

RHRA's Proposed 2025 Information Return (AIR) Process

Consultation Package

August 1 – September 16, 2024

SUMMARY

The Retirement Homes Regulatory Authority (RHRA) is inviting feedback on six (6) questions to collect information from Ontario's licensed retirement homes. Two questions remain from 2024 with six additional questions being added for 2025. The "Annual Information Return" (AIR), aims to deepen the regulator's understanding of the sector and support regulatory activities to protect the residents of retirement homes so they can live with dignity, choice and confidence.

This will be the second iteration of AIR and we are asking for feedback on the proposed process and questions, to be completed by retirement homes during a two-month window, beginning in early 2025. The annual AIR is similar to what other regulators ask of their licensees. This consultation will also assist RHRA with helping to mitigate any concerns prior to the AIR being circulated to a wider audience.

HOW TO PARTICIPATE IN THIS CONSULTATION

RHRA appreciates the views of all retirement home stakeholders, including residents, families, loved ones and substitute decision-makers; licensees, operators and their associations; organizations advocating on behalf of or working with residents (e.g., regulated health professional or organization); researchers; and other interested parties. RHRA welcomes your comments and suggestions on the AIR process and proposed questions.

Please submit your comments in writing by email to consultations@rhra.ca no later than September 16, 2024. Please include "AIR Consultation Submission" in the subject line of your email.

In your submission, please identify whether you are a resident, family member or substitute decision-maker; licensee/operator; staff member or volunteer; researcher; or are representing an organization.

RHRA will post a summary of the feedback received on [our website](#) later this year.

BACKGROUND

The Retirement Homes Regulatory Authority (RHRA)

Established under the [Retirement Homes Act, 2010](#), the RHRA is an independent, self-funded, not-for-profit regulator mandated by the Ontario Government to protect the safety and well-being of seniors living in Ontario's retirement homes.

RHRA's mission is to work collaboratively to protect Ontario retirement home residents through effective right-touch regulation. Working closely with community partners and other agencies, the RHRA provides protection to the 60,000 plus seniors living in licensed retirement homes across the province.

RHRA's Board of Directors is accountable to Ontario's Minister for Seniors and Accessibility. More information on the RHRA is available on [our website](#).

RHRA's information needs

As a modern regulator, RHRA takes an evidence-based, data-driven approach to regulating the retirement homes sector. RHRA requires information about the sector it regulates to fulfill its public interest mandate, apply right-touch regulation and address prevention of harm to residents. There is wide variability within the retirement homes RHRA regulates based on the care services offered by the homes, the care needs of residents, and capabilities of retirement home operators.

RHRA currently does not have sufficient information to respond to the variability in the sector. This impacts RHRA's ability to refine its regulatory approach to implement the right level of oversight based on the level of care provided to residents, while not increasing administrative burden on homes.

RHRA has explored approaches to gather the information it needs to effectively regulate the sector, including through information sharing with other organizations and academic research. There is limited sector-wide research and information about retirement homes and their residents apart from publicly funded care. For much of the information RHRA requires, the only efficient way to gather the information is to engage with retirement homes directly.

RHRA's Strategic Plan Objectives

AIR helps fulfill its strategic objective to advance an evidence-based regulatory approach. The goal of the annual information return (AIR) is to collect data to better understand the sector, which will help to inform a more proportionate regulatory approach that better reflects the changing needs of residents and the intensity of care services being offered in a home s.

ANNUAL INFORMATION RETURN

AIR is a process started in 2023 to gather information required directly from retirement homes.

AIR is an annual process and takes place when retirement homes pay their annual fees to RHRA (by April 1 every year). This year, retirement homes will be asked to answer questions on six topics.

AIR is meant to give RHRA relevant information to effectively and efficiently regulate the sector. Each year, questions are reviewed and adjusted and RHRA will consider whether information collected in previous years is still needed, and whether different information may be needed given the evolving sector and resident needs. In addition to reviewing and updating the information sought and the questions, RHRA aims to make continued improvements to the process to minimize administrative burden on homes.

RHRA understands that the AIR would provide "point-in-time" information that is likely to change between reporting periods. RHRA uses the information as a general guide only. When warranted in specific situations, RHRA staff may reach out to a home to gather current information.

All retirement homes are required to complete the AIR. RHRA has the authority to request information from retirement homes in accordance with section 108 of the *Retirement Homes Act, 2010* and as per the [RHRA Request for Information Policy](#) approved by the Minister for Seniors and Accessibility.

How Will RHRA Use the Information Collected?

RHRA would use the information collected to inform its work to support its mandate. Some of the information would have direct impact on RHRA's regulatory activities and some would provide a more complete and systematic understanding of the retirement homes sector.

For learning and improvement purposes, RHRA intends to continue to share sector-wide, non-identifiable, statistical information with stakeholders, including retirement homes, as appropriate. More specific information may be shared with government partners for the purposes of policy development. Results from AIR 2024 can be found [here](#).

RHRA is committed to protecting confidential information it receives from retirement homes in conducting its business operations and performing its regulatory functions. This may include information RHRA receives through the AIR. RHRA will comply with its statutory obligations under the *Retirement Homes Act, 2010* and regulation made under the Act, all other applicable legislation and with its [Information Access and Privacy Code](#).

2025 AIR

Feedback from this consultation will assist RHRA as it plans to launch the second iteration of AIR. The process remains the same as 2024 and respondents are asked to complete AIR at the same time as 2025 fee invoices are issued to retirement homes (currently scheduled for January 31, 2025). Submission of AIR will be due at the same time as fees (on April 1, 2025). Retirement homes will have approximately 60 days (2 months) to complete the AIR. For the 2025 AIR, RHRA is proposing questions based on three themes:

- *Administrative Burden Reduction* - The AIR will inform the RHRA's current and planned work that will reduce burden on homes by combining multiple information requests into one streamlined process.
- *Optimizing RHRA's Resource Allocation* - The AIR will inform the RHRA's approach to allocating resources to retirement homes that need more support.
- *Role of Retirement Homes Within Seniors' Housing and Care Continuum* - The AIR will inform the RHRA's regulatory approach and advice to Government.

Please refer to the *Appendix: Proposed 2025 Annual Information Return* for the proposed questions licensees would be required to answer as part of the 2025 AIR.

Consultation Questions

Please review the **Appendix: Proposed Annual Information Return** and respond to the questions below. We welcome all written comments.

Questions to All Consultation Participants

1. Do you have any suggestions for changes RHRA could make to improve the process for retirement homes in providing the information being sought?
2. Do you have specific feedback for any of the proposed AIR questions?

Questions Specifically for Retirement Homes

3. The proposed 2025 AIR questions are intended to be answered by licensees with information that is readily accessible. Do you currently have the information required to answer the proposed questions?
4. How long do you estimate it will take for your home to answer the proposed AIR questions?
5. Are the proposed AIR questions clear? If not, how would you suggest the questions be modified?
6. Is asking questions during AIR more desirable than asking the questions during inspection?

QUESTIONS

Should you have any questions about this consultation process and how to make a written submission, please email consultations@rhra.ca.

RHRA thanks all individuals and organizations for taking the time to share their views on AIR.

Appendix: Proposed 2025 Annual Information Return

Introduction

The Retirement Homes Regulatory Authority (RHRA) is requesting information from all licensed retirement homes through this 2025 Annual Information Return (AIR). This information will provide RHRA with a more complete and systematic understanding of the sector to support its regulatory mandate to protect the residents of retirement homes and enable them to live with dignity, choice and confidence.

All licensed retirement homes are required to complete the AIR. RHRA has the authority to request this information from retirement homes in accordance with section 108 of the *Retirement Homes Act, 2010*. Please complete the AIR by **April 1, 2025**. Please be prepared to complete all questions in one sitting, as you will not be able to come back to the questions.

Identification Questions

Please provide the identification information below about the retirement home for which you are completing this AIR and the person completing the AIR. RHRA requires this information to link the answers to the home and conduct the analysis required to understand the information collected. RHRA will send the AIR to the licensee's contact information on file. The licensee is responsible for ensuring that the AIR is completed accurately and on time.

What is the name of your retirement home?

What is your retirement home's license number?

What is the name of the person completing this form?

What is the role in the retirement home of the person completing this form?

Extra Expense Insurance (EEI)

RHRA is committed to reducing administrative burden on retirement homes from regulatory processes, while ensuring that homes meet regulatory requirements. One such opportunity is the collection of information about extra expense insurance (EEI). EEI is an insurance required by all licensed retirement homes to cover any additional costs of providing reasonable alternate accommodation and care to residents as a result of loss or damage to the home.

Prior to AIR 2024, RHRA required all homes to manually submit their EEI policy certificates at the policy renewal time which varied from home to home. Automated reminder messages were sent throughout the year to retirement homes 15 days prior to the expiry date of an EEI certificate, on the day of expiry and 21 days after expiry. RHRA staff manually followed-up with homes where a current EEI certificate was not received. This resulted in numerous interactions/follow up.

Starting with the 2024 AIR, RHRA collected EEI certificate information from all homes once a year, at a predictable time. In 2025, homes would **not be** required to submit their actual EEI policy certificates as

part of AIR. Rather, homes will input the policy information. RHRA will follow up with a small number of homes and request they submit their EEI policy certificates as a quality check. This process reduces RHRA's interactions with homes related to EEI and reduces administrative burden.

Please provide the following information about your retirement home's EEI policy:

Policy Number	<input type="text"/>
Expiry date	<input type="text" value="mm/dd/yyyy"/>
Insurance limit	<input type="text"/>
Name of the Broker	<input type="text"/>

I attest the insurance policy is valid and RHRA will be immediately notified if there is a change in insurer, a reduction in coverage or the policy is cancelled.

Programs Funded by Other Organizations and Alternate Level of Care Residents

Some retirement homes have partnered with other organizations to offer programs for residents who require accommodation and care services in the short or longer-term. Some of these programs may be exempt from the definition in the *Retirement Homes Act, 2010* and outside of RHRA's authority. Other programs are not exempt, and the residents are under RHRA's authority. RHRA continues to receive information about such programs in licensed retirement homes; however, this information is ad-hoc and incomplete and confusing for residents who may or may not have protections under the Retirement Homes Act.

The [2020 Auditor General's Value-For-Money Audit of the RHRA](#) highlighted the gap in inspections and complaints handling for residents who are exempt from RHRA's oversight, some of whom are designated as Alternate Level of Care (ALC). The report recommended that RHRA and the Government undertake activities to clarify RHRA's authority, inspect homes with such residents, address complaints and clearly communicate the complaints process to such residents and families.

RHRA has worked with the Ontario Government and provincial and local partners to learn about such programs and clarify its authority. RHRA requires additional information from all retirement homes to enable us to:

- Determine which retirement homes have programs funded by other organizations and whether the residents in these programs are exempt from RHRA's authority.
- Reduce administrative burden on homes during inspections and other regulatory activities.
- Advise residents, families, substitute decision-makers and staff who to contact if they have concerns with programs where residents are exempt from RHRA's authority.
- Enhance our understanding of the role of retirement homes in providing accommodation and services for residents who are part of various programs.
- Share information about these programs with Government and community partners.
- Respond to the recommendations of the Auditor General based on current information from all retirement homes.

Does the retirement home have programs where all or part of the accommodation and/or care services for some residents are funded by another organization (such as a hospital, community agency, local municipality, Ontario Health, Ontario Government, others)? (Y/N)

If you answer “Yes” to the question above, please indicate which programs the home currently has (you can select multiple programs from the list):

- Domiciliary Hostel
- Homelessness Prevention Program, including Community Homelessness Prevention Initiative, Home for Good, and the Strong Communities Rent Supplement Program
- Assisted Living Services in Supportive Housing
- Residential Accommodation funded by Home and Community Care Support Services
- Transitional Care Program – waiting for placement in a long-term care home
- Transitional Care Program – for post rehabilitation stay
- Hospital Surge, Acute and Post-Acute Bedded Capacity programs
- Back to Home Program
- Community Homes for Opportunity
- Community Residential Facility funded by Correctional Services of Canada
- Program funded by the Ministry of Community and Social Services Act, such as Dedicated Supportive Housing Program
- Other Program

If the home checks one or more of the programs listed above, the following additional questions will be asked for each program.

- What organization(s) is(are) funding the program?
- How many residents are funded by the program?
- Are the care services delivered to the residents in the program provided by the retirement home? (Y/N Some)

Is the program for residents who were hospital patients with Alternate Level of Care (ALC) status immediately before moving into the retirement home? (Y/N)

Alternate level of care (ALC) is used in hospitals to describe patients who occupy a bed but do not require the intensity of services provided in that care setting.

If “Yes”: What is the number of residents who were hospital patients with ALC status funded under the program?

Are the care services delivered to residents in the program provided by the retirement home? (Y/N Some)

Nursing in retirement homes

RHRA needs to understand the levels of care being provided in retirement homes. The presence or availability of nursing staff in the home 24 hours a day along with the range of care services the home makes available helps determine how much support is available for residents.

Is there a nurse present in the home 24 hours/day?

If 'no'

Is there a nurse on staff available on-call for consultation 24 hours/day?

Types of care providers employed by the licensee

RHRA needs to understand the types of health care providers in the home. This will contribute to understanding the types of care being provided in retirement homes and how that aligns with the staff who are providing care or overseeing the care being provided. This information will contribute to RHRA making changes to its regulatory model to have more of a right touch regulatory approach during inspections and other regulatory activities. In addition, this information may be used to provide advice or recommend regulatory changes to Government in its policy-making process.

Please identify which of the following types of health care providers are either employed directly or have a contractual agreement (either an individual provider or an agency) with the retirement home to provide care to residents:

- i. Formally trained Personal Support Worker (N/Y)**
- ii. Registered Practical Nurse (N/Y)**
- iv. Registered Nurse (N/Y)**
- v. Nurse Practitioner (N/Y)**
- vi. Pharmacist (N/Y)**
- vii. Physician (N/Y)**

Palliative Care / End of Life Care

RHRA needs to understand whether the licensee has qualified and trained staff to provide palliative care/end of life care without the assistance of Home and Community Care Support Services (HCCSS) trained service providers.

Does your home provide palliative care/end of life care to residents without the assistance of HCCSS? (N/Y)

Secure Areas

RHRA needs to understand the levels of care required by residents in retirement homes including areas designated as secure to keep residents safe.

**Does your home have an area(s) where specific measures have been put in place to ensure residents with cognitive decline do not exit the home unaccompanied? (N/Y) *not intended to capture homes that lock the home to prevent unlawful individuals from entering the home.
How many suites are within this area of the home? (# suites)**

Dementia/Memory Care

RHRA needs to understand the level of care in retirement homes including how many residents have a formal diagnosis of dementia. This information will contribute to RHRA making changes to its regulatory model to have more of a right touch regulatory approach during inspections and other regulatory activities. In addition, this information may be used to provide advice or recommend regulatory changes to Government in its policy-making process.

What approximate percentage of residents have been diagnosed with dementia by a health care professional? (%)

Residents with minimal or no care needs

RHRA needs to understand the level of care in retirement homes including how many residents require a minimal level of care services. This information will contribute to RHRA making changes to its regulatory model to have more of a right touch regulatory approach during inspections and other regulatory activities. In addition, this information may be used to provide advice or recommend regulatory changes to Government in its policy-making process.

What is the approximate percentage of residents that are not receiving any care or only receiving the care service 'provision of a meal' and no other care services from the home? (%)

Thank you for completing the 2025 Annual Information Return!