
MANAGEMENT ORDER TO BE MADE AVAILABLE IN HOME

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

2596217 Ontario Inc.
o/a Georgian Bay Seniors Lodge
7 Harriet Street
Penetanguishene
ON L9M 1K8

MANAGEMENT ORDER NO.: 2024-N0469-91-01 – GEORGIAN BAY SENIORS LODGE

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 2596217 Ontario Inc. (the "Licensee") to, employ or retain a Consultant (the "Consultant"), acceptable to the RHRA and at the Licensee's expense, with the knowledge, skills and judgment necessary to provide consultation and education on specified aspects of the operations at Georgian Bay Seniors Lodge (the "Home").

This Order shall remain in place for a period of 12 months.

CONTRAVENTIONS

The Deputy Registrar has reasonable grounds to believe that the Licensee has contravened the following sections of the Act and Ontario Regulation 166/11 under the Act (the "Regulation"):

- Section 23(1)(a) & (b) of the Regulation - failing to develop and implement a written behaviour management strategy.
- Section 36(1)(c) & (d) of the Regulation – failing to establish a continence care program that includes toileting programs and strategies to maximize the resident's independence, comfort, and dignity, including the use of equipment, supplies, devices, and assistive aids.

- Section 62(9)(paragraph 1) of the Act – failing to ensure that a plan of care is approved by the resident or the resident’s substitute decision-maker.
- Section 67(2) of the Act – failing to ensure that the Licensee and staff of the Home do not neglect residents.

The above-noted contraventions were identified most recently during an RHRA inspection of the Home conducted on November 16, 2023. Prior inspections in 2021 and 2022 identified the same contraventions with regards to approval of plans of care and behaviour management strategies. On January 26, 2022, the Deputy Registrar issued the Licensee a Compliance Order. The Licensee was further issued an Administrative Penalty Order on May 12, 2022, for failing to implement behaviour management strategies. The Licensee’s history of repeated non-compliance gives the Deputy Registrar 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.

REQUIRED ACTION

1. The Licensee shall immediately employ or retain a Consultant acceptable to the RHRA and at the Licensee’s expense, for a period of 12 months, with the knowledge, skills, experience, and judgement necessary to consult on and provide education in relation to the following operations of the Home:
 - a. Assessment of resident care needs, in particular but not limited to continence care;
 - b. Assessment of resident care needs for those who demonstrate behaviours that pose a risk to themselves or others, including assessment and care needs for those residents who refuse care or otherwise self-neglect; and
 - c. Approval of plans of care by residents or their substitute decision maker.
2. The Licensee must ensure that the Consultant attends the Home in person at least once a month to complete monthly audits and actions plans regarding the requirements outlined above.
3. In addition to the ongoing consultation and education set out in paragraph 1, within 60 days of the issuance of the Order the Licensee will require that the Consultant ensures the Home’s Director of Care, General Manager and all care staff of the Home, review the RHRA’s Compliance Assistance Modules on Assessments and Plans of Care, and Behaviour Management, and provide proof of such reviews to the RHRA Compliance Monitor.
4. The Licensee must ensure the Consultant provides monthly progress reports to the RHRA Compliance Monitor on the implementation of this Order, the Home’s engagement, and on the Home’s compliance with the Act and Regulation.

5. The Licensee shall defer to the Consultant on these aspects of the Home and shall execute the directions issued to it by the Consultant.
6. 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 Consultant for the purposes of this Order, including, but not limited to, plans of care, policies and procedures, training manuals, and budgetary documents;
 - b. Implement all directions in accordance with timelines provided by the Consultant;
 - c. Require staff to cooperate with the Consultant and to follow all directions provided by the Consultant; and
 - d. Provide all communications issued to it by the RHRA directly to the Consultant, residents, staff, and volunteers of the Home as directed by the RHRA.

Issued on May 24, 2024.