

BILL 21—An Act to Regulate Retirement Homes

Marie Della Vedova, Political Advocacy

More and more it seems that retirement homes in Ontario have been filling a gap for housing for a rapidly growing senior population. Many of these seniors have been in need of care services. Unlike long term care facilities, retirement homes have lacked government oversight and clear standards of care. There have been documented incidents of injury and even death from fires (no mandatory installation of fire sprinklers) as well as stories of violence between residents, resident abuse, neglect and lax standards of care. Partly in response to the growing demand for regulation of retirement homes the government introduced on March 30, 2010 Bill 21, *An Act to Regulate Retirement Homes*.

The expectation was for a regulatory framework that would protect seniors and provide clear standards to the retirement home industry. Instead, there has been much criticism of Bill 21. Concerns have been expressed by seniors groups such as the Advocacy Centre for the Elderly, and the Canadian Association of Retired Persons as well as the Registered Nurses Association of Ontario, the Ontario Health Coalition, the Ontario Public Service Employees Union and the Canadian Union of Public Employees. These groups and others made submissions to the government seeking changes to Bill 21.

Bill 21 is seen as falling short of providing a limit or standard on the health care service that can be offered in a retirement home. Long term care facilities (nursing homes) must comply with hundreds of pages of regulation for high quality care and safeguards to ensure that standards are followed. Criticism of Bill 21 is that it allows retirement homes to offer the same level of service as long term care facilities but without regulations. In fact, it is said that they can charge more and provide less. Perhaps the biggest criticism is that Bill 21 creates a regulatory authority that will be dominated by the retirement home industry itself. Many of the submissions to the government maintain that self regulation will not be sufficient to ensure the quality of care seniors deserve.

While it can be acknowledged that instituting government regulation of retirement homes is a step in the right direction, the concern is essentially that retirement homes will be allowed to become a second tier of lesser-regulated long term care facilities.