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## **ADMINISTRATIVE PENALTY ORDER TO BE MADE AVAILABLE IN HOME**

Pursuant to the *Retirement Homes Act, 2010* S.O. 2010, Chapter 11, section 93.

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Amica Mature Lifestyles Inc.  
o/a Amica London  
517 Fanshawe Park Road  
London, ON N6G 0C1

The Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) has reasonable grounds to believe that Amica Mature Lifestyles Inc. (the “Licensee”) operating as Amica London (the “Home”) has contravened sections of the *Retirement Homes Act, 2010* (the “Act”) or Ontario Regulation 166/11 under the Act (the “Regulation”).

The Deputy Registrar issues this Order to Pay an Administrative Penalty under section 93 of the Act to encourage the Licensee to comply with the Act and Regulation.

The Contraventions and Order listed below are followed by the reasons for this Order, and information on the appeal process.

### **Contraventions**

On March 17, 2021, an RHRA inspector conducted an inspection at the Home and found that the Licensee was in contravention of the following sections of the Act and Regulation:

Section 62(6) and 62(12) of the Act by failing to document and implement the dietary and hydration changes recommended by a resident’s physician to the resident’s plan of care.

Section 60(1) of the Act for failure to ensure that the care services provided to the resident meet the prescribed care standards and,

Section 40(f) & (i) of the Regulation failure to provide an individualized diet and ensure that staff are aware of a resident’s special needs.

### **Brief Summary of Facts**

A resident’s physician recommended dietary changes for the resident to the Home’s Wellness team on two separate occasions, which were not communicated to the Home’s Culinary staff or implemented by the Home for some time after the recommendations were made.

## **Administrative Penalty Factors**

1. **Previous contraventions:** This was the first time that the Licensee had been cited for plan of care issues since 2014. The Licensee acknowledged the Home's need for improved communication in certain areas of care. However, the Licensee has since had two subsequent inspections in June 2021 and August 2021 where failures to maintain complete documentation and deficiencies in resident plans of care continued to be an issue.
2. **Mitigating Factors:** The Licensee took detailed and comprehensive corrective action to the non-compliance.
3. **Scope of Non-Compliance:** To the RHRA's knowledge only one resident was affected by the failure to communicate a change in diet in a timely manner.
4. **Severity of Non-Compliance:** While the Deputy Registrar is not in a position to establish causation of harm in this case, it is reasonable to assume that the failure of the Home to implement a doctor's instructions in such a case could result in harm to a resident.
5. **Economic Benefit of Non-Compliance:** The RHRA does not know of any economic benefit to the Licensee as a result of the noncompliance.

**Issued on February 2, 2022**