

**Minister's Directive:
COVID-19: LONG-TERM CARE HOME
SURVEILLANCE TESTING AND
ACCESS TO HOMES**

Effective January 8, 2021

Ministry of Long-Term Care

Minister's Directive: **COVID-19: Long-Term Care Home Surveillance Testing and Access to Homes**

This Minister's Directive is issued pursuant to s. 174.1 of the *Long-Term Care Homes Act, 2007* (Act), which authorizes the Minister of Long-Term Care to issue operational or policy directives respecting long-term care homes where the Minister considers it in the public interest to do so. Every licensee shall carry out every operational or policy directive that applies to the long-term care home.

This Directive will be effective as of January 8, 2021. This Directive updates and replaces the previous version of this Directive dated November 23, 2020.

This Directive relates to surveillance testing and access to long-term care homes that are not experiencing an outbreak of COVID-19. Additional measures apply in an outbreak situation, including measures as per local public health direction and measures contained in Directive #3 for Long-Term Care Homes issued by the Chief Medical Officer of Health.

Definitions

All terms in this Directive have the same meaning as under the Act and Ontario Regulation 79/10 under the Act, unless otherwise defined.

The following definitions apply for the purpose of this Directive:

Caregiver has the same meaning as in the Ministry of Long-Term Care's COVID-19 Visiting Policy effective December 26, 2020 or as amended.

PCR Test means a validated real-time polymerase chain reaction (PCR) assay laboratory test for the novel coronavirus known as COVID-19.

Antigen Test means a point-of-care rapid antigen test for the novel coronavirus known as COVID-19.

General Visitor has the same meaning as in the Ministry of Long-Term Care's COVID-19 Visiting Policy effective December 26, 2020 or as amended.

Ontario Health means the corporation continued under section 3 of the *Connecting Care Act, 2019*.

Personal Information has the same meaning as in the *Freedom of Information and Protection of Privacy Act*.

Personal Health Information has the same meaning as in the *Personal Health Information Protection Act, 2004*.

Rapid Antigen Screening Guidance means the Ministry of Health's COVID-19 Guidance: Considerations for Rapid Antigen Screening dated December 30, 2020 or as amended.

Student Placement means a person working in the long-term care home as part of a clinical placement requirement of an educational program of a college or university, who does not meet the definition of "staff" or "volunteer".

Support Worker has the same meaning as in the Ministry of Long-Term Care's COVID-19 Visiting Policy effective December 26, 2020 or as amended.

When used in this Directive, the words **Green, Yellow, Orange, Red** and **Grey** refer to the stage areas as set out in Ontario Regulation 363/20 made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, as such regulation may be amended from time to time. Every licensee is responsible for confirming their home's health unit and the stage area of that health unit under Ontario Regulation 363/20.

I hereby issue the following Directive with respect to every long-term care home:

1.1 Staff, Student Placements and Volunteers. Subject to the exceptions in this Directive set out in sections 1.1.2 and 4 for Antigen Tests and section 4 for PCR Tests, every licensee of a long-term care home shall ensure that staff, student placements and volunteers working in the home regularly take **Antigen Tests or PCR Tests** at the frequency prescribed in this Directive.

1.1.1 Test Frequency for Staff, Student Placements and Volunteers.

Every licensee of a long-term care home shall ensure that where a staff, student placement or volunteer takes:

- **an Antigen Test**, that the test is taken in accordance with the protocols and frequency contained in the Rapid Antigen Screening Guidance;
- **a PCR Test**, that the test is taken in accordance with the following frequencies:
 - i. **Green and Yellow Levels**. This shall include **one PCR Test every two weeks** for long-term care homes located in public health unit regions in Green-Prevent or Yellow-Protect levels. The time period between testing should be as close to 14 days as can practically be achieved, unless testing is conducted more frequently.
 - ii. **Orange, Red and Grey Levels**. This shall include **one PCR Test every week** for long-term care homes in public health unit regions in Orange-Restrict, Red-Control or Grey-Lockdown levels. The time period between testing should be as close to 7 days as can practically be achieved, unless testing is conducted more frequently.

1.1.2 Occasional Entry. Where a staff, student placement or volunteer enters a long-term care home less often than the frequency contemplated in the Rapid Antigen Screening Guidance, every licensee of a long-term care home shall ensure that the staff, student placement or volunteer takes an **Antigen Test** upon entry on the days on which they are entering the long-term care home in accordance with the protocols contained in the Rapid Antigen Screening Guidance.

2. Caregivers and Support Workers. Subject to the exceptions in sections 4 and 5 of this Directive, every licensee shall ensure that all caregivers and support workers demonstrate that they have received a negative COVID-19 test result before granting them entry as a visitor, whether the visit will take place indoors or outdoors:

- a. **Green and Yellow Levels.** For long-term care homes located in public health unit regions in Green-Prevent or Yellow-Protect levels, licensees shall ensure that caregivers and support workers demonstrate that they have received a **negative PCR Test result in the past two weeks** and verbally attest to not subsequently having tested positive OR **have a negative Antigen Test result on the day of the visit.**
- b. **Orange, Red and Grey Levels.** For long-term care homes located in public health unit regions in Orange-Restrict, Red-Control or Grey-Lockdown levels, licensees shall ensure that caregivers and support workers demonstrate that they have received a **negative PCR Test result in the past week** and verbally attest to not subsequently having tested positive OR **have a negative Antigen Test result on the day of the visit.**

3. General Visitors. Subject to the exceptions in sections 4 and 5 of this Directive, every licensee shall ensure that for general visitors:

- a. **Green and Yellow Levels.** For long-term care homes located in public health unit regions in Green-Prevent or Yellow-Protect levels, licensees shall ensure that general visitors demonstrate that they have received a **negative PCR Test result in the past two weeks** and verbally attest to not subsequently having tested positive OR **have a negative Antigen Test result on the day of the visit.**
- b. **Orange, Red and Grey Levels.** No general visitors are permitted in long-term care homes located in public health unit regions in Orange-Restrict, Red-Control or Grey-Lockdown levels.

4. Previous COVID-19. Despite the requirements set-out in sections 1.1, 1.1.1, 1.1.2, 2 and 3 of this Directive, an individual who has previously had laboratory-confirmed COVID-19 and was cleared by the local public health unit, should not be re-tested except:

- a. with new onset of symptoms of COVID-19, and
- b. can be considered:
 - i. if there is exposure to a confirmed case of COVID-19;

- ii. if there is a COVID-19 outbreak in the home; or
- iii. at the direction of the local public health unit.

5. Palliative and Emergency Situations. Despite the requirements set-out in sections 2 and 3 of this Directive, the requirements for support workers, caregivers and general visitors do not need to be followed in an emergency or palliative situation, subject to any restrictions or requirements contained in Directive #3 for Long-Term Care Homes issued by the Chief Medical Officer of Health.

6. Access Subject to Requirements. Subject to the exceptions set-out in sections 4 and 5 of this Directive, every licensee of a long-term care home shall ensure that no person described in sections 1.1, 1.1.1, 1.1.2, 2, or 3(a) of this Directive enters the home unless the requirements contained in this Directive have been met.

7. Statistical Information. Every licensee of a long-term care home shall collect, maintain and disclose statistical information on testing as follows:

- a. Documentation that includes the number of staff, student placements and volunteers tested; the number of staff, student placements and volunteers who refused a test; the dates on which staff, student placements and volunteer testing was conducted (either at the long-term care home or another testing location); and, the number of general visitors, caregivers and support workers tested in the home and the date on which they were tested (collectively, “the Statistical Information”).
- b. Upon request, disclose the Statistical Information to the Ministry of Long-Term Care, the public health unit for the area in which the long-term care home is located and to Ontario Health.