

**Ministry of  
Long-Term Care**

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## **Notice Required Under Section 194 of the *Fixing Long-Term Care Act, 2021***

Ontario's healthcare system is under strain to provide the right mix and volume of services to meet the needs of a growing and aging population. While these challenges pre-date the pandemic, they have been significantly exacerbated by it.

The Ministry of Long-Term Care is proposing an initial regulation to make amendments to Ontario Regulation 246/22 under the *Fixing Long-Term Care Act, 2021* (Act), supporting *Ontario's Plan to Stay Open: Health System Stability and Recovery* to better facilitate the flow of eligible patients from hospitals to long-term care homes by enabling certain admission steps to be carried out without the consent of hospital patients, subject to limitations.

The proposed regulation will support a continued conversation with patients designated Alternate Level of Care (ALC) and the admission of eligible patients designated ALC to temporary care arrangements in long-term care while they wait for their preferred home. There is an urgent need to proceed with this proposed regulation to support the recovery and stabilization of Ontario's health care system in advance of a potential flu and COVID fall wave to ensure patients designated ALC are receiving the right care in the right place.

Subsections 194(1) to (5) of the Act set out requirements for public consultation before the Lieutenant Governor in Council can make an initial regulation under the Act. In accordance with subsection 194(6) of the Act, the Minister may decide that these requirements should not apply to the Lieutenant Governor in Council when making an initial regulation.

Pursuant to subsection 194(6) of the Act, I hereby give notice of my decision that subsections 194(1) to (5) of the Act do not apply with respect to the power of the Lieutenant Governor in Council to make the proposed regulation amendments under the Act related to patients designated ALC. As provided in subsection 194(6), I am of the opinion that these requirements should not apply because the urgency of the situation requires it.

This proposed regulation amendments intend to support Ontarians to receive the best possible care in the most appropriate settings and better position public hospitals in Ontario to deliver care to individuals who require emergency treatment, surgery and other hospital services as required. The Ministry of Long-Term Care has undertaken targeted engagement with the sector to receive input in the development of the proposed regulation amendments.

Dated at Toronto, this 2 day of September, 2022.

*Original Signed By*

The Honourable Paul A. Calandra  
Minister of Long-Term Care