

## ONTARIO IMPROVING CARE FOR LONG-TERM CARE HOME RESIDENTS

*McGuinty Government Releases Draft Regulations For Public Comment*

### NEWS

May 5, 2009  
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Ontario is improving and strengthening care for residents in long-term care homes.

The Ontario government is releasing the first set of proposed draft regulations under the Long-Term Care Homes Act, 2007, for a 30-day public consultation. These draft regulations would:

- Improve waiting list management and enhance the eligibility criteria for admissions to long-term care homes
- Strengthen requirements for prevention, early identification and treatment of potential areas of high risk such as skin and wound care, continence care, fall prevention, pain management, and responsive behaviours (i.e. this means each resident who is incontinent would have an individualized bowel and bladder plan based on an assessment that identified the contributing factors and any specific interventions)
- Introduce clear definitions of abuse and neglect and strengthen accountability for investigating and addressing all alleged, suspected or witnessed incidents of abuse or neglect of residents.
- Increase requirements to minimize restraining of residents, ensure that measures are in place for the comfort and safety of residents who are restrained by a physical device and prohibit certain devices from being used to restrain residents.
- Require an infection prevention and control program that focuses on monitoring, outbreak management, training and hand hygiene.

The proposed draft regulations are being posted in English and French on the Ministry of Health and Long-Term care's website at:

[http://staginghealth.moh.gov.on.ca/english/public/legislation/ltc\\_homes/ltc\\_homes.html](http://staginghealth.moh.gov.on.ca/english/public/legislation/ltc_homes/ltc_homes.html).

All interested individuals and groups are invited to comment on the regulations by June 5, 2009.

### QUOTES

“Our government wants residents of long-term care homes to receive the highest standard of care. These regulations would ensure residents are treated with dignity and respect, receive timely care, and live in safety and comfort.”

– David Caplan, Minister of Health and Long-Term Care

## QUICK FACTS

- The *Long-Term Care Homes Act* would provide the legislative authority for care, treatment and well-being of more than 75,000 residents in long-term care homes. The act is not yet in force.
- A second set of draft regulations under the act will be posted for public consultation at a later date.
- The ministry is also making major enhancements to its Long-Term Care Homes' Compliance Management Program. For more information, please visit [www.health.gov.on.ca](http://www.health.gov.on.ca)

## LEARN MORE

Read the proposed initial draft regulations in [English](#) and in [French](#).

Read more about [long-term care homes](#) in the province.

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Steve Erwin, Minister's Office, 416-326-3986  
Andrew Morrison, Ministry of Health and Long-Term Care,  
416-314-6197

**ontario.ca/health-news**  
*Disponible en français*

## IMPROVING CARE FOR RESIDENTS IN LONG-TERM CARE HOMES

May 5, 2009

The Ontario government is committed to reforming long-term care in the province. The *Long-Term Care Homes Act, 2007* (LTCHA), which received Royal Assent on June 4, 2007, is the cornerstone of the government's strategy to improve and strengthen care for residents in long-term care (LTC) homes. The Ministry of Health and Long-Term Care is currently posting on its website the first set of proposed draft regulations for a 30-day public consultation. This set addresses:

### PLANS OF CARE

- New requirements including enhanced timelines for initial and follow-up assessment which would ensure residents receive appropriate, personalized and timely care and services.
- Streamlined and modified requirements for assessments and care to align with Resident Assessment Instrument-Minimum Data Set 2.0 (an internationally recognized assessment instrument) including medical, nursing, personal support, nutritional, dietary, recreational, social, restorative, religious and spiritual care.

### ADMISSION OF RESIDENTS

- Enhanced eligibility criteria that align the principles of "fair and equitable access" and "assessed needs" so that LTC home admission targets people with higher care needs.
- Improved waiting list management.
- Informing applicants of all essential information prior to making an admission decision.

### KEY HIGH RISK AREAS OF RESIDENTS CARE

- Strengthened requirements for interdisciplinary programs in skin and wound care, continence care and bowel management, falls prevention and management, pain management and strategies to meet the needs of persons with responsive behaviours. These interdisciplinary programs would include assessment and reassessment, strategies to mitigate risks, screening protocols, treatments and interventions, supplies, devices and equipment and an annual evaluation of the program to ensure resident needs are being met. For example, this means each resident would have an individualized bowel and bladder plan implemented, based on an assessment that identified the causal factors and any specific interventions.
- These strengthened requirements would promote residents' well-being and quality of life through early identification of potential areas of high risk with an emphasis on prevention and early treatment.

### PREVENTION OF ABUSE AND NEGLECT

- New approach to promoting zero tolerance of abuse and neglect which would safeguard residents' fundamental rights and protect residents.
- Clear definitions of physical, sexual, emotional, verbal and financial abuse and neglect which would ensure consistency across homes, protect residents and support mandatory reporting requirements.

- Strengthened LTC home licensee's accountability for investigating and addressing all alleged, suspected or witnessed incidents of abuse or neglect of residents. This includes reporting and evaluating incidents to ensure vulnerable residents' rights and safety are protected and supported in all cases.

## **MINIMIZING RESTRAINTS OF RESIDENTS**

- Increased requirements to minimize restraining to protect the safety, dignity and comfort of residents.
- More detailed and clearer requirements for restraining, including assessment and reassessment, monitoring, releasing the restraint and repositioning residents who are restrained by a physical device to ensure comfort and safety, as well as prohibiting the use of certain devices to protect residents from harm.

## **INFECTION PREVENTION AND CONTROL PROGRAM**

- Requirements for a risk-focused and evidence-based program that seeks reduced resident transfers to hospital, reduced staff absenteeism, fewer resident deaths from communicable diseases, and fewer days homes are closed to admissions and visitors due to outbreaks.
- Emphasis on an interdisciplinary team approach with a designated staff member coordinating the program that includes monitoring, outbreak management, training and hand hygiene requirements.

All interested individuals and groups are invited to comment on the draft regulations by June 5, 2009. They can send their comments to [LTCHAProject@ontario.ca](mailto:LTCHAProject@ontario.ca) or to:

Ms. Colleen Sonnenberg  
Ministry of Health and Long-Term Care  
LTCHA Regulation Project  
9<sup>th</sup> Floor, 56 Wellesley St. West  
Toronto, ON, M7A 2J9

The development of these regulations is being guided by the need to improve the care provided to residents and the need for clear and enforceable standards that can be consistently applied. The draft regulations have been informed by ongoing discussions with residents, families, frontline staff, stakeholders and experts since March 2008 and also reflect the recommendations contained in Shirley Sharkey's report, *People Caring for People*, which can be viewed at:

[http://www.health.gov.on.ca/english/public/pub/ministry\\_reports/staff\\_care\\_standards/staff\\_care\\_standards.html](http://www.health.gov.on.ca/english/public/pub/ministry_reports/staff_care_standards/staff_care_standards.html).

Work is underway to develop draft regulations for the rest of the LTCHA. The second set of proposed draft regulations will also be posted for public consultation at a later date. The LTCHA cannot be proclaimed into force until all the regulations necessary to carry out the Act are approved.

Once proclaimed into force, the LTCHA would be the legislative authority for safeguarding resident rights, improving the quality of care and improving the accountability framework of LTC homes for the care, treatment and well-being of more than 75,000 residents.