Summary of Consultation Feedback and Public Consultation on RHRA's Annual Information Return (AIR) for Fiscal Year 2025/2026

PURPOSE

Between August 1 and September 16, 2024, the Retirement Homes Regulatory Authority (RHRA) invited feedback on eight (8) questions to collect information from Ontario's licensed retirement homes for the Annual Information Return (AIR) 2025. Two questions remained from 2024 with six additional questions being added for AIR 2025. The RHRA asked for feedback on the proposed process and questions of AIR, with consultations assisting RHRA to consider feedback, prior to the AIR 2025 being released.

In early 2024, the RHRA initiated the AIR process to establish a streamlined, systematic approach to collecting information from the sector. The AIR aims to deepen the regulator's understanding of the sector and support regulatory activities to continue to protect the residents of retirement homes so they can live with dignity, choice, and confidence.

The AIR also helps the RHRA to continue to apply a right-touch regulatory approach that is targeted, proportionate and considers the operational aspects of retirement homes. The RHRA will make continuous quality and process improvements to AIR to optimize the process and gather feedback on the questions. For reference, the AIR consultation package, including the proposed 2025 AIR questions, is available here.

This document summarizes the feedback received through public consultations, meetings with stakeholders, and RHRA's response. The 2025 AIR questions have been revised based on consultation feedback and are available in the Final 2025 Annual Information Return. RHRA will launch AIR on February 3, 2025, and licensed retirement homes will have until April 1, 2025, to complete their AIR.

RHRA thanks everyone who provided feedback, including all retirement home stakeholders, comprising licensees, operators and their associations; organizations advocating on behalf of or working with residents/seniors (e.g., regulated health professionals or organizations); and other interested parties.

SUMMARY

RHRA received written feedback from five individuals and organizations, including:

- An independent licensed retirement home;
- An organization operating multiple licensed retirement homes (a chain);
- An organization representing seniors' housing and community service providers;
- An association representing retirement homes; and
- An organization focused on supporting people with Alzheimer's disease and other dementias.

In addition to written submissions, RHRA sought feedback from key stakeholders before and during the public consultation period, including from RHRA's Stakeholder Advisory Council, an association representing personal support workers, the Ministry for Seniors and Accessibility's Retirement Homes Technical Advisory Table, Behavioural Supports Ontario, and organizations representing seniors and/or retirement home residents.

Feedback generally supported AIR as a streamlined and systematic approach to collect additional information from retirement homes to support RHRA's regulatory work and advice to the Ontario

Government. Overall, stakeholder engagement, through submissions and consultations, highlighted that the AIR process enhances the integrity of the information gathered by standardizing how data is collected and reported, across the sector.

Most of the feedback focused on clarification of terms, the challenge in obtaining consistent information across all homes, suggestions for additional questions, AIR potentially increasing administrative work on licensees, and questions about the desired insights for collecting the information.

Submissions and stakeholder engagement offered helpful feedback on how RHRA could clarify the process and support retirement homes in completing the AIR. RHRA incorporated much of this feedback in the revised 2025 AIR. Each year, questions will be reviewed and adjusted based on lessons learned from previous years and where RHRA needs the information for regulatory efforts. For reference, findings from the outcomes of AIR 2024 are available here. RHRA will consider whether information collected in previous years is still needed and whether different information may be required, to support a resident-centered and right-touch regulatory approach. Feedback that could not be incorporated in the 2025 AIR will be considered as RHRA prepares for future years.

CONSULTATION FEEDBACK AND RHRA'S RESPONSE

Comments on the AIR for fiscal year 2025/26

Support for AIR as a right-touch regulatory approach to the sector

Several comments from associations and retirement homes expressed support for AIR as a mechanism to enhance the understanding of retirement homes and support more informed decision-making to improve resident protection and continue to apply proportionate right-touch regulation. There was also recognition that AIR will continue to add value in future years in gathering aggregate sector insights.

Suggestion for additional information to be sought through AIR

There were some suggestions for additional questions to be added to AIR. Examples of suggested topics included: additional questions on dementia, specialized training of staff, access to services to support residents, care plans of residents, challenges faced when trying to support alternative level of care residents, the inclusion of mild cognitive impairment, and additional insights into services provided for end of life/palliative care for residents.

In addition to collecting data through the AIR process, one submission also outlined the benefits of collecting data across the sector, through additional and complementary feedback mechanisms such as focus groups.

RHRA's Response: RHRA appreciates the suggestions for additional information and the interest of stakeholders in being engaged in the development of AIR. For AIR 2025, RHRA is balancing the current need for information with minimizing any additional administrative work for homes to gather it.

RHRA is dedicated to supporting retirement homes through various means, including stakeholder engagement with the sector and other interested parties. After reviewing feedback on additional alternative avenues to stakeholder engagement, RHRA will explore opportunities in future years. RHRA will begin engaging with a wide range of stakeholders in the summer/fall of 2025 for input into the 2026 AIR.

Clarity, transparency, and definitions of terms

Submissions outlined an opportunity for the RHRA to provide further clarification on the purpose and use for some questions and terms used in the AIR. Further interest among submissions, particularly from retirement homes, expressed the need for clearer questions through simplified and reduced language.

RHRA's Response: RHRA remains committed to increasing transparency as a fundamental tenet of being a responsible and accountable regulator. RHRA believes that transparency, openness, and plain language are key to successful communication and collaboration with our stakeholders, and ultimately support the health and well-being of retirement home residents and the sector, as a whole.

As part of the AIR questions, the objective is to gather basic information about the existence and nature of the types of services a home provides. The information collected through AIR serves to support RHRA in achieving its public interest mandate under the *Retirement Homes Act, 2010* and *Ontario Regulation 166/11* of providing information about retirement homes and advising the Minister on policy matters relating to retirement homes.

Feedback on clarification around the scope of questions, including how the AIR questions support a right-touch regulatory approach and aligns with RHRA's mandate under the *Retirement Homes Act, 2010* and regulation under the Act, will be reflected in the final 2025 AIR. Specifically, this means that AIR 2025 will outline a rationale of why the question is being asked and how the data collected will be used in RHRA's regulatory activities and its strategic purpose, as part of RHRA's right-touch regulatory approach.

In response to suggestions to simplify the language of the AIR, RHRA will incorporate feedback received on additional definitions and clarify the intent behind questions, as mentioned above. However, these measures will be made without compromising the length, clarity, or simplicity of the AIR.

Administrative work and alignment with the *Retirement Homes Act, 2010*

An organization commented on the anticipated administrative impacts on homes from the AIR process. Specifically, the submission stressed the need for further clarification on how the AIR reduces administrative work and aligns with the *Retirement Homes Act, 2010* with concerns distinctly on the questions about "palliative care" and "mechanisms to prevent residents from going missing".

Across submissions, it was also noted that the time and effort required to collect the information for AIR will likely vary across retirement homes. For example, one retirement home indicated that it would take 25 minutes to complete AIR, while another submission indicated that it may take 45 minutes. The difference in duration is tied to two main factors: whether the home has programs funded by other organizations and whether the home is part of a chain. Homes that have programs funded by other organizations will be asked to complete additional questions about each of their programs, including calculative components. Homes that are part of a chain of homes may need to seek information from the corporate office, particularly concerning the questions on extra expense insurance and programs funded by other organizations.

RHRA's Response: RHRA acknowledges that AIR itself is a newer process and will create some initial administrative work for retirement homes, which may vary across homes. As previously noted, only two questions from the 2024 AIR process will remain and RHRA is committed to reviewing whether all questions need to be carried forward in future years, so as to reduce administrative impact.

RHRA aims to balance minimizing the administrative work for operators, while also filling in information gaps and insights that will lead to improved right-touch regulation. The request for information, through

AIR, has been designed to minimize any additional administrative requirements and aims to consider the variability in the ability of homes to respond to RHRA's information requests. Specifically, AIR will take place once a year, similar to other regulators' collection of licensee information, coinciding with fee invoices, thus streamlining and combining processes.

RHRA has attempted to minimize administrative impact where possible by:

- including only a few questions in the 2025 AIR;
- designing the questions to minimize efforts for homes;
- providing homes two months to submit responses;
- communicating expectations to retirement homes;
- providing support to complete AIR, as required; and
- streamlining the AIR process at the same time as fee invoices.

In response to concerns about administrative work in relation to questions on palliative care/end of life care and mechanisms to prevent residents from going missing, RHRA is committed to exploring ways to minimize any administrative impact for the present and future rounds of AIR, while balancing the need to collect information to inform regulatory activities and apply a right touch regulatory approach. This information may also be used to provide advice to the Government. Given the feedback received, RHRA has determined that the best course of action is to further clarify the question on mechanisms to prevent residents from going missing in the final AIR 2025. Additionally, to balance the information RHRA requires for regulatory activity with administrative impact on homes, RHRA will remove the question on palliative care and consider it for a future year.

Comments on the details and logistics of the AIR process

Feedback on the consistency of data requests

Overall, submissions emphasized that the AIR process improves data integrity by standardizing how data is collected and reported across the sector. Some feedback noted that they find it more desirable to answer detailed questions through the AIR process, as opposed to during routine inspections.

RHRA's Response: RHRA is committed to continuing to explore ways to integrate various processes and optimize collection methods. Various mechanisms may be used to collect information as needed at different times. For instance, routine inspections offer RHRA a direct opportunity to engage with homes and gather specific types of information. However, the AIR process will remain the primary method for collecting data.

AIR format and process improvement measures

A submission suggested that RHRA investigate avenues for an online system that allows the user to save responses in progress. This feedback aims to capture AIR process improvement measures, gain efficiency, and minimize administrative work across retirement homes.

Several comments also addressed the need for enhancements in the structural flow of AIR to improve user readability. This includes a better distinction between the context and background information of the text with the questions, through formatting modifications.

RHRA's Response: RHRA is committed to supporting retirement homes in a variety of ways, including continuous process improvement measures. RHRA has reviewed the feedback received and is exploring opportunities to allow users to save responses, as part of AIR in future years.

In response to enhanced structural flow and formatting, the final AIR 2025 will reflect this feedback and improve the distinction between the contextual information of the AIR and the questions intended to be completed by licensees.

Question-specific comments on AIR 2025

Comments on the question of "Extra Expense Insurance"

No concerns were raised for this question. The only suggestions were to include clarifying statements for improved readability and remove "I attest", as part of the question, due to liability and accountability concerns.

RHRA's response: Prior to AIR 2024, RHRA required all homes to manually submit their EEI policy certificates at the time of policy renewal, which varied from home to home and often led to multiple interactions between RHRA and the home. Starting with the AIR 2024, RHRA collected EEI certificate information from all homes once a year, at a predictable time.

In 2025, homes will no longer need to submit their actual EEI policy certificates as part of AIR. Instead, homes will input policy information directly into AIR, reducing administrative requirements. In response to the feedback received, RHRA has added the suggested terminology to the final AIR 2025.

Comments on the question of "Programs funded by other organizations and alternative level of care residents"

Comments on 'programs funded by other organizations' varied and were predominantly about the need for improved clarity of what 'programs funded by other organizations' means. Suggestions to improve clarity included: qualifying or disqualifying residents receiving direct care services; specifying 'other programs'; and providing further information as part of the context of this question.

For questions related to alternative level of care residents, submissions predominantly suggested adding questions. Examples of suggested questions included: what percentage of alternative level of care residents have a diagnosis of dementia; what percentage of these residents have a care plan; and challenges that homes may face when trying to support alternative level of care residents. One submission also noted that information on alternative levels of care will likely be difficult for retirement homes to answer, as it is not readily available information that a retirement home may have or be tracking.

RHRA's Response: RHRA recognizes the variety of programs in retirement homes funded by third-party providers and other organizations, as outlined in the 2020 Auditor General's Value-For-Money Audit of the RHRA. The audit highlighted the gap in inspections and complaints handling for alternate level of care residents.

Considering the feedback received, RHRA has refined the question and clarified the scope, particularly regarding whether residents receiving care from Ontario Health atHomes are included under 'programs funded by other organizations'.

RHRA acknowledges the importance of gathering the additional information suggested for inclusion in AIR. In order to prioritize reducing administrative work associated with AIR, RHRA will focus on only a few questions that retirement homes can easily answer and that are necessary for regulatory activities. Ongoing and in future years, RHRA will adjust the questions, to balance the need to collect information with administrative work, including considerations of any questions that are challenging for retirement homes to track and/or provide.

Comments on the question on "Nursing in retirement homes"

Comments on this question reflected the need to distinguish registered nurses and registered practical nurses. Another submission noted that the presence of nursing staff 24/7 should not be solely interpreted as an indicator of higher resident care needs. In some cases, it serves as a value-added service for residents and families (rather than a necessity based on resident acuity).

RHRA's Response: RHRA appreciates the feedback and discussion this question has generated and has closely reviewed suggestions for revisions. In response to the feedback received, RHRA will revise the wording of this question to clarify the purpose of collecting the information on the presence of nursing staff 24/7, which is to understand the supports in place, rather than a proxy for resident acuity.

Comments on the question on "Types of care providers employed by the licensee"

Several stakeholders suggested expanding the care providers listed, as part of the question, to include other providers such as unregulated care providers, other unregulated care providers, and social workers.

RHRA's response: RHRA will expand the list of care providers to residents, as part of the question, in the final 2025 AIR.

Comments on the question on "Palliative care/ end of life care"

Feedback on this question varied across submissions. Some feedback reflected the benefits of collecting this information to support an evidence-based right-touch regulatory approach to the sector. Another submission reflected the need for precise definitions of terms that are not specified under the Act, including 'palliative care', and emphasized the importance of understanding the intent and use of the data collected to avoid increasing the administrative impact on homes. A suggestion for adding a follow-up question on the funding models for any palliative care and/or end of life care services was also provided.

RHRA's Response: RHRA appreciates and acknowledges the feedback on this question. Considering the feedback received and balancing the information RHRA requires for more short-term regulatory activity with administrative work, RHRA will remove this question from AIR 2025 and consider it for a future year.

Comments on the question on "Mechanisms to prevent residents from going missing"

Feedback on this question primarily focused on further clarifying the rationale for collecting this information. Stakeholders highlighted the benefit of providing examples to improve the clarity of this question.

One organization also highlighted the value of adding a question which captures whether retirement homes have access to adequate services to support residents with cognitive decline. It was also suggested to provide an optional question, under this question, for homes that identify as only serving residents living with dementia and cognitive decline.

RHRA's response: RHRA has considered the feedback received on the question regarding the specific measures homes have implemented to prevent residents with cognitive decline, who are at risk of going missing, from leaving the home unaccompanied. In the final AIR 2025, RHRA will provide examples and will include additional clarification on why this information is being collected.

RHRA recognizes the importance of understanding whether homes have access to adequate services to support residents with cognitive decline. This may be considered in further years once a baseline level of information is obtained.

Comments on the question on "Dementia/ memory care"

Feedback on this question primarily included the need for additional questions and further clarification regarding its purpose. Suggestions were respective to the wording of the question, including recommendations to rephrase the question and clarify terms, such as 'healthcare professional'.

Comments suggesting the need for additional questions included topics related to staff-specialized training on dementia, mild cognitive impairment, and residents exhibiting responsive behaviours. One comment also suggested launching a working group, specifically related to understanding residents with a formal diagnosis of dementia.

RHRA's Response: RHRA has considered the feedback on rephrasing the wording of the question and will incorporate the suggested terminology in the final 2025 AIR. Acknowledging the importance of gathering information on dementia and memory care across the sector, RHRA appreciates the feedback highlighting the need to capture additional details, particularly on staff-specialized training, responsive behaviours, and mild cognitive impairment. After carefully reviewing this feedback and to minimize the administrative work on homes, RHRA will prioritize including only questions essential for regulatory purposes in AIR 2025.

Comments on the question on "Residents with minimal or no care needs"

Suggestions for this question included specifying the types of care not being received and clarifying the purpose and intent of this question.

RHRA's Response: Capturing the information on residents with minimal or no care needs provides context on the spectrum of care needs across the sector to enable a more proportionate, right-touch regulatory approach during inspections and other regulatory activities.

CONCLUSION

RHRA thanks all individuals and organizations who took the time to provide feedback on the AIR consultation. RHRA is committed to balancing any administrative impact with the need for information collection to understand the sector today and in the future to enhance resident protection and continue to apply right-touch regulation.

The 2025 AIR process will launch on February 3, 2025, with consultation feedback incorporated, as described in this document. RHRA looks forward to engaging with stakeholders in the Summer/Fall of 2025, in advance of next year's AIR process.

CONTACT

For questions about this summary of AIR consultations, please contact the AIR Consultations Team via email at consultations@rhra.ca.

Information about the 2025 AIR process, including timelines and questions, can be found on this webpage. Questions related to the 2025 AIR process and other general inquiries can be sent to RHRA at info@rhra.ca.