

October 3, 2006

PROPOSED NEW *LONG-TERM CARE HOMES ACT, 2006*

The McGuinty government is delivering on its promise to introduce a new Act to govern long-term care homes in Ontario. The proposed *Long-Term Care Homes Act, 2006*, if passed, would be the cornerstone of the government's strategy to improve and strengthen care for residents in 618 long-term care (LTC) homes in Ontario.

Currently, the long-term care home system is governed by three different statutes – the *Nursing Homes Act*, the *Charitable Institutions Act* and the *Homes for the Aged and Rest Homes Act*.

The proposed Act would enhance the culture of community in homes, strengthen enforcement and improve accountability, making Ontario a leader in rights protection for residents of long-term care homes.

Listed below are highlights of the proposed legislation.

Residents and Families

The proposed legislation would reinforce the philosophy that a LTC home is the resident's home where:

- Residents would have an enhanced Bill of Rights that entitles them to such things as protection from abuse and neglect, meeting privately with their spouse or another person in a room that assures privacy, and participation in the life of the long-term care home
- Programs must be in place to prevent, detect and address any instances of abuse and neglect
- Any alleged, suspected or witnessed occurrence of abuse or neglect must be reported.
- Enhanced “whistle-blower” protections would be provided to staff, residents and volunteers reporting abuse or neglect
- A registered nurse would be required by law to be on duty and in the home at all times
- Every resident would be entitled to the following services to be provided by the home: including medical services, nursing and personal support services, restorative care, recreation and social services, dietary and hydration services, housekeeping, laundry and maintenance
- Unannounced annual inspections and a more comprehensive enforcement regime will ensure compliance with all standards set out in the legislation
- A new Office of the Long-Term Care Homes Resident and Family Adviser will be established to provide information and assist residents, their families and others
- Residents, families and the public would be able to view, online or posted in the home, inspection reports and any actions taken by the Ministry of Health and Long-Term Care to ensure compliance
- Residents' Councils would be required in each home and Family Councils would be strongly encouraged so that those who live in the home and their loved ones have a greater voice in how homes are operated

Admissions

- The proposed legislation would ensure that there continues to be a fair and equitable process for accessing long-term care homes, that preserves the client's right to choice and maintains the requirement for consent on admission to any long-term care home
- More information will be available on the admissions process generally, and upon the resident entering the home, better information will be provided on the home and residents rights in the home
- More comprehensive assessments of residents will be undertaken prior to their entering the home

LTC Homes

The proposed Act would support LTC homes by establishing a legislative framework in which:

- There are clear requirements for the training and orientation of LTC home staff and volunteers
- The LTC home sector would be governed by one comprehensive, clear piece of legislation that is consistent for every long-term care home in Ontario
- Homes would be assured they would receive current and comprehensive information about every prospective resident that would allow homes to provide the care that residents need

Licensing

The proposed legislation will give the government the tools necessary to undertake better planning of the LTC system to ensure the needs of communities are addressed

- A rigorous review of licence applications would be undertaken to ensure good home operators for all homes
- Homes will be licenced for up to 25 years (but a licence can be revoked in cases of non-compliance of the rules/legislation)

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