

October 28, 2021

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## Long-Term Care Home Legislation and Inspection Updates, Resident Opinion Survey: LTC Home Visitor Vaccination Status

Dear Residents, Long-Term Care Team Members and Supportive Partners,

It has certainly been a busy week of announcements in our Long-Term Care sector! This bulletin captures some of the highlights that will be of interest to residents and others, in addition to an important survey request that we hope you might consider in the coming week.

### [New legislation for LTC homes proposed](#)

Earlier today, in the House of Commons, our Minister of LTC, Hon. Rod Phillips, tabled new legislation titled, "[Fixing Long-Term Care Act, 2021](#)". The proposed Bill can be [read here](#). This new Act, if passed, will repeal and replace the existing Long-Term Care Homes Act, 2007. Minister has stated publicly that his intentions to 'fix the system' are built upon three key priorities:

- 1) Staffing and Care
- 2) Accountability, Enforcement and Transparency
- 3) Home Infrastructure and Development

The new Act is comprised of 13 sections, dealing with topics including rights of residents, quality, admissions, Residents' and Family Councils, operations, funding, licensing, compliance and enforcement, etc. Not everything in this new piece of legislation is brand new; Ministry sought to keep what was working, remove what was not working and enhance other measures. The development of the new Act also incorporated key themes and recommendations found in the Gillese Inquiry, the Ontario Ombudsman work, Auditor Generals Report and the Commissioners' Investigation. While details will be worked out over the coming months during the development of regulations designed to support the Act, some of the specifics in the new legislation include:

- Palliative care and (essential family) caregivers being embedded into Residents' Rights
- Increasing direct care to 4 hours per resident per day (over time)

- Enabling the Minister to establish a LTC Quality Centre (presumably an organization designed to share leading practices and successful strategies amongst LTC homes)
- Requiring a qualified IPAC (Infection Prevention and Control) lead for each LTC home
- setting requirements for conditions to be met regarding IPAC
- Requiring LTC home leadership receive specific training (to be determined)
- Preventing hiring of team members (staff) and volunteers who have been convicted of professional misconduct
- Removing the option for homes to respond voluntarily to a non-compliance discovered through inspections
- Providing inspectors flexibility to address low-risk non-compliances in a less punitive manner (enabling homes to remedy these findings during the inspection process)
- Increasing the fines for convictions for offences under the legislation
- Modifying the process for development and redevelopment of LTC homes so that the process is streamlined and more efficient

The next step will begin in November as the Ministry begins to develop the regulations that will support the new Act, in consultation with many stakeholders. OARC will be ‘at the tables’ for these discussions. The completion of the regulations is anticipated for spring 2022. We are very pleased that our Ministry of LTC recognizes the importance of having OARC invested as a key contributor to the development of the regulations and look forward to infusing the resident voice into this important work.

### **OARC’s statement in response to the proposed new legislation:**

OARC is pleased that the new Act pulls together themes found in recommendations from the Gillese Inquiry, the work of the Ontario Ombudsman and the Commissioners’ Investigation, all of which OARC played a vital role. The new Act underscores critical aspects including quality care, Residents’ Bill of Rights, inclusion of essential caregivers, supportive relationships, diversity, Residents’ and Family Councils, increased number of team (staff) members, innovation, education, training, and accountability. If enacted, the new Act has potential to contribute to meaningful reformation and stability, restoration of public trust, ensuring that residents, team members and families, current and future, have terrific places to live and work. OARC looks forward to working with our Ministry and stakeholders as we bring the voice of residents to ongoing consultations to “fix the system.”

### **[New Long-Term Care Home Proactive Inspections](#)**

Our Ministry of Long-Term Care’s Inspection Branch will commence the “new Proactive Inspection” program beginning on November 15, 2021. Proactive Inspections will add to the current program and, to support implementation, our government will hire 156 new inspectors and 36 new support staff by November 2022.

More details can be found here:

- [Introduction to the New Proactive Inspection Slides](#)
- [Assistant Deputy Minister Memo](#)
- [Minster of Long-Term Care Letter](#)

Historically, OARC Resident leaders have been involved in the training of Ministry Inspectors, to infuse the resident perspective and to help prepare them for meaningful interactions with residents when they visit LTC homes across the province. OARC looks forward to potential future opportunities where we might contribute to similar Inspector training sessions to help set this expanded group of Inspectors up for success.

## **Resident Opinion Wanted: Long-Term Care Home Visitor Vaccination Status Survey**

The provincial government has released a plan to lift COVID-19 restrictions over the coming months. As part of this phased reopening and related directives, as of November 15, 2021, all team members (staff), volunteers and students must be fully vaccinated for COVID-19 to enter/work in a long-term care home.

Currently, there is no direction from our government regarding a requirement around visitor vaccination status. Every home has their own process for screening visitors, regardless of whether they have been vaccinated. OARC's vision is that all residents shape the place they call home and we are asking for your help to inform our organizational position and advocacy about "visitor" vaccination strategies.

**We are asking resident support to answer our "Visitor Vaccination" survey by Monday, November 8, 2021, at 5 pm. THE SURVEY IS INTENDED FOR RESIDENTS ONLY.** We are requesting the support of team members to assist residents, where needed, to complete the survey either online or on paper:

- Scan the QR Code [OR](#)
- [Click here](#) for the online Survey Monkey survey [OR](#)
- [Click here](#) for an MSWord/paper\* version of the survey

\*Paper survey's can be emailed to [jlangston@ontarc.com](mailto:jlangston@ontarc.com) or faxed (905) 731-1755 **Questions?** Contact Josie-Lee Gibson [jgibson@ontarc.com](mailto:jgibson@ontarc.com) 1-800-532-0201 x 250



Yours sincerely,

A handwritten signature in blue ink that reads "Dee Tripp".

Dee Tripp (formerly Lender)  
OARC Executive Director