

**Summary of Proposed Amendments to Regulations  
made under the *Health Protection and Promotion Act***

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## **Table of Contents**

Summary of Proposal.....	3
Overarching Amendments to Virulent, Communicable and Reportable Disease Regulations (95/03, 558/91, 559/91) .....	3
Reg. 553 – Areas Comprising Health Units and Reg. 559- Designation of Municipal Members of Boards of Health.....	5
Reg. 565 – Public Pools .....	5
NEW Regulation – Personal Service Settings.....	6

## Summary of Proposal

The *Health Protection and Promotion Act* (HPPA) specifies the organization and delivery of public health in Ontario. The HPPA requires Ontario's 36 boards of health (also called public health units) to oversee, provide or ensure the provision of public health programs and services, as specified in the HPPA, its regulations, and in the Ontario Public Health Standards published by the Minister of Health and Long-Term Care.

The proposed regulatory changes in this proposal are related to Schedule 3 of Bill 160, the *Strengthening Quality and Accountability for Patients Act*, 2017 which includes amendments to the HPPA to ensure Ontario's high public health quality standards are met. If passed, Schedule 3 of Bill 160 must be proclaimed in force by the Lieutenant Governor.

Note that certain of the proposed changes to regulations in this proposal will require corresponding changes to short form wording for offences under the *Provincial Offences Act*.

## Overarching Amendments to Virulent, Communicable and Reportable Disease Regulations (95/03, 558/91, 559/91)

### Rationale:

It is proposed to consolidate these three regulations into one regulation which provides a single regulation listing all of these diseases.

Re-classifying virulent, communicable, and "diseases of public health significance" (formerly, reportable) diseases under a single categorization will provide clarity and ensure coherence between diseases lists, and align with current evidence and best practice.

The list of diseases of public health significance is routinely reviewed to ensure the Ministry is appropriately monitoring trends of pathogens that are of public health significance in Ontario.

The two diseases that are being removed from the list do not require direct public health action to mitigate transmission in Ontario. Should this change, the Minister of Health and Long-Term Care has the authority to take action and amend the regulations accordingly.

**Proposed change includes:**

- Amending the regulations to add the following diseases:
  - Carbapenamase-producing Enterobacteriaceae (CPE) and designating it as a disease of public health significance;
  - Blastomycosis and designating it as communicable; and
  - Echinococcus multilocularis infection and designating it as communicable.
- Amending the regulations to remove the following diseases:
  - Yellow Fever; and
  - Malaria.
- Amending the regulations to revise the following diseases:
  - Haemophilus influenzae b disease, invasive to be changed to Haemophilus influenza all types, invasive;
  - Influenza (seasonal) to be changed to influenza, novel only;
  - SARS changing designation from virulent to communicable; and
  - Lyme disease changing designation from communicable to disease of public health significance.
- Amending the regulations for the reporting of adverse events following immunization to add the following:
  - Hepatitis A
  - Herpes zoster
  - Human papillomavirus
  - Mumps
  - Rotavirus
- Amend the regulations for the reporting of adverse events following immunization to change Meningococcal-C to Meningococcal.

## **Reg. 553 – Areas Comprising Health Units and Reg. 559- Designation of Municipal Members of Boards of Health**

### **Rationale:**

At the request of the Boards of Health named below, the government is proposing to amend the regulations under the HPPA to permit the merger of:

- Elgin-St. Thomas Health Unit with the Oxford County Health Unit, and
- Huron County Health Unit with the Perth District Health Unit.

Amendments were made at Committee stage to Schedule 3 of Bill 160 to remove references to the County of Oxford in the HPPA to permit this merger between the County of Oxford and Elgin-St. Thomas to take place (which would come into force on proclamation of the Lieutenant Governor).

The Boards of Health for these public health units are in the process of confirming additional details including board composition and the new health unit names as required by these regulations.

### **Proposed changes include:**

- Amalgamate Elgin-St. Thomas Health Unit and Oxford County Health Unit into one Health Unit
- Amalgamate Huron County Health Unit and the Perth District Health Unit into one Health Unit

## **Reg. 565 – Public Pools**

### **Rationale:**

Recreational water settings such as spray/splash pads, wading pools and water slide receiving basins are not currently regulated. Changes are being proposed to prevent and reduce risk of illness, injury and deaths associated with these recreational water facilities. These proposed amendments will help to protect and ensure the safety of Ontario's children and families.

Prior regulation changes involved consolidating the Public Pools (Regulation 565) and Public Spas Regulation. This proposed regulation change would amend the Public

Pools Regulation to add recreational water settings (specifically, splash/spray pads, water slide receiving basins and wading pools).

**Proposed changes include:**

- Add requirement for operators to notify the Medical Officer of Health or Public Health Inspector in writing, a minimum of 14 days prior to commencing operation after construction, or a closure of more than 4 weeks.
- Require operators to post inspection results conducted by the public health inspector.
- Add requirements for:
  - All components of wading pools, waterslide receiving basins and spray/splash pads to be maintained in proper working order, and in a safe and sanitary condition;
  - Water to be from a clean and safe water source;
  - Water chemistry for wading pools and spray/splash pads to be maintained in a manner that allows for effective disinfection and comfort to bathers. Water chemistry requirements to be similar to those of public spas in Reg. 565 (Public Pools);
  - Water chemistry testing and recording to align with proposed amendments to Reg. 565 (Public Pools);
  - Attendant supervision at wading pools. Where a wading pool is operated in conjunction with a public pool, the supervision would be in addition so as not to take away from the required bather supervision for pools; and
  - Posted signage for spray/splash pads notifying parents or guardians to supervise their child(ren) at all times when using the spray/splash pad.

## **NEW Regulation – Personal Service Settings**

**Rationale:**

Personal services are a growing industry, encompassing services from hairdressing and barbering to invasive procedures, such as tattooing and other forms of body modification. Whether or not a personal service is invasive, each service has inherent infection risks if appropriate infection prevention and control practices are not followed.

The government is proposing a regulation, which would, if approved, prescribe infection prevention and control practice requirements that are intended to help minimize the risk of infections from procedures performed within a personal services setting for patrons of these settings and help enable swifter correction of infection prevention and control breeches.

Schedule 3 of Bill 160 includes a proposed definition of “personal service setting” and proposed regulation-making authority to regulate personal service settings.

### **Proposal to:**

- Develop a new regulation related to personal services settings (e.g. tattoo parlors, nail salons, barber shops, etc.) which would include rules and provisions related to the following:
  - A prohibition against providing certain personal services, including ear candling or coning and *Garra rufa* fish pedicure;
  - A requirement to give the medical officer of health notice in writing 14 days prior to the commencement of operating a premise;
  - Age restrictions and identification requirements;
  - Requirements for premise construction, operation, and maintenance, including specific requirements for sinks where reusable equipment is being used;
  - Requirements for the use and maintenance of equipment and instruments, including single-use items and sterilizers;
  - Requirements for the storage, dispensing, and labeling of products used within a premise;
  - Operator and personal services worker roles and responsibilities including:
    - the duty to refuse to provide service to a client for potential risk of disease transmission or if there is reason to believe the client is not fully capable of understanding the risks of and invasive procedure,
    - the duty to inform and obtain consent for invasive procedures,
    - the duty to perform hand hygiene,
    - the duty to ensure that a personal service setting has written procedures for the safe and sanitary operation of the personal service setting, and
    - the maintenance of written records; and
  - A requirement to provide education and training on infection prevention and control practice and procedures for employees.