

**FINAL INSPECTION REPORT**  
**Under the *Retirement Homes Act, 2010***

Inspection Information	
<b>Date of Inspection:</b> August 12, 2025	<b>Name of Inspector:</b> Kate Fish
<b>Inspection Type:</b> Responsive Inspection – Complaint	
<b>Licensee:</b> ACC-002824 - Tendercare Nursing Homes Limited	
<b>Retirement Home:</b> McNicoll Manor/Moll Berczy Haus	
<b>License Number:</b> T0069	

About Responsive Inspections
<p>A responsive inspection, performed by an RHRA inspector, is a physical inspection of a licensed retirement home. A responsive inspection is conducted when RHRA receives information that the licensee may have failed to meet the standards of the <i>Retirement Homes Act, 2010</i> or its regulations (the “<i>RHA</i>”). An inspection being conducted does not imply that an allegation is substantiated or that a contravention of the <i>RHA</i> has occurred. A licensee is required to report to RHRA if they suspect harm or risk of harm to a resident. During a responsive inspection, an RHRA inspector may observe the operations of the home, interview relevant individuals, review records and other documentation, and determine whether the licensee’s management and staff have followed mandatory policies and practices designed to protect the welfare of residents.</p> <p>Following a responsive inspection, the RHRA inspector prepares a draft inspection report which is sent to the licensee. The draft report may include instances where the licensee has failed to meet the standards of the <i>RHA</i>. If included, the licensee can respond to these instances and is strongly encouraged to inform RHRA of its plans to meet the standards of the <i>RHA</i>.</p> <p>Following the draft report, the RHRA inspector prepares this final inspection report, incorporating any response from the licensee with their plans to meet the standards of the <i>RHA</i>. The most recent final inspection report must be posted in the home in a visible and easily accessible location. All final inspection reports from the previous two years must also be made available in an easily accessible location in the home. The licensee must provide a copy of this report to the home’s Residents’ Council, if one exists.</p> <p>In addition to inspection reports, RHRA may provide information to a licensee to encourage improvements of their current practices.</p> <p>If there is a serious incident or the licensee repeatedly does not meet the required standards, RHRA may take further action.</p>

Concern(s)
<p><i>During a responsive inspection, an inspector will focus primarily on the concern(s) which prompted the inspection and may take various actions to determine whether the licensee is compliant with the <i>RHA</i> in</i></p>

*relation to the concern(s). Any findings of non-compliance identified in relation to these concerns are listed below.*

**Concern #1: CON-6203-Improper or Incompetent Treatment or Care - Falls**

**RHRA Inspector Findings**

An inspection was conducted in response to a complaint related to alleged improper care of a resident; specifically improper response to falls. The inspector reviewed documentation related to the concern, the home's policies and procedures, and spoke to relevant individuals. There is a requirement that when a resident sustains a fall anywhere other than a common area of the home that the fall is documented. Inspector found that for one of the four reported falls, the home was unable to provide evidence of documenting the fall. While reviewing the resident care file, the inspector found the home failed to meet the following reassessment and plan of care requirements: reassessing a resident when developing a new plan of care and documenting the planned care services of external care providers. Lastly, the inspector learned that the resident involved in these incidents uses a personal assistance service device. The licensee is only permitted to use a personal assistance service device if consent is obtained from the resident or their substitute decision maker. The licensee failed to meet this requirement.

**Outcome**

The Licensee provided information indicating that corrective action was being taken, however, further action must be taken to achieve compliance with all areas outlined in the finding. RHRA to confirm compliance by following up with the Licensee or by inspection.

**Additional Findings**

*During a responsive inspection, an inspector may observe areas of non-compliance that are not related to the concern(s) which prompted the inspection. In these cases, an inspector may cite the home for these contraventions at the time of this inspection. In addition, an inspector may follow-up on findings of non-compliance from previous inspections. Where the licensee is unable to demonstrate they have come into compliance or maintained compliance, an inspector may cite the home for these repeat contraventions at the time of this inspection.*

**Not Applicable**

**Current Inspection – Citations**

*Citations relating to the above Concerns or Additional Findings made during the current inspection are listed below.*

**The Licensee failed to comply with the O. Reg. 166/11 s. 22. (3); Risk of falls**

**s. 22. (3); Risk of falls**

22. (3) If a resident of a retirement home falls in the home in circumstances other than those described in subsection (2) and the licensee or a staff member becomes aware of the fall, the licensee shall ensure that the licensee or a staff member documents the fall, the response to the fall and the corrective actions taken, if any.

**Closed Citations**

*During an inspection, an inspector may follow-up with areas of non-compliance cited during a previous inspection, or verify compliance with areas initially cited during the current inspection. The inspector has verified that at the time of this report, the licensee was able to demonstrate that the following areas have come into compliance.*

**Retirement Homes Act, 2010:**

**s. 62. (4); Contents of plan**

62. (4) The licensee of a retirement home shall ensure that there is a written plan of care for each resident of the home that sets out,

**s. 62. (4), (c)**

(c) if the resident has consented to the inclusion of the information in the plan of care, the planned care services for the resident that external care providers will provide with the consent of the resident, to the extent that such information is available to the licensee after the licensee has taken all reasonable steps to obtain such information from the resident and the external care provider, including,

**s. 62. (4), (c), 1.**

(i) the details of the services,

**s. 62. (4); Contents of plan**

62. (4) The licensee of a retirement home shall ensure that there is a written plan of care for each resident of the home that sets out,

**s. 62. (4), (c)**

(c) if the resident has consented to the inclusion of the information in the plan of care, the planned care services for the resident that external care providers will provide with the consent of the resident, to the extent that such information is available to the licensee after the licensee has taken all reasonable steps to obtain such information from the resident and the external care provider, including,

**s. 62. (4), (c), 2.**

(ii) the goals that the services are intended to achieve;

**s. 62. (6); Assessment of resident**

62. (6) The licensee shall ensure that the plan of care is based on an assessment of the resident and the needs and preferences of the resident.

**s. 69. (2); Restrictions on use**

69. (2) A licensee of a retirement home or an external care provider who provides care services in the home may permit the use of a personal assistance services device for a resident of the home only if,

**s. 69. (2), (d)**

(d) the resident or, if the resident is incapable, the resident’s substitute decision-maker, has consented to the use of the device;

**NOTICE**

The Final Inspection Report is being provided to the Licensee, the Registrar of the RHRA and the home’s Residents’ Council, if any.

Section 55 of the *RHA* requires that the Final Inspection Report be posted in the home in a conspicuous and easily accessible location. In addition, the Licensee must ensure that copies of every Final Inspection Report from the previous two (2) years are made available in the Home, in an easily accessible location.

The Registrar’s copy of the Final Inspection Report, as it appears here, will be included on the RHRA Retirement Home Database available online at <http://www.rhra.ca/en/retirement-home-database>.

<p>Signature of Inspector</p> <p style="text-align: center;"><i>Kate Fish</i></p>	<p>Date</p> <p style="text-align: center;">September 18, 2025</p>
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