

November 2015

Retirement Homes Regulatory Authority Response & Action Plan In regards to RHRA Risk Officer Annual Report 2014-15

Introduction

The Board accepted the Risk Officer’s first annual report in August 2015 including its recommendations. Deanna Williams was appointed as Risk Officer in March 2013. The Risk Officer reports directly to the Board and exercises an independent role requiring independent decision-making. During this past year, Deanna Williams exemplified her commitment, professionalism, and enthusiasm in her role as Risk Officer and we commend her for her work.

The Board acknowledges the important role of the Risk Officer. An independent review and assessment of the effectiveness of RHRA’s administration of the Act and regulations, provides an opportunity for further continuous improvements within RHRA to advance the safety and protection of retirement home residents.

The RHRA has reviewed the Risk Officer Annual Report 2014-15, which included six findings and four recommendations. The RHRA has developed a response to report recommendations, and is committed to review and provide a status update at fiscal year-end.

Risk Officer Annual Report 2014-15 Findings & Recommendations	RHRA Response & Action Plan in regards to Risk Officer Annual Report
<p>1. The RHRA’s strong commitment to effective regulation for resident protection is evident and considerable efforts were made in the development and implementation of its initial risk-based licensing framework. The initial criteria for licensing focused on anticipated risks to residents, and while applications were largely based on self-declared and corporate information, over 200 site visits were conducted by the Authority as a means to confirm initially anticipated risk levels. Routine inspections began in the fall of 2014 and as the inspection process continues to mature, it is <u>recommended</u> that, going forward, the emphasis be put on gathering evidence that a retirement home will and does operate safely, effectively and according to RHRA standards.</p>	<ul style="list-style-type: none"> • Concur and aligns with RHRA strategic priorities. • RHRA had completed at least one routine inspection in every licensed home in Ontario by the end of fiscal 2014-15, allowing baseline data to be established relating to critical non-compliance factors to assess improvements. • Compliance evidence gathered through inspections will be monitored and assessed for improvements re: high risk care and safety requirements. • RHRA has established Specialist- Compliance Monitoring and Resolution position to support continuous improvements. • RHRA has developed a number of operational policy guidelines in regards to care standards and emergency planning & evacuation to provide clarity to retirement homes/licensees and support their compliance of the Act. Educational approaches will continue.
<p>2. Criteria approved for risk-based licensing have been consistently applied in initial licensing applications; the Authority’s risk-based ratings scale, described in this report and, based on the criteria in the framework, was also applied consistently.</p>	<ul style="list-style-type: none"> • Concur. • Assessment of licensing applications consistently continues to assess risk.

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<p>3. Inspections were carried out in the first year following the initial licensure process, in a timely fashion. Corrective action/plans that may have been requested during the initial licensing process were reviewed and verified, giving rise to changes to initial ratings. Where changes were made respecting ratings, I found the rationale to be clear and appropriate.</p>	<ul style="list-style-type: none"> • Concur. • Consideration of risk factors continues to impact frequency and focus of inspections and compliance activities.
<p>4. It is recommended that the Authority continue to collect as much data and information as practical from its licensing, inspections and complaints areas to determine key trends- so that future policies, procedures, legislative or regulatory amendments are grounded in evidence that is supported by data collected and to provide a means to measure the effectiveness of regulatory activities.</p>	<ul style="list-style-type: none"> • Concur and aligns with RHRA strategic priorities. • With the phasing of Act requirements fully implemented, 2014-15 provided RHRA opportunity to gather initial baseline data. • Senior RHRA staff further informed through Harvard executive education. • RHRA currently implementing its Data Analytics Strategy, building data capacity and expertise. • Senior Analyst & Project Manager position established, individual hired Sep. 2015.
<p>5. All third parties who have a role respecting oversight or other involvement in retirement homes should be identified (TSSA, ESA, CHATS, Public Health, Fire Departments, Health Regulatory Colleges are examples) and it is recommended that the RHRA review these respective 'accountability chains' to identify 'gaps' and how these may be addressed to reduce potential for regulatory and reputational risk</p>	<ul style="list-style-type: none"> • Noted. • The RHRA has established collaborative relations with a number of provincial and local organizations [e.g. Ontario Fire Marshal (OFM), local fire departments, public health, other regulatory authorities, TSSA, ESA], and continues to identify opportunities for collaboration. • The RHRA has also been working with government regarding designation under Regulatory Modernization Act.
<p>6. It is also recommended that current provisions within the Act and regulation be reviewed to identify areas, such as the two examples identified above, where the RHRA's authority and its ability to most effectively protect the residents of licensed retirement homes could be strengthened to enhance its regulatory effectiveness and also mitigate potential for risk.</p>	<ul style="list-style-type: none"> • Concur. • The Government of Ontario is responsible for and has oversight of RHA legislation. Any legislative amendments are within the purview of government. • The RHRA has provided advice to government, to strengthen ability to administer Act more effectively.