
ADMINISTRATIVE PENALTY ORDER SUMMARY TO BE MADE AVAILABLE IN HOME

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

Sienna Ontario RH GP Inc.
o/a Aspira Quinte Gardens Retirement Living
30 College Street W.
Belleville, ON K8P 0A9

ADMINISTRATIVE PENALTY ORDER 2024-N0476-93-01

The Deputy Registrar of the Retirement Homes Regulatory Authority (the “Deputy Registrar” and the “RHRA”, respectively) has reasonable grounds to believe that Sienna Ontario RH GP Inc. (the “Licensee”) operating as Aspira Quinte Gardens Retirement Living (the “Home”) has contravened the Act, including 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:

- Section 67(2) of the Act – failing to ensure that staff of the home do not neglect the residents of the Home
- Section 31(1) of the Regulation – failing to implement a medication management system, which includes written policies and procedures, to ensure that all drugs and other substances to be administered to residents of the home are acquired, received in the home, stored, dispensed, administered, destroyed and disposed of correctly as required by law and in accordance with prevailing practices.

BRIEF SUMMARY OF FACTS

A resident was discharged from the hospital to the Home with medication orders for medication required for diabetes treatment. The medication orders were sent to the Home and the pharmacy used by the Home, but the Licensee’s staff failed to follow the Home’s Medication Management Policy. The medications were not sent to the Home or administered as set out in the medication orders and the resident went without these medications for 12 days, which led to harm to the resident.

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:

The severity of the adverse effect falls into the “major” category. The Licensee’s staff failed to follow the Home’s Medication Management Policy which resulted in Resident A going without their diabetes medication for 12 days. This led to serious harm to the resident.

b. Mitigation of Contravention:

The Licensee took corrective action to train staff on the Home’s policies and procedures and has partnered with the pharmacy to review policies. They also undertook a thorough internal investigation into the matter and acknowledged their responsibility, demonstrating insight and reflection into the incident. This is a mitigating factor in the assessment of the amount of the penalty.

c. Previous Contraventions:

This is the Licensee’s first neglect citation relating to medication management. This is a neutral 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:

The administrative penalty is intended to encourage the Licensee to maintain compliance with the Act and Regulations going forward and to emphasize the importance of preventing future instances of non-compliance.

Issued on August 2, 2024