes just in Ontario and dozens more in B.C., Alberta, Manitoba and Newfoundland and Labrador.

**[ARSHY]**

And that's Emma Paling, also a reporter for *HuffPost Canada*. Over the past few weeks, they've been digging into Revera's response to the coronavirus pandemic, including what happened to Shirley Egerdeen.

**[PALING]**

Shirley lived in a ward, which meant that she shared a room with three other people and she shared a bathroom with those people. She was the first one in her room to test positive for COVID-19, and the staff at the home told Tracy that she wouldn't be moved.

**[ROWLEY]**

I asked, you know, would she be moved? Will she go to another room? What's happening for isolation? And he said, "We've put a curtain around her." I said, "There's three other people in that room. How is that isolated?" And she's also right beside the bathroom, so there's always bacteria and germs coming from there from other people. And he said, "Well, you know, that's what we're doing. Her curtain's around her. Within the week, the other people in her room were all infected with COVID-19.

**[PALING]**

And all of the relatives told us similar things, that after their family member had contracted COVID-19, they weren't really isolated from other people. And even before they contracted it, when there were already outbreaks, the residents were allowed to move around the buildings, continued to share

bathrooms. People weren't really being separated from each other and isolation wasn't really being enforced.

One of the other major concerns that we heard was that the company wasn't communicating. They didn't communicate a plan for how they were going to deal with the outbreak. They didn't communicate how their relatives were going to be cared for or isolated, once they tested positive.

**[ROWLEY]**

Even if you tried to call in during the outbreak, they wouldn't answer the phone. So you couldn't get updates. And in my case, it was always, "Well, her stats are good, so if anything changes, we'll call you." Some people could do window visits and they could do that. I couldn't. She was in a wheelchair. For her to get out of bed, it would take people to get her out of bed. And they didn't have the staff to do that.

So I would never have had that opportunity and I would call in, and I would call in, and they wouldn't answer or it would always be the same thing, "You know, well, her room oxygen's fine, her temperature is fine and... Okay, I've got another call. I got to go."

I had paid for a phone for her to have in her own room. So if she didn't answer it or that, for a couple of days, I know obviously she wasn't feeling well.

**[PALING]**

She had obviously deteriorated since she caught COVID-19. Shirley wasn't able to talk or answer her, but staff members put a phone on Shirley's chest, so Tracy could at least kind of talk to her, be there for her. She didn't realize, of course, that that would be the last time they spoke.

**[ROWLEY]**

I guess I had this "mother" feeling myself in my stomach the night before she passed away. And I called in and asked if there'd be any way they could put a phone close to her so I could talk to her. And they put a phone in a glove and they put it on her chest, but she wasn't responsive. I could hear her breathing and, um, I just talked to her for an hour. She'd call me "Toots" sometimes, so I'd be like, "Hey, Toots, are you sleeping on me? Am I that boring?" No one trying... Between my tears, to try and say nice things to her, and, um, we hung up about 11:00 that night. And then I got the call at 4:00 a.m. that she had passed.

And I asked the lady, was she alone when she passed, and, um, the nurse said, "We went in to change her dressing at four o'clock, and she wasn't breathing." And I said, "Did you know how long that was for?" and I just got the same response: "We went in at four o'clock to change her dressing and she wasn't breathing." Therefore I don't know how long she was lying in there, not breathing.

## **PART TWO**

**[ARSHY]**

Since late April, just over a month after the World Health Organization declared COVID-19 a global pandemic, Revera has put out a handful of news releases. That includes an action plan for Forest Heights, the details of a new initiative to procure PPE, and responses to two class-action lawsuits against them: One in Alberta, and the one that Tracy is involved in in Ontario.

But, by far, their most comprehensive statement is a five-page long release called “Let’s focus on the real changes needed in the long-term care sector.” And in it, Revera goes to great lengths to rebut the argument that for-profit homes are handling this pandemic worse than non-profit or public homes.

We told you in the last episode about how the *Toronto Star* reported that people in for-profit homes are much more likely to die if there’s an outbreak than in non-profit and public homes. And here’s Revera’s response to that argument:

“We are seeing more and more media stories attempting to draw a link between the ownership model for long-term care and the passing of residents from COVID-19. There are many variables and factors that have played a part in why COVID-19 spread in some homes and not others. However, objective data has not shown that ownership is one of them.”

In that release, Revera does make some good points. They say that governments were too focused on hospitals early on and ignored long-term care, and that’s true. They say that they don’t get enough funding per resident, and I completely agree. But some of their other claims are disputable.

For one, Revera cites something called the “Qindex.” The Qindex was introduced in 2018 and is a metric that is meant to track the overall quality of care in Ontario’s long-term care homes. But there’s a good reason to be skeptical of Qindex.

**[ZAID NOORSUMAR]**

Quindex is an assessment tool created by the Ontario Long-Term Care Association that represents the for-profits.

**[ARSHY]**

That’s Zaid Noorsumar. He’s a freelance journalist who covers labour issues, and for the last year he’s been investigating long-term care and home care in Ontario. And he told us that it’s essential to note where exactly this data is coming from.

**[NOORSUMAR]**

The Qindex is a convenient way for the Long-term Care Association to say that for-profits deliver the similar quality of care as the non-profits and municipal homes.

**[ARSHY]**

The index was created by the University of Toronto in partnership with the association that mostly represents the for-profit homes.

**[NOORSUMAR]**

So, the metrics are not the best way to assess quality in long-term care. But if you, you know, examine where the research comes from, it comes from the association... which if you look at the board of directors, is all these big corporations on the board of directors. So, it’s--it’s really problematic.

And it just so happens that Wendy Gilmour, Revera’s senior vice-president of long-term care, is on the Ontario Long-Term Care Association’s board of directors.

In that same five-page news release, Revera also said that they didn’t know about asymptomatic spread of the coronavirus at the beginning of the pandemic. And that’s true. Health officials were very much

focused on people with symptoms. So even when employees tested positive for COVID-19, Revera admits that they did ask them, in some circumstances, to come into work.

**[PALING]**

And the company defended that by saying, you know, they didn't realize that COVID could spread if people didn't have symptoms. And so they thought it would be safe.

**[ARSHY]**

But at another Revera residence, Carling View Manor in Ottawa, Emma Paling says that something else happened.

**[PALING]**

And what I heard from the employee at Carling View Manor was that they were taking temperatures of all the staff coming in and out at the beginning and end of their shift. And the first person who had a fever was asked to go home. But none of the people that he worked with, none of the residents that he had cared for that day, were isolated. They were still sharing dining rooms, sharing bathrooms, moving around the building.

**[ARSHY]**

From the very beginning, health officials were clear that anyone who came into contact with someone with symptoms needed to go into isolation.

**[PALING]**

There's very specific steps that you are supposed to be taking if you had it. And yet Revera was letting asymptomatic employees, who tested positive, care for residents. And they were also letting people who had contact with symptomatic cases move around.

**[ARSHY]**

Emma Paling says that Revera has not denied any of the allegations that she and Harris reported. Revera also says in their statement that, because they're a large chain, they had access to PPE throughout the pandemic. But employees say that they weren't provided with proper protection.

**[HARRIS]**

The source also raised some concerns that I think we've been seeing a lot in the news from other homes and other health care institutions as well: concerns about a lack of PPE. They said now they have enough, but, uh, that was more of an issue. And they found that when they would ask managers about it, they weren't, uh, really given kind of a clear answer.

**[ARSHY]**

I think this news release, and their public relations efforts during this pandemic, are indicative. Their evidence that for-profit homes believe that their very business model is under attack now, and they have an obligation to their shareholders to fight back

And Revera is a particularly interesting case. It has deep political connections, like many of the other for-profit long-term care and retirement companies.

**[PALING]**

Their Chief Elder Officer for Revera is Hazel McCallion, the famous “Hurricane Hazel,” former mayor of Mississauga, who is a good friend of Premier Doug Ford. And their Chair Emeritus of their board is Bill Davis, a former conservative premier of Ontario.

**[ARSHY]**

But by far, their most interesting political connection is who owns them. Revera isn't a publicly traded company. It's entirely privately owned by the Canadian federal government.

The Public Sector Pension Fund, which manages the pensions for federal employees, the RCMP and the Canadian forces, bought Revera outright in 2006.

**[PALING]**

I think that makes it even more interesting to see how the politicians respond and handle this. Especially because all the federal public servants are getting their pensions paid out by this company's profits.

**[ARSHY]**

The PSP Investment Board is managed at arm's length from the federal government, but its members are appointed by the cabinet. And because this technically makes Revera a private company, we don't have access to their financials.

But according to a recent Toronto Star investigation, we know that three of Revera's competitors: Chartwell, Sienna and Extendicare, collectively paid out over \$1.5 billion dollars in dividends to their shareholders over the last decade. So it's reasonable to assume Revera had paid out hundreds of millions of dollars to federal pensions over the last 12 years.

Of course, not all of that, by any means, was from long-term care. These companies have other businesses. But they made a lot of money for their shareholders over the years, including the federal government. And that was during a time when the long-term care crisis in Ontario and across Canada was getting worse. When investigations and inquiries were consistently calling for more staffing, for more investment.

What doesn't show up on these balance sheets is the human cost of all this. What happens when we try to make caring for vulnerable people as efficient as possible so that we can eke out an extra few percentage points of profit.

I've been looking through the filings of the Public Service Pension fund, and in every annual report, there's a section that talks about the percentage of their holdings that are real estate and, under that, you get a few mentions of Revera.

And the thing that I've been feeling is that, in those reports, everything is so abstract. It's so distanced from the reality on the ground. For the people who set up the framework for everything a company like Revera does, Tracy and Shirley don't really figure into things. They're a data point within a data point within a data point.

But for Tracy and Shirley, nothing could be more important. Tracy called Shirley every Mother's Day.

**[ROWLEY]**

And then this Mother's Day, it was... I couldn't call her, I couldn't come over and hug her. I couldn't do any of that. It consisted of sitting at a cemetery and putting some flowers, and still putting a Mother's Day card down there. But I didn't get that hug. I didn't get that personal contact. And I hadn't for months from her. And I know how much she wanted that, because every call that we talked to before she passed was how much she missed me, and when was this gonna be over, so she could see me again?

I kept telling her that if I won the lottery, I was going to buy a big house and, um, I was gonna make sure she was with me all the time. The emotion and the feeling was, "I wish... I never I never put her there. I wish I found space somewhere for her. I wish that I could have taken better care of her, even if that meant changing her dressings or hiring someone or doing something," because at least if she did pass on my care, she knew I loved her and she knew I took such good care of her. She... She wouldn't have taken that last breath by herself. So I just wish I never... I never put her there.

## **OUTRO**

### **[ARSHY]**

The lawsuit that Tracy is involved in the largest COVID-19-related class action so far.

### **[PALING]**

It's now one hundred million dollars in damages. And there were originally two representative plaintiffs who had both lost mothers. There are now six representative plaintiffs who have all lost a family member at a Revera home. Revera says that they're currently reviewing the suit and will eventually respond. But that, right now, their focus is to prevent further illness and the loss of life.

### **[ARSHY]**

Tracy says that for her, it's not about the money.

### **[ROWLEY]**

I want to be a voice for my mother, and I don't want her to be a COVID status. I don't want her to be a number. I want people to understand she was actually a person. She was a loving, caring person that was taken too soon, that wasn't ready to go. At least I wasn't ready for her to go.

### **[ARSHY]**

And she thinks that a lawsuit might be one of the only ways to change things.

### **[ROWLEY]**

So they're forced to have something in place, if this happens for the second wave, that, you know, they're not losing 50 people again. So families aren't going through the death of their loved one, not being able to see them, not knowing if they're OK. I don't want people to go through that. I want seniors to have a voice.

## **END CREDITS**

That's your episode of *Commons* for the week. If you want to support us, click on the link in your show notes or go to [commonsodcast.com](https://commonsodcast.com)

This episode relied on reporting done by Emma Paling and Sherina Harris at *HuffPost Canada*, Marco Chown Oved, Kenyon Wallace and Brendan Kennedy at the *Toronto Star*, Geoffrey Stevens at the *Waterloo Record* and many, many others.

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This episode was produced by me and Jordan Cornish, with production help by Tiffany Lam. Our managing editor is Andréa Schmidt, and our music is by Nathan Burley.

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