



## Retirement Homes Regulatory Authority 2020 Value-for-Money Audit

### Why We Did This Audit

- This is our Office's first audit of the Retirement Homes Regulatory Authority (Authority), an administrative authority overseen by the Ministry for Seniors and Accessibility (Ministry) and established in 2011 to regulate retirement homes.
- Through the *Retirement Homes Act, 2010* (Act), the Authority has been delegated to promote and enforce consumer protection and safety.

### Why It Matters

- An estimated 58,000 seniors live in about 770 licensed retirement homes in Ontario. They pay for rent and care services provided in these homes privately.
- Retirement homes are intended to be residential spaces in the community and not health-care institutions like long-term-care homes.
- Effectively regulated retirement homes provide a place where residents live with dignity, privacy and autonomy and can make informed choices about their care.

### What We Found

- A shift is occurring whereby thousands of beds in retirement homes are being occupied by individuals who have more intense health-care needs than the more active and independent seniors that retirement homes were designed for. A total of about 10,000 or 26% of the people waiting to be placed in long-term-care homes were waiting in licensed retirement homes as of March 31, 2020.
- In 2019/20, 4,201 still vulnerable patients who no longer required medical care in a hospital setting were discharged to retirement homes (known as patients designated as alternate level of care or ALC), some in subsidized beds. However, these individuals are not afforded the safety, care and consumer protection that the Authority is tasked to provide to other retirement home residents. Neither the Authority, the Ministry of Health nor the Local Health Integration Networks that fund hospitals perform inspections or systematically handle complaints for subsidized beds to ensure patient security and safety. Currently, the Act specifies that the Authority has no oversight for beds that are governed or funded by other ministries, even if they are in licensed retirement homes.
- As of August 31, 2020, 989 COVID-19 outbreaks were detected at 171 licensed retirement homes, affecting 491 residents and 757 staff. A total of 209 residents from 48 retirement homes died.
- The Authority does not systematically collect or analyze important information about the health profile of retirement home residents, such as their care needs, care services provided either by retirement home staff or external providers, or fees charged for these services. Similarly, the Authority does not systematically collect information from other ministries and organizations that also provide senior care in retirement homes. Such information includes the number of individuals in retirement homes waiting to be placed in long-term-care homes and the number of patients designated as ALC residing in a particular retirement home. Not having this information can limit the Authority's ability to meet its statutory mandate.
- From 2017/18 to 2019/20, 55 or 7% of the concerns raised in written complaints to the Authority related to staffing levels and competency of staff and 399 or more than 50% related to resident care. Examples of these concerns included residents not being offered suitable meals, not being provided with personal hygiene services such as bathing and grooming, and instances where residents incurred bedsores that became infected.
- Even though all retirement homes were required by the Fire Code to have fire sprinkler systems installed by January 2019, as of November 2020, five operators still did not have the required system.
- The Authority has not developed benchmarks for its performance indicators and the Ministry has been complicit in its oversight—for example, the Ministry told us a timeline has yet to be set for the Authority to adopt full performance measurement—almost a decade after the Authority's inception.
- The Ministry has not monitored whether the Authority has implemented recommendations made by the Authority's Risk Officer, a statutory officer appointed by the Authority's Board of Directors. The Risk Officer is responsible for independently reviewing, monitoring and assessing the effectiveness of the Authority's administration of the Act.

## **Conclusions**

- The Retirement Homes Regulatory Authority (Authority) does not yet have fully effective systems and procedures in place to carry out the evolving circumstances of its mandated activities to protect the security and safety of residents.
- There are areas where improvements are needed in the Ministry's oversight of the Authority to ensure effective administration of the Act.

Read the report at [www.auditor.on.ca](http://www.auditor.on.ca)