

June 2021

Retirement Homes Regulatory Authority Response to the 2020-21 Risk Officer Annual Report

Introduction

Nav Sandhawalia was appointed as the Retirement Homes Regulatory Authority (RHRA) Risk Officer by the RHRA Board of Directors in March 2018. He was subsequently re-appointed by the Board for a second three-year term, effective June 1, 2021. The Risk Officer reports to the Board and exercises an independent role in assessing the effectiveness of the RHRA’s administration of the [Retirement Homes Act, 2010](#) (RHA) and [Ontario Regulation 166/11](#).

The Board accepted the Risk Officer’s 2020-21 report in June 2021. The report focused on two distinct topics: A) the program for how previous Risk Officer suggestions (and related RHRA management responses) are implemented, and B) the RHRA unlicensed homes monitoring initiative.

The Board commends Mr. Sandhawalia for his work and welcomes his report, which provides opportunity for further continuous improvements within the RHRA to advance the safety and protection of retirement home residents.

Risk Officer Annual Report 2020-21 Recommendations	RHRA Response to Risk Officer Annual Report
<p>A1. Formalize a program specific to ensuring Risk Officer recommendations are either implemented or a rationale is provided to why the recommendations were not implemented. This rationale should be documented and shared with the stakeholders noted below in recommendation #3. It should be noted that, as time passes or events occur, there may be a valid rationale for why a Risk Officer recommendation no longer makes sense or is no longer valid.</p>	<p>RHRA has proceeded with its previously identified plan to develop and implement a program to phase in recommendations from the Risk Officer. A leadership team member has been assigned ownership of each recommendation and is responsible for ensuring the recommendation is fully implemented, or properly concluded if no longer applicable. An important component of the process is RHRA’s semi-annual tracking of each Risk Officer recommendation and identifying any recommendations that are no longer appropriate for implementation.</p>
<p>A2. Develop an approach to directly identify Risk Officer recommendations, that are planned to be implemented, in the RHRA annual business plan.</p>	<p>Risk Officer recommendations help inform the annual priorities for the RHRA. Management will adopt a method of highlighting Risk Officer recommendations within the annual business plan, including the planned actions that support addressing them.</p>

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<p>A3. Identify timelines for the implementation of each Risk Officer recommendation and share with the public, Board and Ministry.</p>	<p>RHRA has established targeted timelines for implementation of each Risk Officer recommendation. Complexity of the matter addressed by the recommendation, organizational priority and resource availability are considered when setting the timelines. Implementation progress of all outstanding recommendations will be reviewed semi-annually and measured against identified timelines for completion.</p>
<p>A4. Develop a process by which the status of each Risk Officer recommendation is shared with the public, Board and Ministry at appropriate regular intervals.</p>	<p>As part of its accountability to the public, and in order to increase transparency, RHRA has posted a Risk Officer Implementation Status Report on its website. The Report includes the status (complete, partially complete, in progress or pending), summary of progress made to date and planned completion date for each recommendation.</p> <p>RHRA has added regular reporting on implementation of Risk Officer recommendations to the Board of Director’s annual work plan. In February 2021, RHRA began providing this information to the Board of Directors through Governance, Regulatory Affairs and Nominations Committee meetings. As of April 2021, RHRA began informing the Ministry for Seniors and Accessibility (MSAA) semi-annually of its implementation of Risk Officer recommendations.</p>
<p>A5. Complete a full review of all previous Risk Officer recommendations to ensure they have been implemented or a rationale has been provided as to why the recommendations were not implemented. Subsequently share the results with the public, Board and Ministry.</p>	<p>RHRA reviewed all previous Risk Officer recommendations and identified those which have not yet been fully implemented. The status of all recommendations dating back to 2014-15 is publicly available on the RHRA website. As well, this information has been shared with RHRA Board of Directors and MSAA.</p>
<p>B1. Collaboration with stakeholders An unlicensed homes outcome focused working group should be developed. The RHRA should work with the Ministry and other partner stakeholders to define accountability and responsibility for the working group. External stakeholders</p>	<p>RHRA agrees that various stakeholders play a part in the safety of residents residing in homes that do not meet the definition of a retirement home under the RHA. RHRA has identified resources to support its operational activity focused on further developing</p>

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<p>should include, but are not limited to: health agencies, religious / cultural organizations, community housing, other regulatory bodies, police, fire, long-term care, municipalities, etc. Note: Consideration should be given to whether established structures/groups can be leveraged in this regard.</p>	<p>relationships with local health and community partners. This will support RHRA in raising awareness of, and in monitoring, unlicensed homes.</p> <p>RHRA will work with MSAA to explore options for facilitating a working group and/or engage with current partnership forums to address concerns with unregulated homes as part of the unlicensed homes monitoring initiative.</p>
<p>B2. Resources Given the continued growth in the aging population, continued growth in new and complex congregate living settings, and various other priorities of the RHRA, consideration should be given to whether there are enough resources available to adequately operationalize and maintain the unlicensed homes initiative.</p> <p>RHRA management, in collaboration with RHRA’s Board of Directors, should assess whether current financial and staffing resources are adequate to meet the Authority’s mandate which has been further expanded with an enhanced focus on unlicensed homes. Note: Continuing to align with RHRA’s risk-based approach, consideration should be given for whether current resources need to be re-positioned or whether additional net new resources are required.</p>	<p>RHRA is continuing with the unlicensed homes monitoring initiative. As part of this, RHRA reevaluates the number of homes that may meet the definition of a retirement home as defined in the RHA and the resources required to monitor them. Resource requirements will continue to be evaluated as part of yearly business planning activities, and financial implications will be brought forward to the Board, as necessary.</p>
<p>B3. Public focused education Working in conjunction with the Ministry, the RHRA should further bolster information and tools available to the broader public, government agencies (e.g., public health agencies), and other stakeholder partners (e.g., fire departments). This effort should include general awareness of the unlicensed</p>	<p>RHRA has identified resources to support its operational activity focused on further developing relationships with local health and community partners. This will support RHRA in raising awareness of, and in monitoring unlicensed homes. In addition, the RHRA will be incorporating information about the definition of a retirement home in its public-facing social media channels and on its website. As well, RHRA will be adding</p>

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<p>homes initiative, in addition to an easy-to-understand definition of a retirement home.</p>	<p>information to its website on how to report potential unlicensed homes to RHRA for follow up.</p>
<p>B4. Operator focused education The RHRA should continue developing materials and tools to support operators. Consideration should be given for items such as: development of material in multiple languages, creation of material to leave behind for those congregate living settings that are being inspected, and, as noted above, a user-friendly definition of a retirement home.</p>	<p>RHRA will evaluate ways to communicate about this issue, including if leave behind materials are feasible and most effective on this issue.</p>
<p>B5. Legislative Review The RHRA, in collaboration with the Ministry, should re-visit the Retirement Homes Act, including a review of the current definition of a ‘Retirement Home’. It is important to occasionally review legislation to ensure that current realities are able to be appropriately addressed. It is strongly recommended that prior to any revision, a robust consultation process is undertaken with various agencies and stakeholders. This will help ensure any revisions address any current gaps, in addition to avoiding any excessive regulatory overlap.</p>	<p>RHRA has worked collaboratively with MSAA to identify short- and long-term priorities for changes to the RHA. RHRA has submitted a list of near-term recommended changes for consideration for the Fall 2021 legislative cycle. Prioritization of longer-term items has commenced.</p> <p>In addition, RHRA will include the definition of a ‘Retirement Home’ as part of its evaluation process for providing recommendations to MSAA on potential changes to the legislation and regulation. It is anticipated that this work will take place in the later quarters of FY 2022-2023. RHRA will work with MSAA on any consultation requirements and responsibilities as part of the legislative review process.</p>
<p>Other Recommendations / Comments 1: The RHRA should consider augmenting and standardizing content that is communicated with stakeholders. A formalized functional role would support improving consumer and operator awareness through enhanced consistency, clarity and end-user friendly information. Furthermore, this strategic focus would support the success of several recommendations noted within this report.</p>	<p>RHRA has identified resources to support its operational activity focused on further developing relationships with local health and community partners. This will support RHRA in raising awareness of, and in monitoring, unlicensed homes.</p> <p>RHRA has many areas of the organization that will be responsible for responding to this issue. They will do so based on the information</p>

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	<p>developed out of the dedicated resources noted above, as this will allow for a consistent multi-pronged response.</p>
<p>Other Recommendations / Comments 2: The unlicensed homes initiative was developed with the support of various internal departments, which included a central working group and others who were consulted. While the RHRA continues to refine the unlicensed homes initiative and implement the recommendations noted within this report, consideration should be given to expand the individuals and stakeholders that are consulted. For example, RHRA should consider consulting additional external agencies/stakeholders and internal front-line staff.</p>	<p>RHRA has spoken with MSAA on this issue and will continue to engage with them. In addition, this issue is managed and supported via the individual interactions between the RHRA inspections team and call centre. RHRA will continue to seek input from the various stakeholders with whom it already interacts, as well as with staff, and it will seek to engage others as part of the work outlined in recommendation B1.</p>