

The Guide on the Policy, Process, and Procedures during Emergency Evacuations

**Instructions,
Information, and
Materials**

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INTRODUCTION

Emergency Evacuations Background

In an emergency, the health, safety, and comfort of long-term care (LTC) residents is the first priority.

Emergency evacuation is a complex process that has two critical parts:

1. All LTC homes are legislatively required to have emergency plans and procedures prepared and approved by the Ministry of Long-Term Care's (the "ministry") Inspections Branch. (See below for a detailed explanation.)
2. During an emergency, a home must:
 - a. Start the process as per their emergency plans and procedures and
 - b. Trigger the ministry's administrative emergency evacuation process.

Purpose

The purpose of this guide is to formalize the administrative elements of the emergency evacuation process including materials to utilize in evacuation situations between the Home in an emergency, the Recipient Home or Unit, the Home and Community Care Support Services, and the ministry.

The content of this guide is provided to support homes in the event that their emergency plan has been initiated and is subject to applicable law. The ministry may revise and/or provide clarifications with respect to this guide from time to time.

Objective

The guide will

1. identify the process of transmitting information;
2. provide materials to complete during the evacuation process;
3. provide information regarding licences, specifically temporary emergency licences; and
4. outline the terms and conditions under which the ministry will license eligible beds and reimburse LTC Homes for eligible expenses related to the admission and accommodation of residents during emergency evacuations from existing LTC Homes or the community.

In addition, the guide will describe

- the issuance of Temporary Emergency Licence(s), with applicable licence conditions (more information under licensing below), which typically includes a condition that the Director may revoke the licence effective on the day that the affected resident(s) are all discharged from the Recipient Home(s);
- information on the provision of applicable funding; and
- the necessary permission under s. 104(3) of the LTCHA (BIA approval) in respect of the temporarily closed beds, and to the associated BIA Agreement to be created, effective until the day when the Source Home/Beds re-opens and the Temporary Emergency Licence is revoked or surrendered.

Home Emergency Evacuation Plans and Procedures

Licensees are required under s. 87 of the *Long-Term Care Homes Act, 2007* (LTCHA) and s. 230 of the Regulation to ensure that there are emergency plans put in place for Long-Term Care (LTC) homes, including procedures for evacuating and relocating residents, and evacuating staff and others in case of an emergency (LTCHA, s. 87(1)(b)).

Homes are encouraged to append this guide to their existing emergency plans/evacuation procedures and to refer to this document should an emergency arise at the LTC home and re-

location of residents to an alternate location is needed.. This guide will not cover details of the Home's Emergency Evacuation Plans and Procedures, please contact the Inspections Branch for information.

Long-Term Care Homes Act, 2007

Temporary emergency licences

112 (1) Subject to any restrictions or requirements that may be prescribed by regulation, in order to accommodate persons affected by a temporary emergency, the Director may issue a temporary emergency licence,

- (a) authorizing premises to be used as a long-term care home on a temporary basis; or
- (b) authorizing temporary additional beds at a long-term care home.

Conditions of temporary emergency licence

(1.1) Except as otherwise specified in writing by the Director, it is a condition of the temporary emergency licence that the only persons who may be admitted to a bed under the authority of the licence are persons affected by the temporary emergency.

Rules for temporary emergency licence

(2) The following apply with respect to a temporary emergency licence:

1. The licence may be revoked by the Director at any time on the giving of the notice provided for in the licence, as well as being revocable under section 157.
2. The licence may be issued for a term of no more than one year and may not be renewed.
3. No interest in a temporary emergency licence, including a beneficial interest, may be transferred.

Background

When there is an emergency evacuation from a LTC Home or a community, there needs to be a process initiated by the Source Home or community that prompts the appropriate authorities (Ministry of Long-Term Care [Director, Ministry Branches], Placement Coordinator, etc., as applicable) to take actions within their authority to help ensure that residents are re-located in manner that:

- i. resident health and safety are maintained;
- ii. applicable legislation (LTCHA) is complied with; and
- iii. appropriate funding is provided.

Note: If residents are moved into existing and available beds at other LTC homes with no intention of returning to the home after the emergency or evacuation ends, a temporary emergency licence is not needed.

Definitions

Evacuation: refers to removal of a resident(s) from a LTC Home due to an emergency (including any exceptional situations that arise presenting a direct or indirect threat to health or safety) that necessitates the urgent relocation of residents in the LTC Home.

Displaced Resident (Evacuee): refers to a Resident from a Source Home or an Evacuee from the Community who has become displaced/re-located due to an emergency and has been placed as a resident in a/another LTC Home (the "Recipient Home").

Evacuee from the Community: is a person who has been displaced/re-located from their current residence (other than a LTC Home) due to an emergency unforeseen circumstances, and placed as a resident in a Recipient Home.

LTCHA: means the *Long-Term Care Homes Act, 2007* and any regulation under that *Act*, including Ontario Regulation 79/10.

Source Home: refers to a LTC Home that has become uninhabitable, in whole or in part, due to an emergency and, as a result, its residents must be evacuated from the LTC Home.

Recipient Home: refers to either an existing licensed LTC home that is authorized by a temporary emergency licence under s. 112(1)(b) of the LTCHA to operate additional beds at the home on a temporary basis, or a Stand-Alone Temporary LTC Unit.

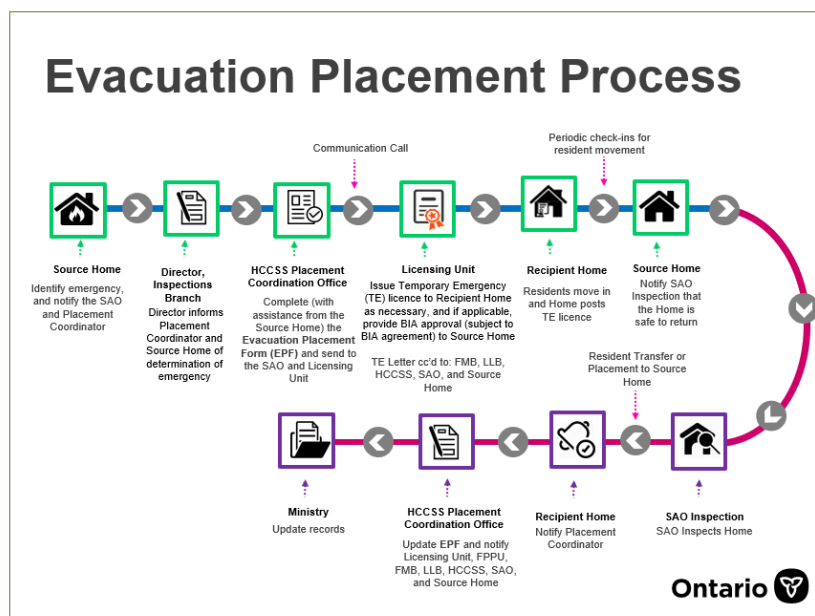
Resident: means a person admitted to and living in a LTC home in accordance with the LTCHA.

Stand-Alone Temporary LTC Unit: refers to premises that are authorized by a temporary emergency licence under s. 112(1)(a) to be used as a long-term care home on a temporary basis, and may include a unit within a residential facility (or part thereof) that is normally not licensed to operate LTC beds (e.g. a hospital, a retirement home, or a community centre), that is licensed as an LTC home under the LTCHA for the temporary operation of LTC home beds.

PROCESS AND DESCRIPTION OF MATERIALS

Evacuation Placement Process

The image below shows the evacuation placement process and the information to be transmitted during unplanned evacuations from existing LTC Homes or the community. The process will provide guidance to help ensure that every participant is aware of their role, what information they need to send, and to whom they need to send that information. For detailed steps, please see "*Responsibilities by Party in Order of Action*".



Note: The process map above applies only to evacuations from an LTC Home. Evacuees from the community should continue to follow the current process that the Home and Community Care Support Services (HCCSS) and ministry branches have in place. The process is adapted to the displaced resident initiating the process by contacting the HCCSS who then informs the ministry.

ROLES AND RESPONSIBILITIES

Collaboration

It is expected that all parties involved in the relocation of residents from the Source Home or the community will work collaboratively to facilitate a smooth transition for the resident(s). The Source Home, the Recipient Home(s), the designated Placement Coordinator (PC), and the Service Area Office (SAO) have a role in the process to ensure that the information on the EPF is correct and up to date.

Responsibilities by Party in Order of Action

1. Source Home

- In an emergency, the Home commences and follows its emergency plans and, where necessary, starts evacuating residents to the Recipient Home(s) or Stand-Alone Unit(s) (Determined with the placement coordinator). (Homes are encouraged to have emergency locations identified as part of their larger emergency procedures/plans.)
- The Licensee/Home must immediately report the emergency, including any related evacuation to the Director, LTC Inspections as per s. 107(1) of the Regulation under the LTCHA.
- The Licensee/Home initiates the emergency licensing process by notifying the placement coordinator and SAO of the Home's need for evacuation (internally, the home will initiate an Emergency Management Communication Tool* ticket).
- The Home will provide the necessary information to the placement coordinator to complete the EPF.
- The Home will maintain ongoing communication with the placement coordinator and the SAO throughout the duration of the evacuation and provide updated documentation as necessary.
- Once the emergency is over, the Home notifies the recipient home and ministry branches that it is safe for the resident(s) to return to the source home. If required, it will submit clearance documentation to the SAO.
- If documents are destroyed due to the emergency, the Source Home should still complete the EPF to the best of their ability.

Note: The Emergency Management Communication Tool is used to manage system wide emergencies, such as fires, floods, natural disasters. It is a communication tool used to help coordinate system wide responses. <https://emct.disasterlan.ca/>

2. Placement Coordination Office (PCO)

- The Source Home informs the PCO (HCCSS) of an emergency and the need for evacuation.
- When the Director of LTC Inspections makes a s. 208(1) determination (under O. Reg. 79/10) that residents of a long-term care home urgently need to be relocated to another home to protect their health or safety and advises the Placement Coordinator (PC) of the determination, the PC should follow the truncated placement/admission-related process/rules set out in s. 208(1) of the Regulation to expedite the re-location of residents to another LTC home or Stand Alone Temporary Unit.

Note:

1. Residents may need to be relocated more than once, and not all to the same location.
2. If the Source Home is not able to move residents to the locations identified in its emergency plans, the PCO should aid the Source Home in identifying additional locations for capacity.

- The PCO needs to ensure that the Template EPF is available on a site where all Placement Coordinators have access to in the event of an evacuation. *Note: The Licensing Unit has the original copy of the template.*
- The PCO is required to start filling out the EPF for each Recipient Home with the assistance of the Administrator(s)/Licensee(s) of the Source and Recipient Home (The Recipient Home is determined between the Source Home and the PCO.). (Note: At the same time, the PCO will follow all internal processes including organization and coordinating emergency response.)
- In the event of a large evacuation, the PCs will complete the EPF to the best of their ability with help from the Source Home.
- The PCO forwards the EPF to the SAO. The PCO is required to do so within one day of any updates being made to the Form. *Note: Please ensure that privacy protocols are being followed.*
- The PCO is required to update the EPF when the resident(s) transfers at any time:
 - back to the Source Home or community,
 - to another Recipient Home,
 - from a temporary licensed bed to a regular licensed bed within the same Recipient Home,
 - to a hospital, or community (e.g. retirement home), or
 - the resident has died.
- The PCO should periodically check with to the SAO to confirm no changes.
- Once updated with new information, the PCO sends the completed EPF to the Recipient Home, the Licensing Unit, the HCCSS('), the SAO, and Financial Management Branch (FMB).

3. Director (LTC Inspections) and Service Area Office (SAO)

- Depending on the circumstances, pursuant to s. 208(1) of O. Reg. 79/10 under the LTCHA, the Director may make a determination that residents of a long-term care home urgently need to be relocated to another LTC home to protect their health or safety.
- If this determination is made, the Director will advise the PCO and Source Home of the determination in writing (i.e. letter or email).
- When this determination is made, the provisions under s. 208 of O. Reg. 79/10 apply and can be relied on by the Placement Coordinator and Licensee to facilitate the relocation of residents to another LTC home.
- After the SAO receives the completed EPF, the EPF is reviewed to confirm it is fully completed and the SAO forwards it to the ministry's Licensing Unit.
- The local SAO will initiate a Communication Call* once the EPF is sent by the HCCSS to all applicable parties.
- The SAO will check in periodically with the placement coordinator to confirm the status of the Source Home. If there are any changes to the EPF it will be sent to the Licensing Unit.
- The SAO will review clearance documents and complete inspections when necessary.

*A Communication Call is a regular (daily, weekly or monthly) teleconference call with all the parties involved to ensure that everyone is aware of the current status of the emergency and any evacuation from the Source Home or community.

4. Licensing Unit (LU)

- Once the LU receives the completed EPF it prepares any necessary Temporary Emergency Licence(s) (if applicable) and sends it to the Administrator(s) of the Recipient Home(s) directly. The Licensee(s) of the Recipient Home(s), the Licensee and Administrator of the Source Home, respective placement coordinator(s), FMB, and PC(s) will also be copied. This step is imperative to ensure that ministry funding related to the displaced residents is forwarded to the receiving home.

- The Licensing Unit will provide a revocation letter for the Temporary Emergency Licence once all the residents are back in their (Source) home location.
- The Licensing Unit will prepare the BIA agreement and approval, as appropriate, for all the beds out of operation due to the emergency.

Note on privacy: The Licensing Unit will mark emails as “high sensitivity” and “classify and protect” files saved in the shared drive as indicated in the Licensing Privacy Policy.

5. Recipient Home

- The Recipient Home will be notified by the PCO and prepare with the Source Home for the evacuees.
- The Recipient Home must immediately report any intake of evacuees to the Director (LTC Inspections) as per s. 107(1) of the LTCHA Regulation.
- The Recipient Home will receive the Temporary Emergency Licence, as applicable, and post it in the home.

6. Financial Policies and Procedures Unit (FPPU)

- Once the evacuation is complete, FPPU works with the PCO to share a “top-up co-payment template” with homes/PCO to use as a tool to submit their claims relating to eligible expenditures, preferred accommodation or other related claims.
- Then, FPPU seeks Director approval for claims submitted and provides direction to FMB on the amounts and the Recipient LTC homes/Stand Alone Temporary Units to be paid. Depending on the duration of the temporary placement, an agreement is reached with the homes/PCO on the frequency of template submissions to FPPU and issuance of payments.

7. Financial Management Branch (Long-Term Care – LS&TS)

- After the EPF is received, Financial Management Branch will start the reimbursement process for the homes claiming expenses once they are confirmed by FPPU.

8. Recipient Home/ Source Home

- If a resident is ready to leave the Home or the Stand-Alone Unit, the PC must be notified for the PC to complete the remainder of the EPF. (Being ready to leave is determined by the SAO confirming that the Source Home is safe.)

9. All Branches

- Once the completed EPF (Part 1 and Part 2) is received by all applicable units they will note the actual Effective and Expiry Date of the Temporary Emergency Licence and update their records. The expiry date of the temporary licence will come from either the licence or the Director’s revocation letter. The EPF form supports the information in the revocation letter.

LICENSING

Temporary Emergency Licence

Definition

A Temporary Emergency (TE) Licence is issued by the Director under the Act where there are circumstances affecting a licensed LTC home or community that make it necessary to remove one or more residents from the home to protect the health and safety of the residents of the home or community.

When is a Temporary Emergency Licence needed?

The accommodation of a Displaced Resident from the Source Home requires a Temporary Emergency licence:

- i. At a licensed LTC home:
 - If residents are accommodated above the licensed capacity of a Recipient Home: A Temporary Emergency licence is required.
- ii. At a New Stand Alone Temporary LTC Unit:
 - A Temporary Emergency licence is required.

A request for a Temporary Emergency licence should only be initiated if residents are expected to be out of the Source Home for more than 24 hours.

Length

Temporary Emergency Licences can be issued for a maximum of one year by the Director under the Act.

Beds in Abeyance (BIA) Implications

The beds in the Source Home must be put in abeyance from the day of the evacuation, subject to a Director's permission under s. 104(3) and a Beds in Abeyance (BIA) Agreement between the ministry and the licensee of the Source Home.

Conditions

1. Except as otherwise specified in writing by the Director, it is a condition of a Temporary Emergency licence that the only persons who may be admitted to a bed under the authority of the licence are persons affected by the temporary emergency.
2. The Temporary Emergency licence may be revoked by the Director at any time on the giving of the notice provided for in the Temporary Emergency licence, as well as being revocable under section 157.
3. The Temporary Emergency licence may be issued for a term of no more than one year and may not be renewed. The Source Home/PC should let the Licensing Unit know how long the emergency is expected to last.
4. No interest in a Temporary Emergency licence, including a beneficial interest, may be transferred.

Cancellation

The below is a list of possible scenarios when a Temporary Emergency licence will be revoked, subject to a revocation notice provision being set out by the Director as a condition of the licence.

1. the reason for the evacuation is resolved and the resident(s) is/are transferred back to the Source Home or the community;
2. the Displaced Resident is transferred from the temporary emergency bed to a regular licensed bed at the same Recipient Home;
3. the Displaced Resident is transferred from the first, emergency placement to another Recipient Home, either into an existing regular or temporary bed; or
4. the Displaced Resident is still in the temporary emergency bed when the Temporary Emergency Licence expires (licence is deemed revoked). When this is the case, the Temporary Emergency Licence is either replaced by a Temporary Licence (the process for which needs to be initiated at least 3-6 prior to its approval) or may be subject to discharge or transfer, subject to applicable requirements.

BIA

Definition

BIAs are licensed or approved LTC Home beds that are unoccupied and unavailable for occupancy for 14 consecutive days or more, with the written permission of the Director under s. 104(3) of the Act. Support of any BIA request should be requested from the HCCSS by the Licensee which then may send the request to the Director.

In the case of an emergency the beds are generally put into abeyance from the day of the evacuation until the residents' return (even if its less than 14 days) to ensure that funding is properly allocated.

BIA approval (even in an emergency) is at the discretion and approval of the Director.

Conditions:

1. BIAs are approved by the Director for temporary withdrawal from the LTC Home operations and funding system on the condition that they must be returned to the system within a specified period or surrendered to the ministry.
2. Generally, beds are only permitted to be put into abeyance when there is a reasonable expectation that they will return to occupancy.
3. The BIA Policy provides the framework and sets out the procedures for decision-making regarding applications for placing and retaining LTC Home beds (other than Occupancy Reduction Protection Beds) in abeyance.

Overview Page

A one-page overview is available for printing under Appendix C.

FUNDING

Where a BIA approval is given, funding for the Source Home will be applied as per the *Beds in Abeyance Policy*.

Licensee Requirements

1. The Licensee of the Recipient Home must have a valid and current Direct Funding Agreement (DFA) with the ministry to be eligible to receive funding under this policy. If there is no existing DFA in place, one must be executed, in the form required by the ministry, before this policy is applied.
2. The Licensee must meet the insurance requirements described in section 11.4 of their L-SAA Agreement to receive funding under this policy.

Conditions for Funding

Where a resident(s) is transferred to a licensed LTC Home and is accommodated **within** the licensed capacity of a Recipient Home, the Case-Mix Index (CMI) of the Recipient Home shall be applied to determine funding of the licensed bed.

Where a resident(s) is transferred to a Stand-Alone Temporary LTC Unit or a licensed LTC Home where a Temporary Emergency Licence is issued to accommodate the transfer, a CMI equal to one shall be applied to determine funding of the bed.

Additional Eligible Expenditures

Recipient Homes will be reimbursed for eligible expenses incurred due to the accommodation of residents from the Source Home or the community.

1. Eligible Expenses for Evacuation Scenarios:

A Recipient Home is only entitled to reimbursement for Eligible Expenses that are approved at the discretion of its HCCSS(') and the ministry, considering proper standards of care for residents.

- Eligible expenses may include expenses that are incurred by the Recipient Home in respect of Displaced Residents or Evacuees from the Community, and supplementary eligible costs as a result of resident displacement, that the ministry and the HCCSS are satisfied were necessary for the purpose of accommodating such Residents in the Recipient Home.
- Eligible expenses may also include forgone revenues from preferred accommodation premiums, if applicable, (calculated using only the premium for the preferred accommodation co-payment that is regularly charged by the Recipient Home, and not including the basic accommodation portion of the co-payment). The LTC Home must establish to the satisfaction of the ministry that the foregone revenue was not reasonably able to be charged to the applicable Resident(s).

Eligible Expenses shall not include expenses:

- incurred in respect of a period of time before or after the applicable evacuation;
- already covered by one of the four Level of Care (LOC) funding envelopes or any other source of funding, (for example: staffing charges already covered by one of the LOC envelopes); or
- for the purchase of tobacco products, alcoholic beverages, food or drinks, and all other similar purchases.

Note: In other unforeseeable circumstances i.e. pandemics, there maybe funding reconciliation changes. Please contact the Financial Management Branch.

Claims Procedure for Supplementary Costs and Lost Preferred Revenue

1. To claim reimbursement through this policy, a LTC Home is required to submit an itemized list of claimed Eligible Expenses to their respective HCCSS(') and include all applicable substantiating documentation (receipts, invoices, etc.).
Policy Link:
http://www.health.gov.on.ca/en/public/programs/ltc/docs/eligible_expenditures_ltch_policy.pdf
2. Staff at each HCCSS(') will verify and validate expenses identifying those that are recommended by the HCCSS(') to be paid by the ministry.
3. Staff at each HCCSS(') will complete and submit a form provided by the Financial Management Branch, the total amounts that are recommended by the HCCSS to be paid to each Recipient Home by the ministry along with all applicable substantiating documentation (receipts, invoices, etc.).
4. If the ministry is satisfied that the claim meets the conditions set out in this Policy, the ministry shall pay the LTC Home in respect of the claim, subject to the terms of the DFA.

Payment Process:

1. Payments will be reflected in the Recipient Home's monthly payment notices.
2. Payments by the ministry under the terms of this Policy are made on or about the twenty-second (22nd) day of the month following which the ministry determines the amount of funding payable, subject to applicable conditions and requirements.
3. Please see below claim submission timelines:

Period during which Expenses were Incurred	Claims Due to the Ministry	Anticipated Payment Month
Q1 – April, May, June	By August 31	October
Q2 – July, August, September	By November 30	January
Q3 – October, November, December	By February 28	May
Q4 – January, February, March	By May 31	July

Questions?

If you have any questions, please see contact information below.

For any questions regarding:

1. The Guide – Licensing Unit – 416-326-2866 (Margaret Allore) or Itchomes.licensing@ontario.ca
2. Funding – Financial Management Branch – (416) 212-0536 (Richard Lee)

APPENDIX

- A. Contacts Page
- B. Evacuation Placement Form
- C. Temporary Emergency and Beds in Abeyance Overview

Appendix A: Contacts Page

(Print Version)

SAO Managers		
Central East	Valerie Johnston	Valerie.johnston@ontario.ca
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Licensing Unit		
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Financial Management Branch		
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