

Overview of Ontario's Fixing Long-Term Care Act, 2021 and Ontario Regulation 246/22

Ann-Marie Case-Volkert – Director of Long Term Care

Dr. Sudip Saha – Region of Peel Medical Director,

Long Term Care, Community Paramedicine, Senior Services

Development

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Overview

- **Overview of Legislation and Regulatory Changes**
- **Key Timelines and Implementation Status**
- **Key Areas of Impact for Region of Peel LTC Homes**
- **Next Steps**

Overview of Legislation

- On **April 11th, 2022** the Fixing Long Term Care *Act*, 2021 and accompanying regulation 246/22 came into force.
- The new *Act* and regulations replace previous legislation from 2007 that governed long-term care (LTC) in Ontario.
- The new *Act* and its regulations lay the foundation for long-term care residents to receive better quality of care and enjoy a better quality of life by supporting the three pillars of the Ministry of Long-Term Care's plan to fix long-term care:
 - improving staffing and care;
 - protecting residents through better accountability, enforcement, and transparency; and
 - building modern, safe, comfortable homes for residents
- Implementation of the new legislative changes will have important operational impacts for the Region' five LTC homes.

Key Areas of Impact for Region of Peel

Key Changes	Implications for the Region
Screening requirements for Staff and Council	<ul style="list-style-type: none">• Regional Councillors will be required to provide a police record check within 6 months of the <i>Act</i> coming into force (by October 11, 2022). A statutory declaration related to any previous convictions for specified offences must be made by most staff, including Regional Councillors. This requirement does not apply to municipal Councillors if their term of office ends on November 14, 2022
Staffing to support increased hours of direct care	<ul style="list-style-type: none">• Staffing increases are needed to meet mandated hours of direct care provided by:<ul style="list-style-type: none">○ Registered nurses (RNs), registered practical nurses (RPNs) and personal support workers (PSWs) to a provincial average of four hours per resident.○ Allied Health Professionals to 36 minutes per resident per day• Increases to direct hours of care are being introduced in a phased manner to ensure the thresholds are met by March 31, 2025.
Compliance and Enforcement	<ul style="list-style-type: none">• The Ministry of Long-Term Care can now issue administrative monetary penalties if the licensee has not complied with a requirement or compliance order under the FLTCA.

Key Areas of Impact for Region of Peel

Key Changes	Implications for the Region
Infection Prevention and Control (IPAC) Staffing requirements	<ul style="list-style-type: none">• Additional staffing is required to support training, education, and designated leads who will provide oversight of the IPAC program and initiatives.
Quality Improvement	<ul style="list-style-type: none">• LTC homes need to enhance the interdisciplinary continuous quality improvement (CQI) program,• A designated lead must be assigned to support implementation of the program, report on and develop CQI initiatives on an ongoing basis.
Roles and Responsibilities of Medical Directors	<ul style="list-style-type: none">• Additional responsibilities, training requirements, and minimum onsite hours are now mandated to ensure appropriate oversight and medical care is delivered.

Key Timelines and Implementation Status

APRIL 2022	JUNE 2022	JULY 2022	OCTOBER 2022	APRIL 2023	APRIL 2025
Residents' Bill of Rights	Resident Experience: Air Conditioning	Resident Experience: Menu Planning	Medical Directors	Requirements related to the Administration of Drugs to a Resident by Certain Authorized Persons	Qualification Requirements for the IPAC Lead
Complaints		Quality Improvement	Program Requirements - Palliative Care	Transition for Staff Qualifications	
Whistle-blowing Protections		Emergency Planning	Continuous Quality Improvement Committee		
Visitor Policy and Caregiver Definition		Screening Measures	Written Agreement for Medical Director to Complete Training within 12 Months		
Compliance and Enforcement		Public Website	Police Record Checks for Members of Governing Structure		
Infection Prevention and Control		Care Conference	Transition for Minimum Staffing Hours		
		Annual Physical Exam	8.1-53		

Next Steps

- **Step 1a):** Further analyze and review implications from the new legislation and regulatory framework; and,
- **Step 1b):** Secure initial staffing to assist the LTC division with operationalization of requirements to support compliance with Ministry-mandated timelines for implementation and determine the need for additional resources.
- **Step 2:** Revise and develop policies and educational resources for implementation across the Region's five LTC homes in a phased approach
- **Step 3:** Determine ongoing operational and financial impacts
- **Step 4:** Continue advocacy with AdvantAge Ontario and AMO to the Ministry to address challenges to implementation including funding and screening requirements and continue efforts for funding emotion-based models of care.

Thank you!