
COMPLIANCE ORDER TO BE MADE AVAILABLE IN HOME

Pursuant to the *Retirement Homes Act, 2010* S.O. 2010, Chapter 11, section 90.

Symphony Senior Living Ottawa LP
o/a Forest Valley Terrace by Symphony
1510 St. Joseph Boulevard
Orleans, ON K1C 7L1

COMPLIANCE ORDER NO. 2024-N0273-90-01

Under section 90 of the *Retirement Homes Act, 2010* (the “Act”), if the Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) believes on reasonable grounds that a licensee has contravened a requirement under the Act the Deputy Registrar may serve an order on a licensee ordering it to refrain from doing something, or to do something, for the purpose of ending the contravention and achieving compliance, ensuring that the contravention is not repeated, and that compliance is maintained. The Deputy Registrar issues this Compliance Order (the “Order”) to ensure Symphony Senior Living Ottawa LP (the “Licensee”) operating as Forest Valley Terrace by Symphony (the “Home”) comes into compliance and maintains compliance with the Act and Ontario Regulation 166/11 under the Act (the “Regulation”).

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

CONTRAVENTION

The Deputy Registrar has reasonable grounds to believe that the Licensee is not in compliance with the following sections of the Act and Regulation:

- Section 44(2)(paragraph 5 & 6) of the Regulation – failing to ensure the resident’s full assessment considers the need for care services and need for assistance with the activities of daily living.
- Section 47(1) of the Regulation – failing to develop an initial plan of care for the resident within two days of commencing residency at the retirement home.
- Section 47(2) of the Regulation – failing to develop a complete plan of care no later than 21 days after a resident commences residency at the retirement home.
- Section 47 (5) of the Regulation – failing to ensure that an interdisciplinary care conference is held as part of the development of the resident’s plan of care.
- Section 62(9)(paragraph 1) of the Act – failing to ensure that a resident’s plan of care has been approved by the resident or the resident’s substitute decision-maker.

- Section 67(1) of the Act – failing to protect residents of the home from abuse by anyone.

BRIEF SUMMARY OF FACTS

On December 21, 2023, an RHRA inspector conducted an inspection at the Home following a report of a physical altercation between two residents. The incident occurred when one resident entered the other resident's suite. The resident whose suite it was became agitated and pushed the other resident, causing injury.

The inspector identified non-compliance with respect to the initial assessments and plans of care for both residents, including unaddressed behaviour concerns. Additionally, another resident's plan of care had not been approved by the resident or their substitute decision maker.

REQUIRED ACTION

Pursuant to section 90 of the Act, the Deputy Registrar orders the Licensee to immediately comply with the following:

1. Within 30 days of this Order, ensure the Home's Director of Care review the RHRA's Compliance Assistance Module on Assessments and Plans of Care and provide proof of such review to the RHRA Compliance Monitor.
2. Within 30 days of this Order, provide the RHRA with a written analysis of how staff ensure all resident assessments and plans of care are developed within the required timeframes, including identifying which staff are responsible for these requirements.
3. Within 30 days of this Order, provide evidence to the RHRA Compliance Monitor that demonstrates a procedure has been put in place to ensure staff report any changes in resident care needs and residents that require re-assessment.

The Licensee must demonstrate through written reports to the RHRA that it has complied with the actions set out above. These reports must be submitted by email to enforcement@rhra.ca.

Issued on June 18, 2024.