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## MANAGEMENT ORDER SUMMARY TO BE MADE AVAILABLE IN HOME

Pursuant to the *Retirement Homes Act, 2010* S.O. 2010, Chapter 11, section 91.

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VCare Retirement Home Inc.  
o/a V Care Retirement Home Inc  
1 Darby Court  
Scarborough, ON M1B 5H3

### MANAGEMENT ORDER NO.: 2024-T0543-91-01 – V CARE RETIREMENT HOME INC

Under section 91 of the *Retirement Homes Act, 2010* (the "Act"), the Deputy Registrar of the Retirement Homes Regulatory Authority ("Deputy Registrar" and the "RHRA", respectively) may serve an order on a licensee ordering it to employ or retain one or more persons acceptable to the RHRA to manage or assist in managing all or some of the operations of the home ("Management Order") where the Deputy Registrar believes on reasonable grounds that:

1. The licensee has contravened a requirement under the Act; and,
2. The licensee cannot or will not properly manage the operations of the home or cannot do so without assistance.

This Order requires VCare Retirement Home Inc. (the "Licensee") to immediately employ or retain a Manager (the "Manager"), acceptable to the RHRA and at the Licensee's expense, with the knowledge, skills, experience, and judgment necessary to consult on and direct management and operations at V Care Retirement Home Inc (the "Home").

Based on historical and ongoing non-compliance identified during two recent RHRA inspections, the Deputy Registrar has reasonable grounds to believe that the Licensee has contravened requirements under the Act and Regulation and that the Licensee requires assistance to properly manage the operations of the Home. The Deputy Registrar also has reasonable grounds to believe that the Licensee has consistently demonstrated that it will not or cannot achieve and maintain compliance with the Act and Regulation on its own and that it cannot properly manage the operations of the home without assistance.

This Order shall remain in place until the Licence terminates or until such time as the Deputy Registrar deems the Order no longer necessary.

## CONTRAVENTIONS

1. The Deputy Registrar has reasonable grounds to believe that the Licensee has contravened the following sections of the Act and Ontario Regulation 166/11 made under the Act (the “Regulation”):
  - Section 11(1) para 6 of the Regulation by failing to ensure the required information was posted as mandated.
  - Section 14.1 of the Regulation by failing to provide mandated information to external care providers as required.
  - Section 14(5) of the Regulation and section 65(5) para 3., of the Act by failing to ensure that staff who provide care services to residents receive training in behaviour management.
  - Sections 17(1) & (3) and section 19(1) of the Regulation by failing to provide documentation of cleaning routines and methods for common areas and common bathrooms, and failing to ensure that a maintenance program was in place to keep the Home in good repair.
  - Section 18(1) of the Regulation by failing to provide evidence of procedures in place to keep the Home free from pests and to deal with pests in the Home.
  - Section 23(1)(a), (b), & (c) of the Regulation by failing to develop and implement written behaviour management strategies for two residents whose behaviours posed a risk to themselves or others in the Home, which included techniques, interventions, and strategies for monitoring.
  - Sections 24(5)(a) 3.1, 25(3) para 1, 5.1, and 26 para 4 of the Regulation by failing to test for situations involving epidemics and pandemics, and failing to provide evidence of testing of resources, supplies, and equipment vital for an emergency response.
  - Section 29(c) and section 32(a) & (b) of the Regulation by failing to ensure that no staff member administers a drug unless the Licensee or the staff member has received training in the procedures applicable to the administration of the drug, complete and keep a written record of medications administered for several residents, did not have current physicians orders on record for medications being administered to several residents, and failed to ensure that no drug is administered by staff in the Home unless the drug has been prescribed for the resident by a person who is authorized to prescribe a drug.

- Sections 62(4), (a), (b) paras 1 & 3., (6), (9) para 1., & (12)(b), of the Act by failing to ensure that; two residents had full assessments completed, all resident care plans included the care services the resident is entitled to receive under the resident's agreement, a plan of care for a resident set out the details of the planned care services and clear directions to staff who provide direct care to the resident, a resident's plan of care was based on an assessment of the resident and their needs and preferences, reassess two residents when their care needs changed, and failed to demonstrate that the resident or their substitute decision maker had approved the care plans.
  - Section 67(2) of the Act by failing to protect a resident from neglect, as the Licensee failed to ensure multiple requirements were complied with including those relating to behaviour management, assessments and plans of care, staff training, and cleanliness. As a result, the Licensee's inactions jeopardized the health and safety of the resident and failed to protect the resident from neglect.
2. The above-noted contraventions were identified most recently during RHRA inspections of the Home conducted on September 12, 2023 and February 15, 2024. Prior inspections in 2021 and 2022 identified the same or similar contraventions with regards to training of direct care staff, cleanliness requirements, behaviour management, emergency plan testing, administration of drugs or other substances, and contents of and approval of resident plans of care.

## **REQUIRED ACTION**

1. The Licensee shall immediately, and until such time as the Deputy Registrar deems appropriate, employ or retain a Manager (the "Manager"), acceptable to the RHRA and at the Licensee's expense, with the knowledge, skills, experience, and judgement necessary to consult on and direct management and operations at the Home. The Licensee must:
  - a) Ensure that the Manager attends the Home in person at least once every two weeks in order to audit the Home's operations and compliance with the Act and Regulation, create action plans for the Licensee to assist in achieving and maintaining compliance, and monitor the Home's compliance with the action plans;
  - b) Ensure the Manager provides monthly progress reports to the RHRA to report on the implementation of this Order and on the Home's compliance with the Act and Regulation.
2. The Licensee shall facilitate and assist the Manager in auditing and directing the operations of the Home and shall not interfere with the Manager's ability to do so in any way.

3. The Licensee shall defer to the Manager on matters relating to the operation of the Home and shall implement the action plans for compliance issued to it by the Manager in a timely fashion.
4. The Licensee shall immediately and for the duration of this Order:
  - a) Provide and/or permit access to all documents and/or things deemed relevant by the Manager to ensure the Home is being operated effectively, including, but not limited to, plans of care, policies and procedures, training manuals, and budgetary documents;
  - b) Instruct staff to cooperate with the Manager; and,
  - c) Provide to the Manager all communications issued to it by the RHRA.

**Issued on April 24, 2024.**