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

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

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Bloomdsdale Health Resources Inc.  
o/a Bloomdsdale Seniors Home  
737 Anderson Street  
Whitby, ON L1N 9X9

### **ADMINISTRATIVE PENALTY ORDER 2024-T0601-93-01**

Under section 93 of the *Retirement Homes Act, 2010* (the “Act”), the Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and “RHRA”, respectively) may order a person to pay an administrative penalty if the Deputy Registrar believes on reasonable grounds that the person has contravened the Act and Ontario Regulation 166/11 (the “Regulation”).

This is an Administrative Penalty Order requiring Bloomdsdale Health Resources Inc. (the “Licensee”), operating as Bloomdsdale Seniors Home (the “Home”), to pay an administrative penalty. This Order is made to encourage compliance with the Act and Regulation.

### **CONTRAVENTIONS**

The Deputy Registrar has reasonable grounds to believe that the Licensee contravened

the following sections of the Act and Regulation:

- a. Sections 62(1), 62(4), and 62(12) of the Act. The Licensee failed to develop a plan of care for several residents;
- b. Sections 65(2)(a)(b)(c)(d)(f)(g)(h) and 65(5) of the Act and 14(1) (2) and (5) of the Regulation. The Licensee failed to train staff in the required areas and failed to complete annual retraining.
- c. Sections 32(a) & (b) of the Regulation. the Licensee failed to ensure that proper medication administration records (MARS) and resident prescriptions were maintained.

### **REQUIRED ACTION**

The Deputy Registrar orders the Licensee to pay an administrative penalty to the RHRA within 30 days of the date of service of this Order

## BRIEF SUMMARY OF FACTS

This Order is based on RHRA inspections conducted on November 22, 2022 and on September 15, 2023.

The Licensee has been noncompliant on both its inspections with respect to staff training resident plans of care, keeping proper medication administration records (MARS) and maintaining written evidence of resident prescriptions in the Home.

## ADMINISTRATIVE PENALTY FACTORS

The Deputy Registrar considered the factors contained in subsection 60.1(1) of the Regulation in determining the amount of the Administrative Penalty:

- a. **Severity of Adverse Effect / Potential Adverse Effect:** There has been no confirmed harm due to the Licensee's noncompliance, but the potential for harm is apparent. Not keeping appropriate records with regard to medication administration, including medication management, is particularly concerning and could lead to medication errors.
- b. **Mitigation of Contravention:** The Licensee has not demonstrated mitigation of noncompliance between the first and second inspections, despite having the guidance of RHRA Compliance Support and of a management consultant at its disposal. That the Licensee's record of noncompliance deteriorated between the first and second inspections resulting not only in repeat noncompliance, but in almost twice as many findings of non-compliance on the second inspection is an aggravating factor in the determination of this penalty.
- c. **Previous Contraventions:** As noted above, the Licensee has been repeatedly noncompliant with respect to resident plans of care, failure to train staff, failure to ensure that proper MARS records are kept and failure to ensure resident prescriptions are kept.
- d. **Economic Benefit:** The Licensee did not derive an economic benefit from its noncompliance with the Act.
- e. **Purpose of Administrative Penalty:** Due to the pattern of non-compliance and the Licensee's failures to respond to other measures to support compliance that the RHRA has imposed or provided, the Deputy Registrar believes that a monetary penalty is required to encourage compliance with the Act and Regulations going forward and to emphasize to the Licensee the importance of complying in a diligent manner

**Issued on January 29, 2024.**