



Sept. 27, 2021

Hon. Raymond Sung Joon Cho, Minister for Seniors and Accessibility  
Ministry for Seniors and Accessibility  
College Park  
5th Floor  
777 Bay St.  
Toronto, ON

Dear Minister Cho,

RNAO is aware that the Ministry of Seniors and Accessibility is currently in the process of obtaining stakeholder feedback on proposed legislative and regulatory changes to the *Retirement Homes Act, 2010*.

As you know, the Auditor General's 2020 Value-for-Money (VFM) Audit of the Retirement Homes Regulatory Authority identified long-standing concerns in the retirement homes sector with respect to: significant oversight gaps and issues, increasing resident acuity and needs, resident care and staffing issues, data collection, sharing of information, inspections, licensing, complaints, fees, enforcement, and COVID-19 related issues. RNAO can relate directly to these issues as we sent RNs during the pandemic to retirement homes in grave need.

Minister Cho, the issues raised by the AG regarding the retirement home sector are not new. RNAO has previously identified many of these issues and recommended responses in the following RNAO submissions: [Response to the Ontario Seniors' Secretariat on: Initial Draft Regulations under the Retirement Homes Act, 2010 \(2011\)](#); and, [Submission to the Retirement Homes Act Review \(2015\)](#). Our recommendations remain relevant - but increasingly urgent - as confirmed by the Auditor General's report.

While RNAO welcomes a response from your ministry to the Auditor General's report, the proposed amendments to the legislation and regulations governing retirement homes miss the mark. The issues identified by the Auditor General are grave, reflect longstanding deficiencies in the existing regulatory regime, and call for the adoption of a fundamentally different way of regulating Ontario's retirement homes.

RNAO urges you to halt the consultation and reconsider. We believe that given the complexity of the health of the resident population of Ontario's retirement homes, it is dangerous and irresponsible to continue with a regulatory regime that conceives of retirement home residents most fundamentally as consumers and tenants. Further, in an effort to address the complexity of resident health, the ministry is proposing to extend to a self-regulating body authorities that belong properly to government itself.

After reviewing the "Retirement Homes Act Modernization" slide deck from the Ministry of Seniors and Accessibility, RNAO has the following overarching concerns:

- The proposed regulation changes do not provide any meaningful response to the increasing acuity profiles and care needs of residents, or to protect these vulnerable residents.
- The proposed regulation changes do not provide any meaningful response to staffing issues in the retirement homes sector.
- The proposed regulation changes do not provide any meaningful improvements to ongoing accountability, enforcement and complaints processes in the sector.

RNAO insists that the issues identified by the Auditor General report are so significant that they warrant an end to self-regulation of the sector. It is telling, that several key recommendations from the report were not addressed in the Ministry's proposed legislative and regulatory changes – e.g.: implementing proper oversight, inspections, and complaints processes for alternate level of care and subsidized beds in retirement homes (Recommendation 1), ensuring retirement home residents with increasing levels of care are safe, protected, and adequately cared for (Recommendation 2), developing a schedule of reporting requirements from the Authority and establishing performance indicator targets (Recommendation 23), and developing a policy framework on senior housing and care that defines the health, independence and financial profile of seniors for whom retirement home settings are intended (Recommendation 25).

In light of the rising acuity profiles and vulnerability of retirement home residents, we call upon you to transfer the regulatory oversight of retirement homes directly to a ministry of the government. RNAO would appreciate the opportunity to discuss this matter with you directly before the ministry proceeds with posting its proposed regulatory changes. My assistant, Peta-Gay Batten ([pgbatten@rnao.ca](mailto:pgbatten@rnao.ca)), will follow up with your office to organize a meeting with you.

With warmest regards,

A handwritten signature in black ink, appearing to read "Don Grimsby", with a long horizontal flourish underneath.

Doris Grinspun RN, MSN, PhD, LLD(hon), Dr(hc), FAAN, FCAN, O.ONT.  
Chief Executive Officer  
Registered Nurses' Association of Ontario

Cc:

Hon. Christine Elliott, Deputy Premier and Minister of Health  
Hon. Rod Phillips, Minister of Long-Term Care  
Denise Allyson Cole, Deputy Minister for Seniors and Accessibility  
Dr. Catherine Zahn, Deputy Minister of Health  
Nancy Matthews, Deputy Minister of Long-Term Care  
Harriett Grant, Director of Retirement Home Modernization at the Ontario Ministry for Seniors and Accessibility.