

Policy: COVID 19 Emergency Measures	Released March 2020
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1.0 INTRODUCTION

The Ministry of Long-Term Care (Ministry) is aware that hospitals are experiencing severe capacity pressures as a result of the COVID-19 emergency. In order to alleviate these pressures, the Ministry is suspending the short-stay program in Ontario Regulation 79/10 (O. Reg. 79/10) made under the *Long-Term Care Homes Act, 2007* (LTCHA) until further notice.

This policy provides direction on the suspension of the short-stay program to long-term care home (LTCH) licensees and Local Health Integration Networks (LHINs) on how to utilize short-stay beds to maximize capacity for applicants waiting for admission to a long-stay bed in a LTCH.

This policy applies only to short-stay residents in the respite care or convalescent care programs. It does not apply to residents who occupy beds under the interim bed short-stay program.

This policy is effective as of March 23, 2020, until it is revoked.

All LTC home licensees are required to comply with this policy in accordance with section 3.1 of the Long-Term Care Service Accountability Agreement.

2.0 CONTINUING OCCUPANCY OF SHORT-STAY BEDS

2.1 Residents occupying short-stay beds on the effective date of this policy will continue to have access to those beds until such time that they are discharged as per O. Reg. 79/10.

2.2 A placement co-ordinator who has authorized an applicant's admission to a LTCH as a short-stay resident in the respite care or convalescent care program on the effective date of this policy may cancel the authorization only if the applicant does not move into the home on the day agreed to by the applicant, as set out in section 185(4) of O. Reg. 79/10.

If the authorization is cancelled under section 185(4) of O. Reg. 79/10, the bed shall be considered available for the purposes of this policy.

For clarity, the offer of admission may not be rescinded unless agreed upon by the applicant. If an applicant whose admission to a short-stay bed is cancelled under section 185(4) of O. Reg. 79/10, they will continue to remain on the waiting list.

- 2.3** LHINs shall work with LTCH licensees, who shall work with their residents in the short-stay program to encourage safe discharge of residents from these beds, where safe and appropriate.

For clarity:

- Subsection 145(3) and section 148 of O. Reg. 79/10 continue to apply with respect to discharge; and
- Section 186 of O. Reg 79/10 continues to apply with respect to the LTCH licensee's duty to inform the appropriate placement co-ordinator of vacancies.

3.0 CONVERSION OF AVAILABLE SHORT-STAY BEDS

- 3.1** Any short-stay bed that is available is deemed to be a long-stay bed under this policy, until such time as this policy is revoked. This applies to short-stay beds that are available when this policy comes into effect, as well as any short-stay beds that become available while this policy is in effect.

These deemed conversions apply despite sections 17 and 18 of Schedule 3 of the Ministry-LHIN Accountability Agreement.

Due to the COVID-19 emergency, these deemed conversions also apply despite the notice period and other requirements in section 6.5 of the Long-Term Care Home Service Accountability Agreement. The Ministry of Long-Term Care will review appropriate compensation options for the waiver of the notice requirement.

- 3.2** For any short-stay beds deemed to be a long-stay bed under this policy, the appropriate placement co-ordinator will authorize admission of an applicant from the long-stay waiting list for that bed in the LTCH in accordance with the applicable admission requirements in O. Reg. 79/10.

4.0 REPORTING INFORMATION ON SHORT-STAY BEDS

LHINs and LTCH licensees must provide information about short-stay beds for the purposes of assessing potential bed capacity to respond to the COVID-19 emergency. This requirement is in addition to subsection 186 of O. Reg. 79/10 which continues to apply with respect to the licensee's duty to inform the appropriate placement co-ordinator of vacancies.

- 4.1** LTCH licensees must submit information pertaining to short-stay beds to the appropriate LHIN immediately upon:

- The effective date for this policy; and
- Receipt of a request from the LHIN.

4.2 LHINs must submit information pertaining to short-stay beds to the Ministry immediately upon:

- The effective date for this policy; and
- Receipt of a request from the Ministry.

4.3 Information about short-stay beds includes the following:

- The number of convalescent care and respite care beds in operation; and,
- Any other information with respect to short-stay beds requested by the LHIN or the Ministry to support assessments of bed capacity in response to the COVID-19 emergency.

5.0 FUNDING

The Ministry will fund short-stay beds deemed converted to long-stay beds under this policy, as per the rate set out for the respective bed types in the *Long-Term Care Homes Level-of-Care Per Diem, Occupancy and Acuity Adjustment Funding Policy* and the *LTCH Level-of-Care Per Diem Funding Summary*. Converted beds will continue to be funded at the related short stay rate in keeping with the funding approach stipulated in the existing agreement. The related funding will continue to flow from the existing source.

The Ministry and Long-Term Care will continue to review funding options to support these emergency measures and will amend this policy, as needed, to reflect any changes.