
ADMINISTRATIVE PENALTY ORDER SUMMARY TO BE MADE AVAILABLE IN HOME

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

Hazeldean Gardens Retirement Residence Inc
o/a Hazeldean Gardens Retirement Residence
6130 Hazeldean Rd
Ottawa, ON K2S 2M2

ADMINISTRATIVE PENALTY ORDER 2024-N0492-93-01 – HAZELDEAN GARDENS RETIREMENT RESIDENCE

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

CONTRAVENTION

The Deputy Registrar has reasonable grounds to believe that the Licensee contravened the following sections of the Act and Regulation:

- Section 29(b) of the Regulation – failing to ensure medication is administered in accordance with the directions for use specified by the prescribing physician.
- Section 32(a) of the Regulation – failing to ensure that the person who administered the drug or other substance prepares a written record noting the name and amount of the drug or other substance, the route of its administration and the time and date on which it was administered.
- Section 67(2) of the Act – failing to ensure that the Licensee and staff of the Home do not neglect residents.

BRIEF SUMMARY OF FACTS

Between August 3 and August 10, 2023, there were eleven instances where the number of units of insulin to be given based on Resident A’s blood sugar readings were not correctly administered. Although all the Registered Practical Nurses advised that they would have administered the correct dose, contradictory documentation of doses administered, or in

some cases an absence of any documentation of dose administered, calls into question the accuracy of medication administration in this case.

Additionally, it is evident that there was a delay in providing the necessary treatment for Resident A's condition from August 9 to 10, 2023. There were several shortcomings contributing to this delay, including a lack of direction to staff specific to Resident A's care needs and failing to administer medication as prescribed.

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:**

Between August 3 and August 10, 2023, there were eleven instances where the number of units of insulin to be given based on Resident A's blood sugar readings were not correctly administered. Although all the Registered Practical Nurses advised that they would have administered the correct dose, contradictory documentation of doses administered, or in some cases an absence of any documentation of dose administered, calls into question the accuracy of medication administration in this case. Additionally, it is evident that there was a delay in providing the necessary treatment for Resident A's condition from August 9 to 10, 2023. There were several shortcomings contributing to this delay, including a lack of direction to staff specific to Resident A's care needs and failing to administer medication as prescribed. Ultimately, the Licensee's failure to provide Resident A with required care and assistance jeopardized her health and safety, resulting in a failure to protect Resident A from neglect. The adverse effect on the resident falls into the "major" range.

b) **Mitigation of Contravention:**

The Licensee has taken corrective steps to ensure that staff are fully trained on medication administration and that staff take steps to ensure that all required medication is administered and accurately documented. However, there was no indication as to how the Licensee would monitor for compliance going forward. Additionally, the Licensee has not taken responsibility for their actions and they '*vehemently disagree that the resident was neglected*'. There is no evidence to suggest that staff have received re-education on neglect.

c) **Previous Contraventions:**

The Licensee does not have a history of similar contraventions relating to neglect, administration of drugs or records. This is a mitigating factor in the assessment of the amount of the quantum of the penalty.

d) **Economic Benefit:**

The Licensee did not receive any direct economic benefit from this non-compliance, and so this is a neutral factor.

e) **Purpose of Administrative Penalty:**

To encourage the Licensee to ensure compliance in the future. The penalty is not intended to be punitive.

Issued on April 5, 2024.