

Chapter 3

Section 3.04

Retirement Homes Regulatory Authority

Standing Committee on Public Accounts Follow-Up on the Retirement Homes Regulatory Authority, *2020 Annual Report*

On April 21, 2021, the Standing Committee on Public Accounts (Committee) held a public hearing on our 2020 audit of the Retirement Homes Regulatory Authority. The Committee tabled a report on this hearing in the Legislature in February 2022. A link to the full report can be found at <http://www.auditor.on.ca/en/content/standingcommittee/standing-committee.html>.

The Committee made 30 recommendations and asked the Ministry for Seniors and Accessibility (Ministry) and the Retirement Homes Regulatory

Authority (Authority) to report back by June 2022.

The Ministry and the Authority formally responded to the Committee on June 22, 2022 and again on August 12, 2022. The status of each of the Committee's recommended actions is shown in **Figure 1**.

We conducted assurance work between April 2022 and August 2022, and obtained written representation from the Ministry and the Authority that, effective October 31, 2022, they have provided us with a complete update of the status of the recommendations made by the Committee.

Figure 1: Summary Status of Actions Recommended in February 2022 Committee Report

Prepared by the Office of the Auditor General of Ontario

RECOMMENDATION STATUS OVERVIEW						
	# of Actions Recommended	Status of Actions Recommended				
		Fully Implemented	In the Process of Being Implemented	Little or No Progress	Will Not Be Implemented	No Longer Applicable
Recommendation 1	1		1			
Recommendation 2	1		1			
Recommendation 3	2				2	
Recommendation 4	4	2	1	1		
Recommendation 5	2		2			
Recommendation 6	1		1			
Recommendation 7	4	1	2	1		
Recommendation 8	4	2	1	1		
Recommendation 9	2	2				
Recommendation 10	1		1			
Recommendation 11	3	1	2			
Recommendation 12	1	1				
Recommendation 13	2	2				

RECOMMENDATION STATUS OVERVIEW

	# of Actions Recommended	Status of Actions Recommended				
		Fully Implemented	In the Process of Being Implemented	Little or No Progress	Will Not Be Implemented	No Longer Applicable
Recommendation 14	2		2			
Recommendation 15	5	1	4			
Recommendation 16	1	1				
Recommendation 17	1	1				
Recommendation 18	1		1			
Recommendation 19	3			3		
Recommendation 20	4	3	1			
Recommendation 21	2		1	1		
Recommendation 22	1	1				
Recommendation 23	1		1			
Recommendation 24	5	1	3	1		
Recommendation 25	1		1			
Recommendation 26	3	2	1			
Recommendation 27	3		3			
Recommendation 28	1	1				
Recommendation 29	1	1				
Recommendation 30	1		1			
Total	64	22	32	8	2	0
%	100	34	50	13	3	0

Overall Conclusion

As of October 31, 2022, 34% of the Committee's recommended actions had been fully implemented, and 50% of the recommended actions were in the process of being implemented. There has been little or no progress on 13% of the recommended actions, and the Ministry will not be implementing two of the 64 recommended actions. The Ministry has requested the Committee to redirect these two recommendations to the Ministry of Health, the Ministry of Municipal Affairs and Housing and the Ministry of Long-Term Care.

Detailed Status of Recommendations

Figure 2 shows the recommendations and status details that are based on responses from the Ministry for Seniors and Accessibility and the Retirement Homes Regulatory Authority, and our review of the information provided.

Figure 2: Committee Recommendations and Detailed Status of Actions Taken

Prepared by the Office of the Auditor General of Ontario

Committee Recommendation	Status Details
<p>Recommendation 1</p> <p>The Ministry for Seniors and Accessibility should work with other relevant ministries, as applicable, to clarify the responsibility of and establish a process for effective inspection and complaint-handling for individuals in retirement homes who were designated as alternate level of care (ALC) or who occupy subsidized beds.</p> <p>Status: In the process of being implemented by December 2022.</p>	<p>In November 2020 the Ministry for Seniors and Accessibility (Ministry) formed a cross-ministry internal advisory committee that included representatives from the Ministry of Health, the Ministry of Long-Term Care, the Ministry of Municipal Affairs and Housing and the Ministry of Government and Consumer Services. The purpose of the committee was to build and enhance support for Ontario seniors living in retirement homes and other settings. As well, the Ministry established a working group to clarify the responsibility of inspection and complaints handling for spaces in retirement homes exempt from the <i>Retirement Homes Act, 2010</i> (Act). The working group reports into the internal advisory committee. The working group met in May, June and October 2021 and March 2022; the advisory committee met in May, September and December 2021 and January and March 2022.</p> <p>The Authority shared data, information and advice with the ministries on which retirement homes have subsidized suites and other pertinent information on subsidized programs throughout 2021.</p> <p>The Ministry, in April 2021, confirmed via a memo to the Authority, that the Authority has full regulatory oversight responsibility for patients designated as alternate level of care who are transferred to a licensed retirement home under the Ministry of Health's short-term transitional care program. This responsibility encompasses the complaints and inspection provisions of the Act.</p> <p>The Authority indicated that it will seek clarification from the ministries on the appropriate program authority and service provider(s) for those subsidized beds that are exempt under the Act. The Ministry informed us that it will work with the Authority, the Ministry of Health, the Ministry of Long-Term Care and Ontario Health to facilitate the sharing of information with the Authority to support alternate level of care residents in retirement homes, and to communicate by December 2022 with residents and families about the rights and protections afforded under provincial legislation.</p> <p>The Authority has been tracking the number and types of complaints received since April 1, 2021. Two formal complaints have been received involving residents in subsidized beds. The Authority indicated that it plans to address complaints involving subsidized residents with available resolution under the <i>Retirement Homes Act, 2010</i> and through referrals to appropriate agencies. The Authority has inspected retirement homes that have subsidized beds since 2021 and is engaging other ministries and agencies to seek clarification at a program level about determining whether a home or a portion of a home falls within an exemption of a retirement home in the Act. The Authority plans to update its communications about the complaints process, where appropriate, by December 2022.</p>
<p>Recommendation 2</p> <p>The Ministry for Seniors and Accessibility and the Retirement Homes Regulatory Authority should work together to raise public awareness regarding the complaints process for alternate level of care residents and individuals occupying subsidized beds.</p> <p>Status: In the process of being implemented by December 2022.</p>	<p>In July 2021, the Authority added new information to its website to clarify its oversight role and to refer complainants to the correct regulatory authority. The Authority noted that it will continue to monitor care programs when it becomes aware of them in retirement homes through its inspection process. The Authority is engaging other ministries and agencies to seek clarification at a program level about determining whether a home or a portion of a home qualifies as an exemption of a retirement home in the Act. The Authority plans to update its communications about the complaints process, where appropriate, by December 2022.</p>

Committee Recommendation	Status Details
<p>Recommendation 3</p> <p>The Ministry for Seniors and Accessibility should require the Retirement Homes Regulatory Authority to publish performance indicators and data:</p> <ul style="list-style-type: none"> on alternate level of care patients and subsidized beds in retirement homes on a regular basis (e.g., bed occupancy, length of stays, percentage of residents admitted to long-term care homes); Status: Will not be implemented; the Ministry for Seniors and Accessibility requests that this recommendation be redirected to the Ministry of Health and the Ministry of Municipal Affairs and Housing. on all other retirement home residents that are waiting for placements in long-term care homes (e.g., number of residents on long-term care placement waiting lists and length of time on waiting lists). Status: Will not be implemented; the Ministry for Seniors and Accessibility requests that this recommendation be redirected to the Ministry of Long-Term Care. 	<p>The Ministry indicated that the Authority is required by legislation to publish information relating to inspections and complaints handling in its annual report; such information may include data on alternate level of care patients and patients in transitional care spaces and subsidized beds in retirement homes. The Authority does not have data on bed occupancy, length of stays and percentage of residents admitted to long-term care homes.</p> <p>The Ministry recommended that the Committee redirect the recommendation to the Ministry of Health and the Ministry of Municipal Affairs and Housing to collect and publish performance indicators and data on alternate level of care patients and subsidized beds in retirement homes. The Ministry of Health provides funding for spaces in retirement homes occupied by patients in transitional care program; the Ministry of Municipal Affairs and Housing provides funding for spaces in retirement homes occupied by individuals in the Homelessness Prevention Program.</p> <p>The Ministry recommended that the Committee redirect the recommendation to the Ministry of Long-Term Care to collect and publish performance indicators and data on all other retirement home residents that are waiting for placements in long-term care homes. The Ministry indicated that the Authority does not manage or have oversight with respect to long-term care home wait lists or wait time. The Ministry noted that the public can access wait lists and wait times for long-term care homes via the Health Quality Ontario website; however, the information is not specific to those waiting in retirement homes. Health Quality Ontario operates as part of Ontario Health; the Chair of Ontario Health is accountable to the Minister of Health.</p>
<p>Recommendation 4</p> <p>The Retirement Homes Regulatory Authority should work with partner ministries to better protect retirement home residents who require increased levels of care by:</p> <ul style="list-style-type: none"> accelerating the Retirement Homes Regulatory Authority's work to develop different approaches to regulating different retirement homes, including finalizing the licence classes evaluation; Status: In the process of being implemented by March 2023. determining the best practice of delivering support services in retirement homes while protecting the safety of residents; Status: Little or no progress. establishing an inspection process with clear roles and responsibilities to address the complexities and various levels of care for residents in retirement homes; Status: Fully implemented. 	<p>The Authority assigned a project manager in fall 2021 to advance its licence classes evaluation project and develop the project charter. The Authority has identified data it needs to collect from licensed retirement homes to inform an assessment of evolving resident health profiles and plans to start collecting this data by fall 2022. It has also established a working relationship with McMaster University to help interpret data for recommendations on next steps.</p> <p>By March 2023, the Authority expects to work with the Ministry for Seniors and Accessibility (Ministry) and other government agencies to develop an oversight model proportionate to a resident's care needs, provide advice to the Ministry in its review of the <i>Retirement Homes Act, 2010</i> to identify potential statutory amendments that would provide the Authority with flexibility to address the evolving nature of care service delivery in retirement homes, and develop a purposeful approach to regulatory oversight, given varying and evolving business models, that ensures residents are protected from harm.</p> <p>The Authority noted that it had not implemented this action due to resource constraints. It plans to address this audit recommendation by December 2023.</p> <p>The Authority increased its number of inspectors to 20 (in 2021/22) from 13 in the three years prior. It has hired inspectors with increased clinical knowledge to better understand and address issues related to the increasingly complex levels of care of retirement home residents. As well, it has updated its inspection approach to take into account the compliance history and a risk assessment of individual homes and their resident population.</p>

Committee Recommendation	Status Details
<ul style="list-style-type: none"> strengthening enforcement mechanisms for retirement homes that provide insufficient care services to residents. Status: Fully implemented. 	<p>The Authority restarted its compliance support processes in March 2021, to assist homes in understanding the legislative requirements and ways to come into compliance outside of enforcement action. As well, between March 2021 and November 2021 the Authority added staff resources in the area of compliance support. These new positions are intended to assist retirement home operators in meeting compliance requirements; this may in turn mitigate the number of incidents requiring enforcement action. Between 2019/20 and 2021/22, the number of retirement homes that have participated in compliance support increased from 14 to 52. Further, in July 2021 it implemented a new procedure to guide staff in the finance, compliance, licensing, inspections and complaints departments, as well as the Registrar or Deputy Registrar, to make discretionary referrals to the enforcement department. The procedure includes instructions on the type of information needed to refer, including a description of the issue and an assessment of urgency. Between 2019/20 and 2021/22, the number of enforcement actions taken increased from 24 to 61.</p>
<p>Recommendation 5</p> <p>The Retirement Homes Regulatory Authority should improve data-driven decision-making to strengthen the oversight of staffing and care services by:</p> <ul style="list-style-type: none"> establishing a process to collect aggregate data on residents and retirement homes (including staffing); Status: In the process of being implemented by March 2023. establishing resident profiles for different levels of care using aggregate data and publishing this information publicly. Status: In the process of being implemented by October 2023. 	<p>Legislative changes under the <i>Retirement Homes Act, 2010</i> to support the collection of resident and substitute decision-maker contact information came into effect in March 2022, following collaborative work between the Authority and the Ministry during 2021. As well, the Authority had been working with Ontario Health since September 2021 to obtain data on retirement home residents. It also began a data management project in September 2021 to establish data governance and security and perform a privacy impact assessment to ensure protection of all data, including personal health information. Further, it established an understanding with the Office of the Chief Coroner about data the Office has on retirement home deaths. Moreover, the Authority established a Memorandum of Understanding with the Ministry of Finance in January 2022 to set out the terms and conditions for the collection, use and disclosure of information between the two parties. By March 2023, the Authority expects to have a list of relevant organizations that collect information on retirement homes and their residents, with a focus on the services the residents receive, in order to assess the data quality and usefulness for internal use.</p> <p>The Authority developed, in September 2021, a stakeholder consultation plan to support a planned routine collection of data from licensed retirement homes, such as information on care services that residents receive. Following consultation with the sector, expected to begin in January 2023, the Authority will develop a framework for collecting this data and begin collecting it by October 2023. Ultimately the data would be analyzed and used to inform policy development.</p>

Committee Recommendation	Status Details
<p>Recommendation 6</p> <p>The Ministry for Seniors and Accessibility should work with other relevant ministries to ensure retirement homes with individuals designated as alternate level of care or who occupy subsidized beds are inspected on a regular basis and standards of care are enforced.</p> <p>Status: In the process of being implemented by March 2024.</p>	<p>The Ministry provided \$5 million to the Authority in 2021 to conduct increased inspections and respond to emergency and crisis situations in retirement homes due to the COVID-19 pandemic. In addition, the Authority has identified that 39 retirement homes have subsidized beds. Since 2021, it has conducted at least one inspection at each of these retirement homes. In December 2021, legislative changes have permitted the Authority to receive data and information from retirement homes on beds occupied by people who are designated as alternate level of care or funded by subsidized programs that are subject to requirements under the <i>Retirement Homes Act, 2010</i>. The Authority plans to continue conducting inspections in retirement homes with residents designated as alternate level of care or in subsidized spaces and address allegations involving these residents on a case-by-case basis. The Authority indicated that it will seek clarification from the ministries on the appropriate program authority and service provider(s) for those subsidized beds that are exempt under the Act, and expects to collect information related to these beds from retirement home operators. Where possible, the Authority will collaborate with appropriate programs and service providers in order to conduct focused inspections at these homes by March 2024.</p>
<p>Recommendation 7</p> <p>The Retirement Homes Regulatory Authority should improve the inspections process by:</p> <ul style="list-style-type: none"> • determining additional data needs, finalizing data collection, and updating the risk assessment model accordingly; <p>Status: In the process of being implemented by January 2024.</p> <ul style="list-style-type: none"> • regularly reviewing its risk assessment model and incorporating relevant data and updating the model accordingly; <p>Status: Fully implemented.</p>	<p>The Authority was including instances of injuries reported to it for inclusion in the risk assessment model. To further augment its risk model, in May 2022 the Authority requested data from Home and Community Care Support Services and began discussions with the Ministry of Finance about the process of sharing data. Furthermore, in January 2021, the Minister for Seniors and Accessibility approved the Authority's policy to request information such as clinical and functional profiles of residents and care services that the retirement home makes available in order to rank retirement homes based on risk of harm to residents. The Authority will be collecting additional resident data to update its risk model in January 2024.</p> <p>The Authority reviews its risk model annually for continuous improvements, including adjusting harms attributions and adding data elements to inform the risk model. For example, the Authority has identified internal data such as mandatory report inquiry for inclusion in assessing risk of harm, outside of information collected through inspection. The Authority has adjusted the method of calculating routine inspection frequency based directly on risk of harm, as of January 19, 2021.</p> <p>Further, the Authority completed the complaints analysis in August 2021. It reviewed complaints trends findings and did not identify any significant trends.</p> <p>To better inform the selection of retirement homes for earlier inspections, the Authority has amended its risk model to take into consideration reported incidents that did not result in inspections. The revised model was put in place in April 2022.</p>

Committee Recommendation	Status Details
<ul style="list-style-type: none"> ensuring they have the information required (e.g., alternative level of care status or external care needs) to assess inspection needs; Status: In the process of being implemented by October 2023. publicly sharing the actions it takes to ensure compliance for homes that fail to provide adequate care and publish information about homes that fail to comply on its website to improve accountability. Status: Little or no progress. 	<p>In September 2021, the Authority developed a stakeholder consultation plan to support a planned routine collection of data from licensed retirement homes, such as information on care services that residents receive. Following consultation with the sector, expected to begin in January 2023, the Authority will develop a framework for collecting this data and begin collecting it by October 2023. Ultimately the data would be analyzed and used to inform policy development.</p> <p>As well, to better incorporate the work of public health in the Authority's inspections of retirement homes, the Authority came to an agreement with the Ministry of Health to obtain retirement home outbreak data until July 2022. The Authority has been receiving this data on a monthly basis. By June 2023, it aims to obtain information from the Ministry of Health with respect to public health orders issued at licensed retirement homes. Pending receipt of compliance data, the Authority will review and incorporate relevant lessons learned from this data into its operational processes and training by August 2023.</p> <p>The Authority plans to publish by March 2024 the nature and quantity of complaints for each retirement home when it takes enforcement action against a home where a complaint originated. It also plans to incorporate the nature and quantity of complaints into the retirement home database in the context of the future development of a public report card by March 2024, and consider increased transparency regarding the nature and quantity of complaints for each retirement home in the development of enhanced inspection reports and the report card.</p>
<p>Recommendation 8</p> <p>The Retirement Homes Regulatory Authority, in order to ensure that retirement homes have appropriate infection and prevention controls in place, should:</p> <ul style="list-style-type: none"> assess whether retirement homes have appropriate practices on infection and prevention control; Status: Fully implemented. regularly collect data on retirement homes' practices and infection prevention control; Status: In the process of being implemented by June 2023. regularly incorporate any lessons learned from public health inspections into inspector training; Status: Little to no progress. 	<p>The Authority, in November 2020, updated its inspection checklist to include a section on infection prevention and control. At that time it developed guidelines to clarify how licensed retirement homes should conform with applicable legislative and regulatory requirements. It also shared with licensed retirement homes the compliance assistance materials available to support their implementation of sound infection prevention and control practices. As well, the Authority updated the COVID-19 checklist in June 2021 and again in September 2021 to align with Chief Medical Officer of Health directives, Authority directives and applicable legislation and regulations. Further, the Authority updated its routine inspections process in September 2021 to incorporate an assessment of infection prevention and control risks, to determine whether inspections of certain homes needed to be prioritized.</p> <p>To better incorporate the work of public health in the Authority's inspections of retirement homes, the Authority came to an agreement with the Ministry of Health to obtain retirement home outbreak data until July 2022. The Authority has been receiving this data on a monthly basis. By June 2023, it aims to obtain information from the Ministry of Health with respect to public health orders issued at licensed retirement homes.</p> <p>The Authority told the Committee it will review information and lessons from public health compliance data and update its inspector training, including inviting public health units to provide training where appropriate.</p>

Committee Recommendation	Status Details
<ul style="list-style-type: none"> request that retirement homes incorporate pandemic plans in emergency plans, including personal protective equipment supply. Status: Fully implemented. 	<p>The regulation under the <i>Retirement Homes Act, 2010</i> was amended, effective March 2022, to require that retirement homes address pandemics and epidemics in their emergency plans, which are to be tested annually. The regulation also requires that emergency plans meet certain requirements, including setting aside resources such as personal protection equipment so that they are readily available during an emergency. In September 2022, the Authority communicated guidance to the sector on compliance expectations to reflect the new regulatory requirement and provided training to its inspectors.</p>
<p>Recommendation 9</p> <p>The Retirement Homes Regulatory Authority should:</p> <ul style="list-style-type: none"> clear the entire backlog of proactive routine inspections with enhanced infection and prevention controls; Status: Fully implemented. implement a plan for routine inspections to avoid future backlogs. Status: Fully implemented. 	<p>The Authority updated its inspection checklist in November 2020 to include a section on infection prevention and control. The Authority suspended all proactive inspections in the first week of March 2020 because of the COVID-19 pandemic. A backlog of proactive routine inspections had accumulated between March and November 2020, at which time the Authority resumed these inspections. By March 2021 the backlog had grown to over 450, compared to 93 in June 2020. The Ministry provided \$5 million to the Authority in 2021, which supported increased inspections. The Authority cleared the backlog noted in the 2020 audit by the Office of the Auditor General as of March 2022.</p> <p>In April 2021, the Authority developed a prioritization plan to overcome its inspection backlog. The plan prioritizes homes that are newly licensed or have not received a routine inspection within three years. The Authority also hired 10 additional inspectors between January 2020 and September 2021 (for a total of 23 inspectors) to help address the inspections backlog. As well, the Authority has developed a tracking spreadsheet to monitor any unexpected backlog of routine inspections above its normal throughput of work.</p>
<p>Recommendation 10</p> <p>The Retirement Homes Regulatory Authority should better manage inspector caseloads by regularly monitoring inspector caseloads, reassessing caseload targets, and reassigning cases if necessary. Status: In the process of being implemented by December 2022.</p>	<p>The Authority has developed a report to monitor inspector caseloads and time taken to finalize inspections assigned to them each year. It has also developed estimates for the number of hours and days needed for each type of inspection, based on average times reported by inspectors. The Authority plans to review these metrics and revise them as needed by December 2022 in order to deploy resources optimally and distribute inspection work based on individual skill sets, workloads and knowledge.</p>
<p>Recommendation 11</p> <p>The Retirement Homes Regulatory Authority, in order to reduce the impacts to residents of retirement homes when implementing management orders, should:</p> <ul style="list-style-type: none"> maintain a formal roster of qualified management candidates that could be quickly deployed if necessary; Status: Fully implemented. 	<p>In August 2021, the Authority established a list of potential managers within its compliance monitoring department such that suitable managers are accessible and can be deployed to retirement homes during times of crisis.</p>

Committee Recommendation	Status Details
<ul style="list-style-type: none"> determine guidelines for making emergency funding available for homes under management orders that require financial resources; Status: In the process of being implemented by March 2023. work together with the Ministry for Seniors and Accessibility to ensure residents in retirement homes are protected in a similar manner to residents in long-term care during public health emergencies. Status: In the process of being implemented by March 2024. 	<p>The Authority advised the Ministry, in January 2021, that the Authority lacks the ability to implement effective changes without co-operation, financial commitment and/or funding from the home operator needed to improve operation. The Authority recommended to the Ministry that they work together to explore various funding models for the costs associated with the use of a management order.</p> <p>In August 2021, the Authority piloted a program to provide temporary crisis funding to retirement homes under a management order where financial constraints are a barrier for the manager to protect residents. The temporary crisis fund, of up to \$100,000 for each eligible retirement home that applies to this program, is funded by the Ministry. This funding was part of a \$5 million Ministry grant to the Authority in 2021 to conduct increased inspections and respond to emergency and crisis situations in retirement homes due to the COVID-19 pandemic. This program ended in March 2022. The Authority expects to hold additional discussions with the Ministry by March 2023 to determine in principle whether and how funding may apply post March 2022.</p> <p>The Authority provided input to the Ministry in spring 2021 to develop guidance for retirement homes regarding visitors' policies. This guidance followed the Chief Medical Officer of Health's directive on long-term-care homes, which also applied to retirement homes. Similarly, the Authority issued recommendations and guidance to retirement homes about asymptomatic COVID-19 screen testing and vaccination in July 2021, September 2021 and March 2022. The Authority also distributed newsletter updates to retirement home operators and posted resources on its website regarding matters such as vaccination rollout and COVID-19 screening tools—these apply to both long-term-care homes and retirement homes. As well, throughout 2021 and 2022, the Authority provided feedback to the Ministry on matters related to modifying restrictions, such as when organized social activities were allowed to take place in retirement homes as compared to long-term-care homes.</p> <p>By March 2024, the Authority expects to continue to be supporting and advising the Ministry, as the province responds to the pandemic in a post-emergency state, about recalibrating measures related to the COVID-19 pandemic.</p>
<p>Recommendation 12</p> <p>The Retirement Homes Regulatory Authority should ensure that family and friends providing caregiving services can continue to do so throughout a public health emergency while following appropriate public health measures. Status: Fully implemented.</p>	<p>The Authority had shared concerns about retirement home residents' physical and mental well-being with the Ministry and the Chief Medical Officer of Health in spring 2021. The concerns were based on feedback from residents and families regarding the timing and nature of restrictions placed on social activities. As well, between March 2020 and January 2022, the Authority supported the Ministry for Seniors and Accessibility in developing and posting guidance and the latest updates on visitors' policies to residents, families and operators. The Authority likewise communicates with and supports retirement homes via disseminating newsletters and resources on its website to help them adhere to public health directives and guidance, such as appropriate infection prevention and control procedures for visitors. Lastly, the Authority took the step of referring 25 retirement homes to the Canadian Red Cross for support between January 2021 and March 2022; these independently operated homes were typically smaller, served individuals at the low end of the economic scale, and did not have the support from head offices of retirement homes that are part of a chain operation. These efforts were facilitated by the Ministry's contract with the Canadian Red Cross, at a ceiling price of about \$1.5 million, to provide on site mobile support teams to licensed retirement homes.</p>

Committee Recommendation	Status Details
<p>Recommendation 13</p> <p>The Retirement Homes Regulatory Authority should better inform the public about the number of infections in retirement homes throughout a pandemic by:</p> <ul style="list-style-type: none"> working with the Ministry for Seniors and Accessibility to obtain data from the Ministry of Health or local public health agencies; Status: Fully implemented. publishing COVID-19 data on a regular basis. Status: Fully implemented. 	<p>The Authority had been obtaining from the Ministry of Health (Ministry) COVID-19 outbreak data on a monthly basis since November 2020, pursuant to an information-sharing agreement established between the Ministry and the Authority in July 2020. The Authority uses the public health data to validate its own records and has updated its own data, for instance in September 2021, when it noted that the public health data contained information that it did not already have. However, Authority staff have found that, overall, the data they collect directly from retirement homes is more current, complete and reliable, primarily due to the public health units not consistently defining retirement homes and categorizing outbreak locations as retirement homes.</p> <p>The Authority began posting the number of resident and staff COVID-19 cases and deaths per retirement home on March 16, 2021. The Authority updates the “COVID-19 dashboard” daily from Monday to Friday, except on statutory holidays, based on information it obtains directly from retirement homes and direct inquiries.</p>
<p>Recommendation 14</p> <p>The Retirement Homes Regulatory Authority should:</p> <ul style="list-style-type: none"> require retirement homes to report occupancy data on a monthly basis and enforce capacity limits set by their licence, as determined by the Authority; Status: In the process of being implemented by December 2022. work with the Ministry for Seniors and Accessibility to establish a regular reporting schedule to share this information. Status: In the process of being implemented by March 2023. 	<p>The Authority had been collecting, between December 2020 and February 2022, occupancy information and vaccination data from retirement homes via a survey, and provided this information to the Ministry. By December 2022, the Authority plans to include occupancy data as part of its data collection plan and will undertake consultation to advise stakeholders of its intent to collect occupancy data.</p> <p>The Authority indicated that creating and enforcing capacity limits are not within the regulatory framework for licensing, but it will work with the Ministry to assess the feasibility of amending the <i>Retirement Homes Act, 2010</i>, by December 2022. Amendments to the Act may be made as a result of this work.</p> <p>In January 2021, the Authority requested the Ministry provide direction on the need for ongoing occupancy data collection and the frequency of such collection. The Ministry indicated in June 2021 that it expected the Authority to collect occupancy data in accordance with the request-for-information policy the Ministry had approved in January 2021. It proposed that the Authority continue to collect occupancy data quarterly for the remainder of 2021/22. The Authority had not collected occupancy data from retirement homes on a regular basis since December 2020 but committed to consulting with the sector by December 2022 and collecting occupancy data, subject to the outcome of consultation, by March 2023.</p>
<p>Recommendation 15</p> <p>The Retirement Homes Regulatory Authority should improve the licensing process for retirement homes by:</p> <ul style="list-style-type: none"> revoking licences of homes which continually fail to meet all the requirements within a reasonable amount of time; Status: Fully implemented. finalizing work on its licence classes and submitting this work to the Ministry promptly; Status: In the process of being implemented by March 2023. 	<p>The Authority informed the Committee that it will continue to apply the appropriate statutory and common law principles, including resident safety, and proportionality when making enforcement decisions, including statutory decisions to revoke licences. For example, it revoked the licence of one home in August 2021 and two other homes in November 2021 because they did not meet the licence condition to have fire sprinkler systems installed.</p> <p>The Authority received internal approval in December 2021 to resume work on the licence class project, which was reframed to look more broadly at assurance of quality. Following the completion of this work, the Authority expects to provide advice to the Ministry for Seniors and Accessibility regarding strengthening the licensing framework by March 2023.</p>

Committee Recommendation	Status Details
<ul style="list-style-type: none"> • ensuring licensing procedures include a review of the application and the applicant's background checks; Status: In the process of being implemented by March 2023. • ensuring applicants monitor licence conditions and report updates or changes as necessary; Status: In the process of being implemented by December 2022. • following up on licence conditions made. Status: In the process of being implemented by December 2022. 	<p>The Authority has revised its licence application forms in September 2021 to require an applicant to give consent to the Authority to collect, use and disclose personal information and to share any information in the course of determining qualification for a licence to allow for background checks. As well, the Authority has developed criteria in November 2021 to guide its staff in determining when background checks should be conducted for licensing applicants over and above the standard process so as to reduce the risk of financial solvency issues. It also updated its internal review process in October 2021 to include guiding questions to assess the financial health of applicants.</p> <p>By March 2023, the Authority will explore methods to confirm applicants' financial viability and monitor homes' financial viability once licensed, identify indications of financial irresponsibility, and work with industry associations to develop an approach to inform and educate licensees about financial responsibility.</p> <p>The Authority was in the process of developing a communications strategy and will, by December 2022, communicate to retirement homes to remind them about financial responsibility and work with industry associations to understand what training and supports retirement homes may require to be better equipped to meet their licence conditions.</p> <p>The Authority expanded its capacity—including consulting with other regulators about the role of a compliance monitor and hiring an individual for this role at the Authority—to address issues related to ongoing compliance monitoring for certain issues, including compliance with licence conditions, in September 2020. Then, in September 2021, the Authority developed internal procedures to outline its compliance monitoring process so as to more systematically follow up, apart from inspections. By December 2022, the Authority expects to have staff resources to better enable follow up on any licence conditions on a timelier basis.</p>
<p>Recommendation 16</p> <p>The Retirement Homes Regulatory Authority should ensure that all licensed retirement homes have installed fire sprinkler systems that are in working order. If homes do not comply, the Authority should take appropriate enforcement measures. Status: Fully implemented.</p>	<p>The Authority had imposed November and December 2020 deadlines for all licensees that had not completed the installation of their fire sprinkler systems. For some of these homes, the deadline was extended to September 2021. The Authority took actions on those homes that failed to meet requirements by the deadlines. In 2021, the Authority revoked the licences of three of the five retirement homes that had not installed sprinklers, as noted by the Auditor General in her 2020 audit. The remaining two homes had complied with sprinkler requirements and remained open.</p>
<p>Recommendation 17</p> <p>The Retirement Homes Regulatory Authority should protect consumers from unknowingly purchasing accommodation and care services from unlicensed and unregulated retirement homes by finalizing its review of the 234 congregate settings identified in the audit that may require a licence and taking enforcement measures as appropriate to ensure all retirement homes are licensed according to the law. Status: Fully implemented.</p>	<p>The Authority has been assessing, since June 2021, whether the 234 (ultimately 231) congregate settings may or may not be subject to the <i>Retirement Homes Act, 2010</i> due to a change in their circumstances. The assessment strategy guides staff on how to collect current information about these settings and on next steps, which may include follow-up and inspection. By August 2022, the Authority had assessed all 231 homes.</p> <p>Also, the Authority indicated that the amended Act allowed it to better protect residents in unlicensed retirement homes. Effective December 2021, the Authority could impose requirements on licensees during the licensing application process in cases where the Registrar has issued an order to direct the operator of an unlicensed home to apply for a licence.</p> <p>The Authority provided an update on the outcomes of the unlicensed homes review to the Ministry in March 2022 and indicated it plans to provide an annual update thereafter.</p>

Committee Recommendation	Status Details
<p>Recommendation 18</p> <p>The Retirement Homes Regulatory Authority should work with the Ministry for Seniors and Accessibility to assess the effectiveness of its enforcement tools, particularly the maximum administrative penalty, make changes if needed, and recommend measures to ensure the regulations are enforced.</p> <p>Status: In the process of being implemented by December 2022.</p>	<p>During 2021, the Authority provided advice and feedback to the Ministry for Seniors and Accessibility on administrative monetary penalties and enhanced management orders, which would allow the Registrar to act more expeditiously in emergency situations. The Ministry consulted with stakeholders in 2021 to consider increasing the maximum administrative monetary penalty amount under the Act and did not proceed with amendments. The Authority will, by December 2022, further its efforts to assess the effectiveness of the administrative monetary penalty amounts as a compliance tool.</p>
<p>Recommendation 19</p> <p>The Retirement Homes Regulatory Authority should reduce the risk to retirement home residents affected by loss or damage to their homes by:</p> <ul style="list-style-type: none"> • requesting retirement homes renew insurance policies 30 days prior to expiry and notify the Authority of continued coverage; Status: Little or no progress. • determining the appropriate specific minimum amount of extra expense insurance coverage for licensees to obtain; Status: Little or no progress. • recommending a regulatory change that specifies a minimum amount of extra expense insurance coverage to the Ministry for Seniors and Accessibility or gives the Authority the ability to set the minimum amount of extra expense insurance coverage. Status: Little or no progress. 	<p>The Authority noted that, due to resource constraints, it plans to undertake work in relation to implementing this recommendation by March 2023. This work would include connecting with the insurance industry to better understand current renewal timing practices and assessing the potential for retirement homes to submit extra expense insurance certificates at least 30 days prior to expiry.</p> <p>The Authority noted that, due to resource constraints, it plans to undertake work in relation to implementing this recommendation by March 2023. This work would include completing an assessment of its current research on an appropriate minimum amount of insurance and undertaking further research as necessary to derive an appropriate minimum standard for implementation.</p> <p>The Authority noted that, due to resource constraints, it plans to undertake work in relation to implementing this recommendation by March 2023. Advice to the Ministry will be drafted in the following fiscal year based on the outcome of its work.</p>
<p>Recommendation 20</p> <p>The Ministry for Seniors and Accessibility and the Retirement Homes Regulatory Authority should improve public understanding of the complaints process by:</p> <ul style="list-style-type: none"> • establishing a process to refer complaints outside of its jurisdiction to the appropriate regulatory body, including necessary follow-up; Status: Fully implemented. • including contact information for other relevant regulatory bodies in the retirement homes sector on its website; Status: Fully implemented. 	<p>The Authority established a process in July 2021 to allow it to forward a complaint not within its jurisdiction directly to the appropriate regulatory body if the complainant was unable to independently do so, such as from lack of Internet access or a language barrier. The Authority requires that the complainant explicitly provides consent. Staff document the details in a case file.</p> <p>The Authority updated its website in July 2021 to include the contact information of other applicable agencies and regulatory bodies.</p>

Committee Recommendation	Status Details
<ul style="list-style-type: none"> establishing a performance indicator to measure turnaround time for investigating and resolving complaints, reviewing such targets on an annual basis, and monitoring performance; Status: Fully implemented. publishing service standards for its complaint resolution process and posting information about its performance against these standards on its website regularly. Status: In the process of being implemented by April 2023. 	<p>The Authority gathered data on its staff's turnaround time in February 2022 and established targets on the expected duration of time to investigate and resolve complaints. For example, the Authority aims to issue a Registrar decision following an inspection within 150 days of receiving a complaint, and refer a complaint to external agencies within 10 days of receiving it if it is not within its jurisdiction to investigate. The Authority established these targets by considering the significant variation in the complexity of complaints and accessibility of information-gathering to adjudicate complaints. The Authority plans to review and revise targets on an annual basis and monitor performance against these standards.</p> <p>The Authority in September 2022 published on its website the expected service standards about its complaint resolution process, and expects to publish metrics on how the Authority is measuring against these standards by April 2023.</p>
<p>Recommendation 21</p> <p>The Retirement Homes Regulatory Authority should increase transparency throughout the complaints process by:</p> <ul style="list-style-type: none"> publishing the nature, quantity, and outcomes of complaints filed with the Authority at the aggregate level as well as for each retirement home on a monthly basis; Status: Little or no progress. establishing a training module for the retirement home sector, and updating training for inspectors with the most frequent and significant complaints. Status: In the process of being implemented by December 2022. 	<p>The Authority completed an analysis in June 2021 on the trends and patterns in complaints made from 2014/15-2020/21. The Authority plans to publish by March 2024 the nature and quantity of complaints for each retirement home when it takes enforcement action against a home where a complaint originated. It also plans to, by March 2024, incorporate the nature and quantity of complaints into the retirement home database in the context of the future development of a public report card, and consider increased transparency regarding the nature and quantity of complaints for each retirement home in the development of enhanced inspection reports and the report card.</p> <p>The Authority compared common complaint areas against the current routine inspection process to determine whether additional focus areas needed to be added or amended, and completed inspector training in November 2021 incorporating the results of this analysis. The Authority will review data on significant, frequent complaints by December 2022 to identify any gaps in the current compliance assistance modules and update them for the retirement home sector.</p>
<p>Recommendation 22</p> <p>The Retirement Homes Regulatory Authority should analyze complaints for trends to identify areas of focus and better inform the selection process for routine inspection. Status: Fully implemented.</p>	<p>The Authority completed an analysis in June 2021 on the trends and patterns in complaints made from 2014/15-2020/21. It noted that the most common complaints did not vary much over the years: improper/incompetent care, abuse/neglect, complaints procedure, food, and building/maintenance. To better inform the selection of retirement homes for earlier inspections, the Authority has amended its risk model to take into consideration the types of incidents that had led to complaints but did not result in inspections. The revised model was put in place in April 2022.</p>

Committee Recommendation	Status Details
<p>Recommendation 23</p> <p>The Retirement Homes Regulatory Authority should establish a network comprised of residents and/or family members of retirement home residents to improve awareness and provide feedback on retirement home challenges from their perspective.</p> <p>Status: In the process of being implemented by March 2023.</p>	<p>The Authority used paid advertisement on social media, between September 2020 and March 2021, to target seniors and their family members who were either currently in or considering living in retirement homes. As well, a sponsored article about the Authority appeared in the media in December 2020. In May 2021, the Authority commissioned a public relations firm to propose a communications strategy to help connect with the Authority's target audience. The communication campaign, as informed by the firm, ran for the remainder of 2021. The Authority will continue promoting its role on social media in fall and winter of 2022/23 to encourage health partners and other audiences to report complaints to it.</p> <p>In terms of complaints, the Authority launched a new, plain-language complaint form on its website in March 2021. As well, it finalized its internal process in July 2021 and ran a social media campaign in September and October 2021 about referring matters to third-party authorities when a complaint falls outside of the Authority's jurisdiction.</p> <p>The Authority has increased awareness with public health units and Home and Community Care Support Services of its mandate through meetings and distribution of the Authority's weekly e-newsletter to help amplify its messages regarding complaints and how to bring them to its attention.</p> <p>Furthermore, the Ministry had worked with the Public Appointments Secretariat in 2021 to appoint two individuals with insights into the needs and interests of seniors to serve on the Authority's Board. As well, the Ministry has included a provision in its updated Memorandum of Understanding (MOU) with the Authority that requires the Board to make reasonable efforts to include members who reflect a variety of perspectives, including consumer protection and public interest perspectives. The provision, expected to take effect by March 31, 2023, also requires the Authority to make the Board competency and selection criteria public.</p> <p>The Authority established a residents' network to improve awareness and feedback about retirement home living and the Authority's mandate. It will identify resident and family-focused strategies for implementation in 2022/23 in accordance with approved budget allocation.</p>
<p>Recommendation 24</p> <p>The Ministry for Seniors and Accessibility should:</p> <ul style="list-style-type: none"> • recommend amending the <i>Retirement Homes Act, 2010</i> to provide the Retirement Homes Regulatory Authority with oversight of retirement home care services fees; Status: In the process of being implemented by December 2022. • amend the <i>Residential Tenancies Act, 2006</i>, and/or the <i>Retirement Home Act, 2010</i>, to protect retirement home residents from price gouging by setting fair limits on price increases for care services; Status: In the process of being implemented by December 2023. 	<p>The Ministry for Seniors and Accessibility (Ministry) had researched analyses of comparisons between retirement homes and long-term-care homes in Ontario and retirement homes across Canada, as well as obtained research conducted by the Ministry of Health that examined the regulation of care service fees in retirement homes. The Ministry plans to conduct further analysis of the costs of care services and the role of various government authorities in other sectors with regards to oversight of fees. The Ministry intends to, by December 2022, make recommendations for care service fees to be considered for policy options, following consultation with stakeholders and partner ministries.</p> <p>According to the Ministry for Seniors and Accessibility (Ministry), the Ministry of Municipal Affairs and Housing advised that the <i>Residential Tenancies Act, 2006</i> is not the appropriate mechanism for regulating the cost of care services since care services are not included in the definition of rent.</p> <p>The Ministry is working on a project workplan to review and identify the appropriate authority for setting care fees in retirement homes. This work includes reviewing how legislation governing other administrative authorities in Ontario, such as the Bereavement Authority of Ontario, addresses fee oversight. It expects to develop recommendations related to care service fees regulation by December 2023.</p>

Committee Recommendation	Status Details
<ul style="list-style-type: none"> recommend that the regulatory framework for the Retirement Homes Regulatory Authority be amended so that the Authority can determine fair and reasonable ancillary costs that retirement homes can charge residents; Status: In the process of being implemented by December 2023. request that the Retirement Homes Regulatory Authority require all licensed retirement homes to make price lists for rent and services available; Status: Fully implemented. include retirement home prices for rent and services in its public report cards. Status: Little or no progress. 	<p>The Ministry indicated that the <i>Retirement Homes Act, 2010</i> (Act) neither regulates fees nor empowers the Authority to set fees. Meanwhile, the <i>Residential Tenancies Act, 2006</i> prohibits any additional charges over and above what is explicitly allowed under the Act. In addition, a regulation under the <i>Residential Tenancies Act, 2006</i> prescribes additional services that may result in an increased rent charge if they are provided. Examples of such services include provision of a parking spot, cable or satellite TV, and a storage locker.</p> <p>The Ministry will continue to work with the Ministry of Municipal Affairs and Housing, other partner ministries and key stakeholders regarding amendments to the <i>Residential Tenancies Act, 2006</i>, analysis of care and accommodation for residents of retirement homes and to examine potential impacts on related programs and statutes.</p> <p>The Ministry made amendments to the <i>Retirement Homes Act, 2010</i> that became effective March 16, 2022. Retirement homes are to provide an itemized list in electronic and/or paper form of the different types of accommodation and care services provided in the retirement home, and their prices, to anyone upon request. On March 21, 2022, the Ministry and the Authority participated in a sector association webinar with retirement home operators to advise them of the legislative and regulatory amendments and to respond to inquiries.</p> <p>The Authority has deferred its public report card development initiative to 2023/24.</p>
<p>Recommendation 25</p> <p>The Ministry for Seniors and Accessibility should work with the Public Appointments Secretariat to propose appointees to the Retirement Homes Regulatory Authority's Board with seniors' interests in mind or request the Board's Chair consider such individuals as current Board members' terms expire. Status: In the process of being implemented by March 2023.</p>	<p>The Ministry had worked with the Public Appointments Secretariat in 2021 to appoint two individuals with insights into the needs and interests of seniors to serve on the Authority's Board. As well, the Ministry has included a provision in its updated Memorandum of Understanding (MOU) with the Authority that requires the Board to make reasonable efforts to include members who reflect a variety of perspectives, including consumer protection and public interest perspectives. The provision, expected to take effect by March 31, 2023, also requires the Authority to make the Board competency and selection criteria public.</p>
<p>Recommendation 26</p> <p>The Ministry for Seniors and Accessibility should finalize a schedule of reporting requirements with input from the Retirement Homes Regulatory Authority and update the Memorandum of Understanding between the two parties by:</p> <ul style="list-style-type: none"> requiring the Authority to establish targets for its performance indicators; Status: Fully implemented. 	<p>The Ministry and the Authority revised their Memorandum of Understanding (MOU) to include a provision that requires the Authority to establish performance measures regarding the administration of the <i>Retirement Homes Act, 2010</i> to enable year-to-year comparison. The MOU further requires the Authority to provide the Minister with performance targets and results on an annual basis. According to an implementation timeline established in March 2022 by the Ministry and the Authority, the Authority will establish new or additional performance measures by April 2023.</p>

Committee Recommendation	Status Details
<ul style="list-style-type: none"> requiring the Authority to publish actual versus targeted performance indicators annually; Status: In the process of being implemented by September 2025. determining an appropriate oversight fee. Status: Fully implemented. 	<p>In March 2022, the Ministry and the Authority established an implementation timeline for performance measures and targets to support the achievement of the MOU provision on providing performance results. The Ministry will monitor implementation and expects that by April 2023, the Authority will establish new or additional performance measures; by April 2024, the Authority will begin collecting data for performance measures; by April 2025, the Authority will begin collecting data for targets; and by September 2025, the Authority will publish performance against targets in its annual report.</p> <p>The Ministry assessed, in fall 2021, the level of resources it requires to oversee the Authority and determined that it would continue to not charge the Authority oversight fees, considering factors such as the operational efficiency review of the Authority that was under way and the transfer payments it provided to the Authority at inception and during the COVID-19 pandemic. The updated MOU, which took effect on March 31, 2022, provides discretion for the Minister to charge fees.</p>
<p>Recommendation 27</p> <p>The Ministry for Seniors and Accessibility should improve the co-ordination and effectiveness of overall services to seniors in Ontario and act as a leader in the sector by:</p> <ul style="list-style-type: none"> assuming its role as the lead ministry to provide or oversee the provision of seniors' congregate living and care services; Status: In the process of being implemented by December 2023. 	<p>The Ministry had established, in November 2020, an internal advisory committee with key ministry partners including the Ministry of Health, the Ministry of Long-Term Care, the Ministry of Public and Business Service Delivery and the Ministry of Municipal Affairs and Housing to discuss cross-sector issues, including how to improve co-ordination along the continuum of care and housing for seniors.</p> <p>In January 2021, the Ministry participated in a discussion session hosted by the Ministry of Municipal Affairs and Housing that focused on seniors. Also in January 2021, the Ministry, together with the Ministry of Health and the Canadian Institute of Health Research, held a two-day session to facilitate exchanging of information and ideas on options in service delivery models and regulatory approaches to improve the health and safety of older Ontarians living in care settings.</p> <p>Furthermore, the Ministry in February 2022 established a working group with representatives from the Ministry of Municipal Affairs and Housing, the Ministry of Health, the Ministry of Long-Term Care, the Ministry of Children, Community and Social Services and the Authority to develop a policy framework on seniors' housing and care. Between March 2022 and July 2022, the working group developed a "blueprint document" that describes all of the ministries, legislation and regulations, as well as policies and guidelines that govern housing and care for seniors. The working group also developed draft "journey maps" that describe how diverse seniors access housing and care settings, exposing the challenges faced by seniors in doing so. The Ministry expects this information will inform the development of a seniors housing and care policy framework. The working group also discussed applying a health equity impact assessment tool in the development of the framework to ensure health equity is considered.</p> <p>By December 2023, the Ministry expects to have created a policy framework to improve co-ordination and effectiveness of housing and care sectors, addressing the evolving needs of the retirement home sector and promoting the development of innovative housing and care models.</p>

Committee Recommendation	Status Details
<ul style="list-style-type: none"> working with partner ministries to develop a coordinated seniors' housing policy framework that defines the health, independence, and financial profile of seniors; Status: In the process of being implemented by December 2023. finalizing a cross-ministry seniors' strategy. Status: In the process of being implemented by March 2023. 	<p>In January 2021, the Ministry participated in a discussion session hosted by the Ministry of Municipal Affairs and Housing that focused on seniors. Also in January 2021, the Ministry, together with the Ministry of Health and the Canadian Institute of Health Research, held a two-day session to facilitate exchanging of information and ideas on options in service delivery models and regulatory approaches to improve the health and safety of older Ontarians living in care settings.</p> <p>Furthermore, the Ministry in February 2022 established a working group with representatives from the Ministry of Municipal Affairs and Housing, the Ministry of Health, the Ministry of Long-Term Care, the Ministry of Children, Community and Social Services and the Authority to develop a policy framework on seniors' housing and care. Between March 2022 and July 2022, the working group developed a "blueprint document" that describes all of the ministries, legislation and regulations, as well as policies and guidelines that govern housing and care for seniors. The working group also developed draft "journey maps" that describe how diverse seniors access housing and care settings, exposing the challenges faced by seniors in doing so. The Ministry expects this information will inform the development of a seniors housing and care policy framework. The working group also discussed applying a health equity impact assessment tool in the development of the framework to ensure health equity is considered.</p> <p>By December 2023, the Ministry expects to have created a policy framework to improve co-ordination and effectiveness of housing and care sectors, addressing the evolving needs of the retirement home sector and promoting the development of innovative housing and care models.</p> <p>The Ministry updated the seniors' strategy to incorporate lessons from the COVID-19 pandemic. Although not publicly released, the Ministry indicated that the strategy guides the work of the province and progress is being made through many government initiatives that align with and support the strategy pillars. The Ministry informed us that it was updating the strategy and aimed to obtain central agency approval by March 2023.</p>
<p>Recommendation 28</p> <p>The Retirement Homes Regulatory Authority should collect adequate fees to cover its mandated activities and annually reassess the appropriateness of its fees or identify other revenue sources in order to protect current and former retirement home residents. Status: Fully implemented.</p>	<p>After the Minister's review and stakeholder feedback, the Authority's Board in September 2022 approved changes to the fee schedule effective January 1, 2023. The most significant change is increasing the annual fee from \$11 to \$14 per suite per month. The Authority indicated that this change will help it attain financial stability in 2023/24. The Authority notified the sector of the 2023 fee changes in early October.</p>

Committee Recommendation	Status Details
<p>Recommendation 29</p> <p>The Ministry for Seniors and Accessibility should recommend legislative changes to the <i>Retirement Homes Act, 2010</i> to better ensure retirement home residents receive safe and quality care.</p> <p>Status: Fully implemented.</p>	<p>The <i>Retirement Homes Act, 2010</i> (Act) was amended and a number of legislative and regulatory provisions relating to resident care came into effect on December 9, 2021 and March 16, 2022. These provisions include, for example:</p> <ul style="list-style-type: none"> • enhanced protections for vulnerable residents in retirement homes where there is a risk of harm and by supporting homes to provide safe accommodation and care through the authority for the Authority to make orders in extraordinary circumstances prescribed in regulation; • new protection for residents residing in unlicensed retirement homes; • facilitating communication between the Authority and residents or substitute decision makers by requiring licensees to provide the Authority with contact information for residents or substitute decision makers when requested, which would allow the Authority to contact residents and better inform them of their rights and responsibilities; and • requiring that licensees provide external care providers with information on the home's policy to promote zero tolerance for abuse and neglect of residents. <p>The Ministry is reviewing the Act and its regulation for potential additional amendments that would further enhance the care and safety of retirement home residents.</p>
<p>Recommendation 30</p> <p>The Ministry for Seniors and Accessibility should conduct a review to assess whether the Ministry should disband the Retirement Homes Regulatory Authority and take over its responsibilities.</p> <p>Status: In the process of being implemented by December 2023.</p>	<p>The Ministry indicated that the government conducted a series of province-wide consultations in developing the <i>Retirement Homes Act, 2010</i>, which resulted in a recommendation to establish a new agency, independent from the government, to enforce standards. The government determined that the administrative authority model had been successful in regulating other public safety and consumer protection services in the province, and did so at a much lower cost than if sector oversight and enforcement was provided directly by the government. The government proceeded to employ the administrative authority model of regulatory enforcement to improve safety and protection of retirement home residents</p> <p>More recently, the Ministry has worked with an external consultant to conduct an operational efficiency review of the Authority's operations and governance. The review found that the operations of the Authority are run efficiently overall with a focus on consumer protection, but also identified areas for improvement in the Authority's operations and governance. The Ministry and the Authority are working to implement the operational efficiency review recommendations, and the Ministry has asked the consultant to conduct a more comprehensive governance review to build on the findings and recommendations related to governance. The Ministry expects the governance review will be completed by March 2023.</p> <p>The Ministry will consider recommendations from both reviews, along with other information such as recommendations from the Authority's Risk Officer's annual report submitted to the Minister in September 2022, to identify opportunities to improve oversight of the retirement home sector by December 2023.</p>