

Proposed Amendments to O. Reg. 79/10 under the *Long-Term Care Homes Act, 2007*

Proposed Amendments (proposed effective date of July 1, 2011):

1. Amend section 9 of the Regulation relating to doors in a home as follows:
 - a. exempt all doors which residents do not have access to and all doors that lead to secure outside areas, balconies and terraces from the requirements in paragraph 1 of section 9 that doors must be kept closed and locked, equipped with a door access control system, and equipped with an audible door alarm;
 - b. require that all doors that lead to secure outside areas, balconies and terraces have the capacity to be secured;
 - c. require licensees to have and implement a policy that sets out when doors that lead to secure outside areas, balconies and terraces must be kept open for resident access and when these doors must remain locked.
2. Amend section 10 of the Regulation relating to elevators to provide that licensees who are approved to redevelop under Phase 1 of the LTC Homes Renewal Strategy are not required to comply until December 31, 2014 with the requirement in subsection 10 (1) that elevators must be equipped to restrict resident access to areas that are not to be accessed by residents.
3. Amend section 16 of the Regulation relating to windows to allow windows to open no more than 15 cm.
4. Amend section 18 of the Regulation relating to lighting to change the requirement "In all other areas of the home" to be minimum levels of 215.28 lux.
5. Amend section 19 of the Regulation relating to generators to include an extension until July 1, 2012 for homes with new beds and A beds to meet the requirements in clause 19 (1) (c) relating to essential services. The extension would only apply to those homes that did not meet the requirements in clause 19 (1) (c) on July 1, 2010.
6. Amend clause 87 (2) (b) of the Regulation to remove the reference to "hospital grade disinfectant" and replace it with a reference to a low level disinfectant that accords with evidence-based practices or prevailing practices. In addition, require the licensee to ensure that the staff member who is designated to co-ordinate the infection prevention and control program pursuant to subsection 229 (3) of the Regulation is involved in the selection of the disinfectant.

7. Amend section 97 of the Regulation to exempt the licensee from requirement to:
 - a. notify the substitute decision-maker or the person specified by the resident in the situation where the substitute decision-maker or the specified person is the alleged abuser and the licensee does not intend to speak to the substitute decision-maker or specified person as part of the investigation; and
 - b. notify the substitute decision-maker of the result of the investigation if the substitute decision-maker is the alleged abuser and the licensee does not intend to speak to the substitute decision-maker as part of the investigation.
8. Amend subsection 107 (3) of the French version of the Regulation (governing critical incident reports) to align with subsection 107 (3) in the English version.
9. Amend subsection 110 (6) of the Regulation to clarify that this provision does not prohibit the use of bed rails as a physical restraint.
10. Amend section 202 of the Regulation to give applicants on the waiting list in the exchange category the highest priority ranking for admission to a specialized unit.
11. Amend section 224 of the Regulation to include a definition of “non-arm’s length relationships”. This term would have the same definition as “non-arm’s length transaction” in subsection 265 (1) of the Regulation.
12. Amend subsection 318 (1) of the Regulation to remove the reference to “site” and replace it with a reference to a “place”, or similar term.