

An Overview of the Fixing Long-Term Care Act, 2021

A Webinar for Residents, Families, and Caregivers

Ministry of Long-Term Care

Ontario 

April 7, 2022

Why are we here today?

To:

- learn about the new law for long-term care homes in Ontario.
- discuss key parts of the new law and what it means to long-term care residents, families and caregivers.
- answer your questions about the new law.



What is new?

- On April 11, 2022, there will be a new law for long-term care homes in Ontario.
- The new law is called the ***Fixing Long-Term Care Act, 2021***.
- The law includes a regulation which contains additional rules around how homes operate.
- Most of the new rules and requirements will be in effect on April 11 but some will be in effect at later dates.

Why is there a new law for long-term care homes?

- The old law had not been updated in many years.
- A new law was needed to expand residents' rights and make changes that improve the care and services that residents receive in long-term care homes.
- This also provided the opportunity to include lessons learned from the COVID-19 pandemic.

What is different in the new law?

The new law includes enhanced requirements around:

- Staffing and care
- Protecting residents and expanding their rights
- Making sure residents live in modern, safe, and comfortable homes

What is different in the new law? (continued)

Changes focus on areas that are important to residents, families and caregivers including:

- Resident well-being
- Resident Safety
- Staffing
- Emergency planning
- Accountability and Quality



What are key features of the new law?

- Expands resident rights, including the right for residents to have access to caregivers.
- Establishes targets to provide an increase in direct care for residents each year, reaching a system average of four hours of direct care per day by March 31, 2025.
- Additional requirements for homes to be better prepared to respond to emergencies.

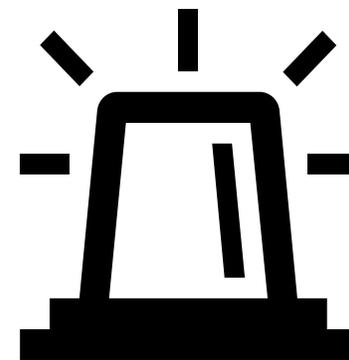
What are key features of the new law?

- Stronger infection prevention and control requirements to optimize the safety of homes for residents.
- Greater focus on continuous quality improvement and residents' quality of life and quality of care.
- New tools to make sure homes are following the rules.

Emergency Plans

Homes must:

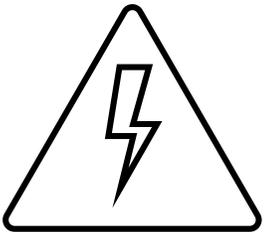
- Develop emergency plans with input from Residents' Councils and Family Councils, including plans for outbreaks and pandemics.
- Keep residents, staff, Residents' Council and the Family Council informed during an emergency and when the emergency is over.
- Debrief residents and others in the home after an emergency.
- Make sure staff, volunteers and students are trained on emergency plans.



Emergency Plans (continued)

Homes must:

- Have a plan to provide residents with food and drinks during an emergency.
- Make sure residents can get their medication if they are evacuated.
- Have equipment that works during a power failure to be able to call for help.
- Have a public website that includes the home's emergency plans and other information.



Resident Safety

Homes must:

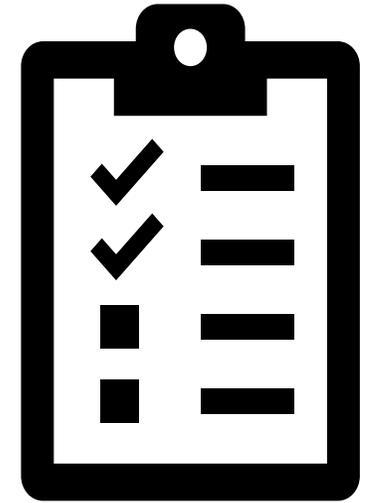
- Have an infection prevention and control lead.
- Make sure all staff are trained on infection prevention and control.
- Make sure there is a hand hygiene program in place for visitors, per any standard or protocol issued by the ministry (i.e. Director).



Resident Safety (continued)

Homes must:

- Ensure air-conditioning is available in resident bedrooms by June 22, 2022, with some limited exceptions.
- Indicate on the homepage of their website if resident bedrooms do not have air conditioning.
- Screen all staff, volunteers, and members of a home's governing structure for certain criminal wrongdoings or professional misconduct.



Resident Well-being

Homes must:

- Prevent situations where residents do not have access to caregivers.
- Have a visitor policy that ensures “essential visitors” have access to the home, with some exceptions.
 - Caregivers are a type of essential visitor.
- Document when a resident or their substitute decision-maker designates a family member, friend or person of importance as their caregiver.

Resident Well-being (continued)

The new law encourages a shift in practice to a broader, more holistic approach to palliative care.

Homes must:

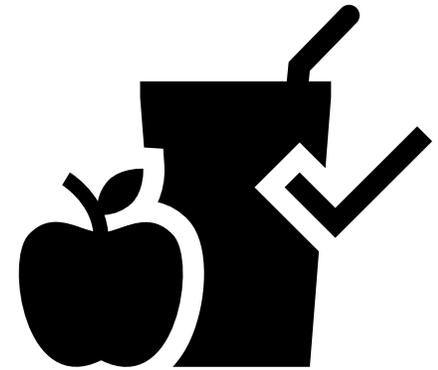
- Consider the physical, emotional, psychological, social, cultural and spiritual needs of a resident as part of their palliative care assessment.



Resident Well-being (continued)

Starting on July 11, 2022, homes must:

- Make sure menus include choices that meet resident needs and preferences.
- Serve meals and snacks at times agreed upon by the Residents' Council and the Administrator or their designate.



Staffing

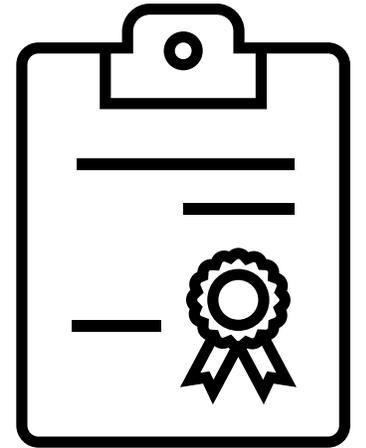
In addition to other duties and responsibilities, Medical Directors in homes will have to:

- Complete special training about providing care in homes.
- Develop, implement, monitor and evaluate medical services in the home.
- Review and approve clinical policies and procedures in the home.



Accountability and Quality

- Protections for whistle-blowing that were in the old law have now been extended to others, including a home's Residents' Council and Family Council, if the home has one.
- Improved complaint processes to focus on high-risk incidents that are harmful to residents.
- The ministry (inspectors or the Director) will be able to issue administrative monetary penalties to homes when it is appropriate, to encourage compliance.



Accountability and Quality (continued)

- Each home must have a *continuous quality improvement committee* with representation from a home's Residents' Council and Family Council, if there is one.
- Each year a home must prepare a report on its continuous quality improvement initiative. A copy of the report must be:
 - provided to the Residents' Council and Family Council, if there is one
 - published on the home's website

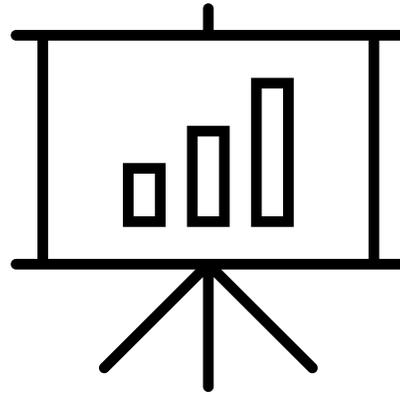


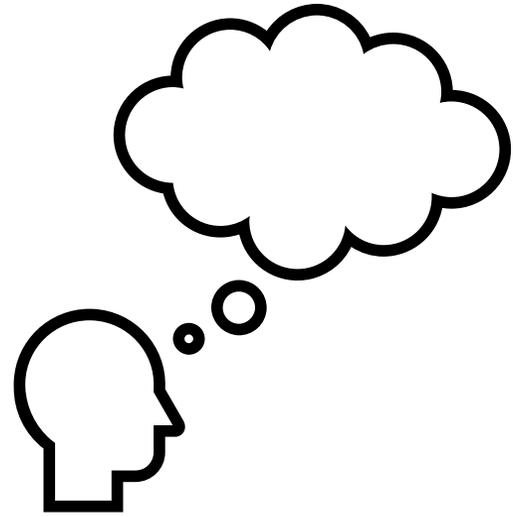
What is next?

- The ministry will continue to keep residents and families informed and listen to their concerns.
- While it is the home's responsibility to follow the law, the ministry will continue to support homes to help them understand the new law.
- The ministry may begin the next phase of regulation development later this year.



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Thank you!

Question Period

Ministry Contact:

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