

**Building a Strong and Safe
Long-Term Care Home System in Ontario**

LTCHA – CTP Road Show

*Long-Term Care Homes Act, 2007
and Regulation 79/10*

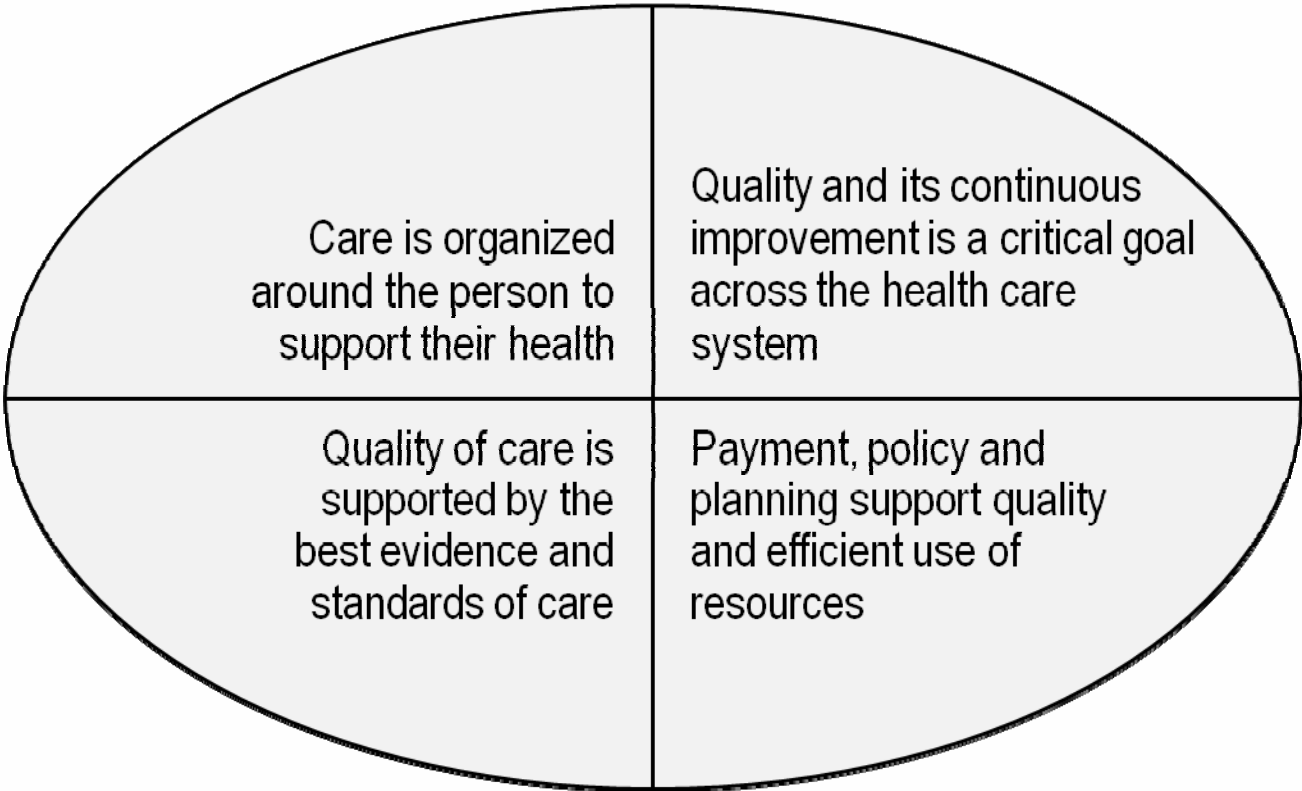
*Ministry of Health and Long-Term Care
June 28, 2010*

Ministry of Health and Long-Term Care

Today's Objectives And Agenda

- Understand how LTC homes initiatives integrate and align to build a strong and safe LTC home System – **Road Map**
- Clarify **timelines and milestones** for implementation
- Outline **funding** to support Long-Term Care (LTC) homes in 2010/2011
- Provide an overview of select provisions of the *Long-Term Care Homes Act, 2007 (LTCHA)* and the Regulation under the LTCHA
- Ensure the field is informed of Ministry **education opportunities**

The Health Care System In Ontario Is Becoming Focused On Providing Quality, Evidence-Based Resident Care and Transparent Performance Reporting



LTC Home Initiatives Contribute To High Performing Health Care System

LTC Homes Sector Initiatives

- LTCHA
- Compliance Transformation
- L-SAA
- Information Systems
- Reporting and Performance Management
- Funding Review and Case Mix Transition
- Residents First
- Human Resources
- Capital Redevelopment
- Targeted Funding



High Performing Health Care Systems

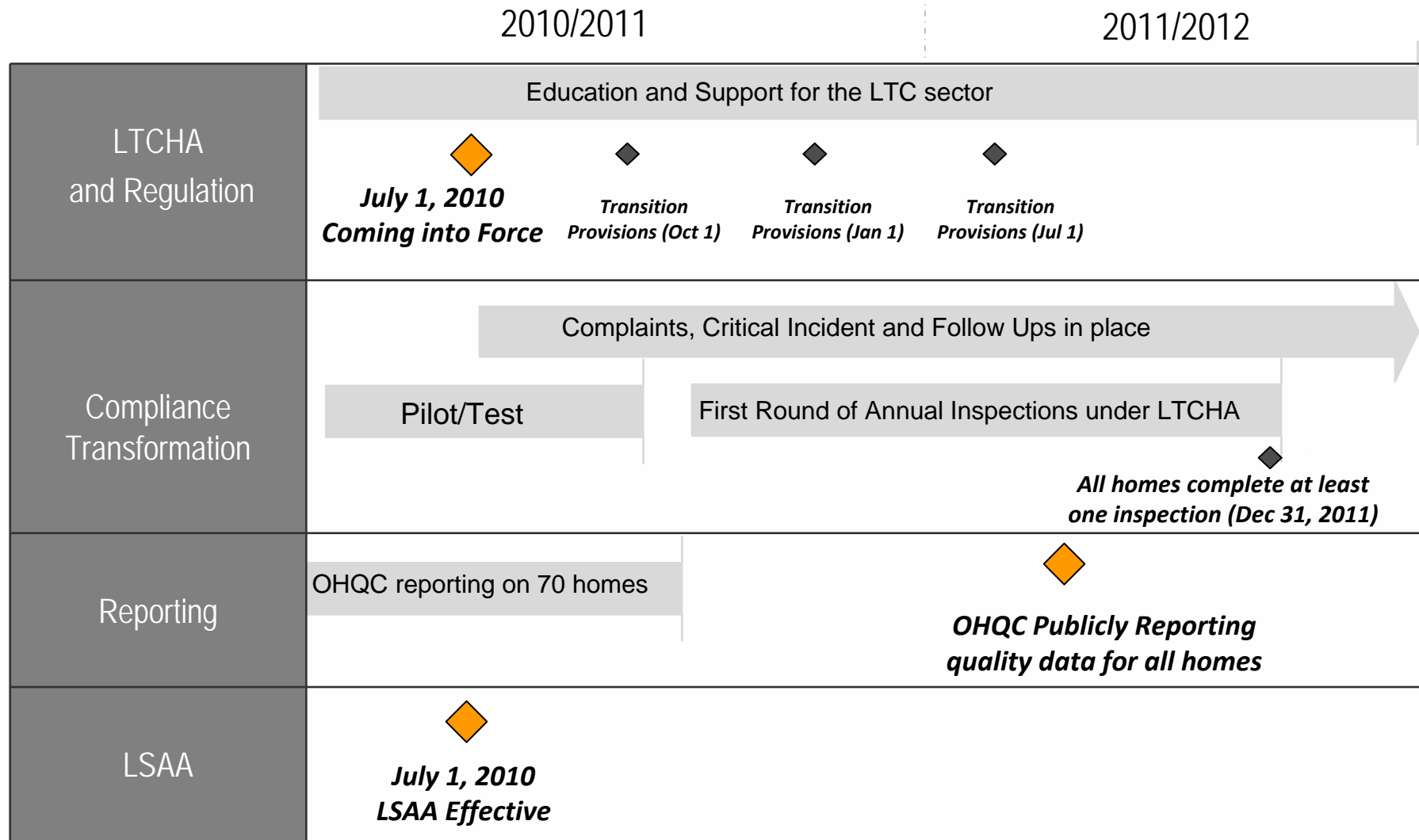
- Leadership
- Quality as Core Strategy
- Focus on Patient First
- Engaged Workforce
- Aligned Aims & Measures
- Incentives & Accountabilities
- Capability for Improvement

Objectives Of The LTC Homes Initiatives

1. Improve the residents experience to promote a high-quality of life for all residents
2. Improve the safety and effectiveness of care provided in LTC homes
3. Build capacity and strengthen accountability in LTC sector

LTC homes sector is becoming a leader in this significant change agenda by improving quality of care and creating a culture that is focused on resident outcomes

Implementation Timelines



Funding Is Being Provided To Support Homes In Implementing The LTCHA And Regulation

- In June 2010 the Minister of Health and Long-Term Care, announced a total of \$157.2 M in new funding for the LTC Homes sector.
- This funding will support LTC Homes as they engage in a number of initiatives aimed at improving the quality of care, safety and overall health of LTC residents in Ontario.
 - \$34.6 M in base and one-time funding to support LTC Homes in implementing the LTCHA and Regulation.
 - \$21 M will be provided through increases in the level of care per diems.
 - \$6.7 M will be provided for education, training, quality improvement and capacity building initiatives lead by the Ontario Health Quality Council and other partners.
 - \$6.9 M will be invested in 2010-11 to modernize and update the compliance inspection process for LTC Homes.

Funding Is Being Provided To Support Homes In Implementing The LTCHA And Regulation

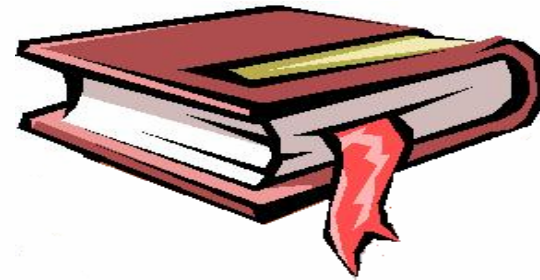
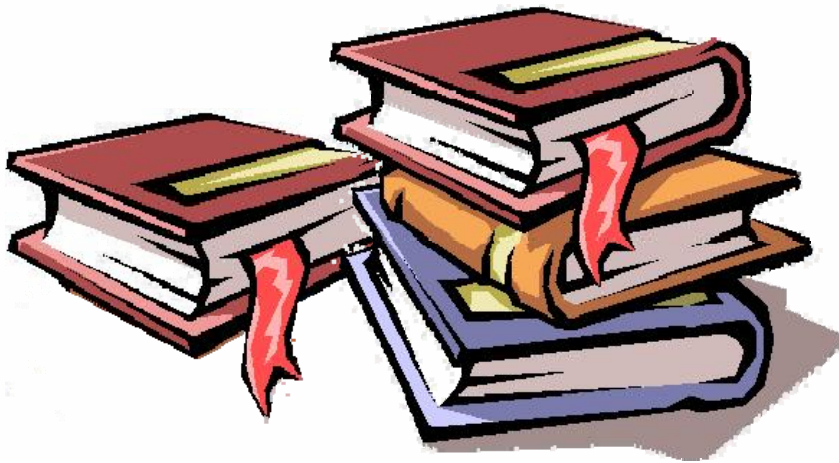
- An additional \$122.6 M is being invested which will provide foundational support for LTC Homes during this important transition year. This includes:
 - \$58.9 M increase in base funding for the Nursing and Personal Care (NPC) and Program and Support Services (PSS) envelopes to support resident care needs.
 - \$21.1 base funding increase for additional Personal Support Workers (PSWs) to improve care for residents.
 - \$42.6 base funding increase, first announced on May 14, 2010, to annualize last year's \$1.55 increase to the per diem funding for the Other Accommodation envelope.
- Base funding will increase by \$3 M in the Raw Food and Other Accommodation envelopes consistent with the consumer price index.

The LTCHA And Regulation Were Developed To Improve The Resident Experience And Quality Of Life

Development of the LTCHA and Regulation:

- Focused on resident care outcomes
- Developed around evidence-based and prevailing practices
- Necessary level of prescription is provided in high risk areas based on:
 - Clinical evidence
 - Stakeholder feedback
 - Ministry's ability to inspect
- Mindful of decreasing the administrative burden on licensees and staff

The LTCHA And Regulation Will Replace The Three Previous Acts As Of July 1, 2010

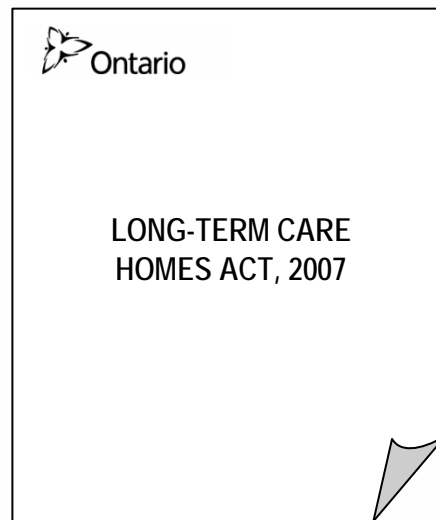


- *Nursing Homes Act* and Regulation,
- *Charitable Institutions Act* and Regulation
- *Homes for the Aged and Rest Homes Act* and Regulation
- LTC Homes Program Manual

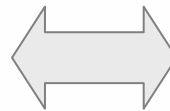
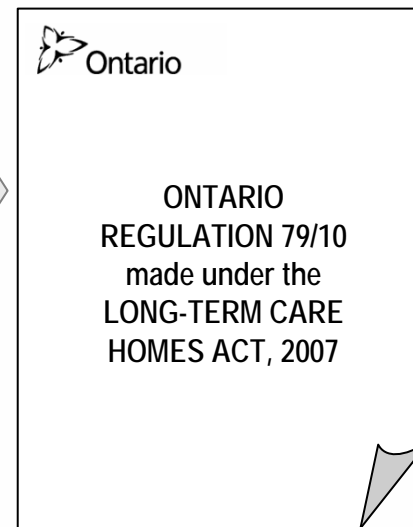
- *Long-Term Care Homes Act, 2007* and Regulation

How To Read And Find The LTCHA And Regulation

Long-Term Care Homes Act, 2007



Regulation under the LTCHA



Visit e-Laws to read the LTCHA and Regulation: www.e-laws.gov.on.ca

LTCHA Sections

1. Preamble

2. Residents: Rights, Care and Services

3. Admission of Residents

4. Councils

5. Operation of Homes

6. Funding

7. Licensing

8. Municipal Homes & First Nations Homes

9. Compliance and Enforcement

10. Administration, Miscellaneous & Transition

- *The LTCHA and Regulation address the details of each section for your review*
- *This presentation will address a few representative areas and does not represent a comprehensive overview*

1. Fundamental Principle & Interpretation
2. Residents' Rights, Care and Services
3. Admission of Residents
4. Councils
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1. Preamble

- Believe in resident-centred care
- Remain committed to the health and well-being of Ontarians living in LTC homes
- Strongly support collaboration and mutual respect amongst residents, families, providers, volunteers, community, government, etc.
- Recognize the principle of access to LTC homes that is based on assessed need
- Firmly believe in public accountability and transparency
- Recognize responsibility to take action where standards or requirements under the Act are not being met, or where the care, safety, security and rights of residents may be compromised
- Affirm commitment to preserving and promoting quality accommodation that provides a safe, comfortable home-like environment and supports a high quality of life for all residents
- Recognize the importance of fostering the delivery of care and services to residents in an environment that supports continuous quality improvement

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2. Residents' Rights, Care and Services

Residents' Bill of Rights

- Expanded and strengthened to enhance enforceability

Mission Statement

- Requirement for a mission statement that is developed and revised with input from Residents' and Family Councils and is consistent with the fundamental principle and Residents' Bill of Rights

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2. Residents' Rights, Care and Services

Plan(s) of Care

- Emphasizes need for an **integrated interdisciplinary approach** to care planning and delivery with the involvement of the resident and if the resident is incapable, the resident's substitute decision-maker (SDM)

- Completed **at admission**, when **reassessment** is required and at **regular intervals**

- A **care conference** is held with the resident and any SDM (if required) within six weeks after admission and annually afterwards to review and discuss the plan of care and matters of importance to the resident and any SDM

2. Residents' Rights, Care And Services

General Requirements for Programs

- The following must be complied with in respect of programs:
 - Written description including goals and objectives, relevant policies, procedures, protocols and provides for methods to reduce risk and monitor outcomes
 - Use only appropriate equipment, supplies, devices, etc. based on resident's condition
 - Evaluate and update at least annually (written record)

Organized Programs

- Requirement to provide current **key services**, including nursing and personal support services, restorative care, recreational and social activities, nutrition care and hydration, dietary services, medical services, etc.

2. Residents' Rights, Care and Services

Required Programs

- Requirement to have programs to **protect vulnerable residents** including:
 - Falls Prevention and Management Program
 - Skin and Wound Care Program
 - Continence Care and Bowel Management Program
 - Pain Management Program

Responsive Behaviours

- Requirement to develop approaches to care and strategies to meet the needs of residents with responsive behaviours and integrate these into the care provided to residents

2. Residents' Rights, Care and Services

Prevention of Abuse and Neglect

- **Neglect means** – failure to provide a resident with the treatment, care, services or assistance required for health, safety or well-being, and includes inaction or a pattern of inaction that jeopardizes the health, safety or well-being of one or more residents
- Outlines the duty of homes to protect residents from **abuse by anyone** and to ensure that residents are not **neglected by the licensee or staff**
- Must have a written policy to promote **zero tolerance of abuse and neglect** of residents and must ensure that the policy is complied with
- Immediate investigation and taking of appropriate action by the licensee for each suspected, alleged or witnessed incident of abuse or neglect of a resident

2. Residents' Rights, Care and Services

Minimizing Restraining of Residents

- Requirement to have a written policy to minimize the restraining of residents and to ensure that any restraining that is necessary is done in accordance with the Act and Regulation
- Requirements set out when to reassess, monitor, release and reposition residents and other safety requirements
- Alternatives must be considered and the least restrictive method must be used
- Only if restraining is included in the resident's plan of care, as set out in section 31 of the Act, may a resident be restrained by physical devices
- The consent of the resident or SDM, if applicable, is required
- Some devices specifically prohibited, including vest/jacket restraints, locked devices, shhets, wraps (see reg 112)

2. Residents' Rights, Care and Services

Personal Assistance Services Device (PASD)

- A PASD that limits or inhibits a resident's movement and from which a resident is unable to release himself or herself can only be used to assist the resident with a routine activity of living if the PASD is included in the resident's plan of care as set out in section 33 of the Act
- Resident or SDM, if applicable, must consent to the use of a PASD.
- If a device is used to restrain rather than assist in a routine activity of living, then all requirements related to restraining by physical devices would apply

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2. Residents' Rights, Care and Services

Reporting and Complaints

- "Care, diligence and skill of a reasonably prudent person in comparable circumstances"
- Homes must investigate and resolve complaints where possible, and provide a response indicating what has been done to resolve the complaint or the reason that the complaint is unfounded
- **Documentation of complaints** must be kept, reviewed and taken into consideration
- **Immediate and mandatory reporting** to the Director if there are grounds to suspect things have occurred or may occur, e.g abuse or neglect that resulted in harm/risk of harm to a resident
- **Whistle-blowing protection** for staff, residents and volunteers who disclose information to the Director or inspector or give evidence in a proceeding or inquest

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3. Admission of Residents

Designation and Role of Placement Co-ordinators

- The CCAC is the only designated placement co-ordinator, responsible for:
 - Determining eligibility for and authorizing admissions to LTC homes
 - Providing the applicant with required information
 - Obtaining consent

Eligibility for Admission

- Applicant for admission must require:
 - Nursing care be available on-site 24 hours a day
 - At frequent intervals throughout the day, assistance with activities of daily living or
 - At frequent intervals throughout the day, on-site supervision or on-site monitoring to ensure safety or well-being
- Community-based services available, in any combination, are insufficient
- The person's care requirements can be met in a LTC home

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3. Admission of Residents

Approval by Home

- Home must approve a person's admission unless the home lacks the physical facilities or nursing expertise necessary to meet the applicant's care requirements
- If not approving, a written notice detailing why not must be sent to the applicant, Placement Co-ordinator and Director (Ministry)

Waiting Lists

- An eligible applicant can be placed on up to five long-stay waiting lists, unless in crisis, and five short-stay waiting lists at one time

Main Prioritization Categories	Criteria for Placement
Category 1	Crisis
Category 2	Spouse/Partner Reunification
Category 3A or 3B	Religious/Ethnic/Linguistic Origin
Category 4A or 4B	Other
Exchange Category	
Readmission Category	

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3. Admission of Residents

Short Stay Convalescent and Respite Programs

- Allows a maximum of 90 days within a year for each of the convalescent care and respite care programs

Short-Stay Interim Bed Program

- Only accessible to hospital-based applicants on a first come, first served basis
- Admissions cannot be authorized for a period of more than 120 consecutive days for the first period, with unlimited 60 day extensions

Specialized Units

- Designation of beds for a specialized unit is only possible after formal designation by the Director upon the recommendation of the LHIN
- Specific requirements exist to be placed on a specialized unit waiting list

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4. Councils and 5. Operation of Homes

Councils

- Every home must have a Residents' Council
- Every home may have a Family Council

Continuous Quality Improvement and Utilization Review System

- A written description of the system that includes its goals, objectives, policies, procedures and protocols and a process to identify initiatives for review must be developed
- System must be ongoing and interdisciplinary
- Improvements made to the home must be communicated to the Residents' Council, Family Council and staff on an ongoing basis

5. Operation of Homes

Qualifications

- All staff are required to meet the qualifications set out under the LTCHA
 - Administrator & Director of Nursing and Personal Care (DONPC)
 - Personal Support Workers
 - Social Workers and Social Service Workers, etc.
- Stipulations on hours of work required by role

Training and Orientation

- A training program that is evaluated and updated annually is required as well as a designated lead
- Staff training in complex resident care needs and potentially high risk areas is required (e.g. falls prevention and management, skin and wound care)

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6. Funding

- Permits Minister to fund LTC homes and may attach conditions as to how funding may be used
 - **Accounts and Records**
 - **Non-arms length transactions, limitation**
 - Reporting
- Details the requirements related to:
 - **Resident Charges**
 - **Non-allowable Resident Charges**

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7. Licensing

- Licences to be **issued with fixed terms (up to 25 years)** and subject to conditions
- **Temporary licences** can be issued for a fixed term of no more than 5 years and cannot be renewed
- **Temporary emergency licence** can be issued for a period of not more than 60 days
- **Short term authorizations** can be issued for up to 30 days where a person needs immediate admission as a result of a crisis arising from their condition/circumstances

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8. Municipal Homes & First Nations Homes

Municipal Homes

- Act outlines requirements for municipalities (in southern Ontario) who **must** establish and maintain a municipal home as well as requirements for other municipalities who **may** establish and maintain a home
- Act sets out alternative ways to meet these requirements, such as establishing and maintaining joint homes

First Nations Homes

- A council of a band may establish and maintain a First Nations home

The Implementation Of The LTCHA Is A Significant Change Journey



Products And Educational Opportunities to Assist In Implementation Efforts

Education/Information	Content	By whom	When
<i>Starter Kit</i>	<ul style="list-style-type: none"> Includes: Letter to Residents, Bill of Rights, Complaints poster and brochure, duty to report poster and FIPPA fact sheet 	Ministry	End of June
<i>LTCHA Guide</i>	<ul style="list-style-type: none"> Plain language guide to the LTCHA and regulation 	Ministry	Beginning of July
<i>Introduction DVD</i>	<ul style="list-style-type: none"> High level introduction to LTCHA and regulation 	Ministry	Mid of July
<i>Webinars and Education Modules</i>	<ul style="list-style-type: none"> Key priority areas 	Ministry, OACCAC, ACE, OANHSS, OLTC	July onwards
<i>Website</i>	<ul style="list-style-type: none"> FAQs, Presentations, additional information 	Ministry	Ongoing
<i>Newsletter</i>	<ul style="list-style-type: none"> Updates on implementation and education 	Ministry	Ongoing
<i>FAQs</i>	<ul style="list-style-type: none"> Based on questions received 	Ministry	Ongoing

Questions?

Email: LTCHA@Ontario.ca

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