

March 19, 2021

**Re: Enhancing Cooling in Long-Term Care Homes and Long-Term Care Minor Capital Program Funding**

Dear Long-Term Care Home Licensees:

This letter is further to the recent communication from the Honourable Dr. Merrilee Fullerton, Minister of Long-Term Care, informing you of up to \$23,911,600 in Minor Capital Program (the program) funding to support long-term care (LTC) home operators in maintaining their homes in an optimal state of repair while ensuring the safety of their residents. The \$23.9 million consists of \$22.8 million in base funding and a one-time additional \$1.1 million for the 2021-22 fiscal year. In 2021-22 the Minor Capital Program is targeted to ensuring air conditioning systems are in place in LTC homes by summer 2021.

The Ministry of Long-Term Care (ministry) has proposed regulatory amendments that would enhance cooling requirements in LTC homes, to improve the safety and comfort of LTC residents. Proposed amendments include a requirement for air conditioning or mechanical cooling in designated cooling areas, a refined regulatory approach that clarifies requirements for licensees to better protect residents from heat-related concerns and specific procedures to protect residents from unacceptably high temperatures. If approved, the proposed amendments are targeted to come into effect on May 15, 2021. In addition, it is strongly encouraged that air conditioning or mechanical cooling be operational in all common areas and residents' rooms by summer 2021.

As the Minor Capital Program continues to be phased-in, the second year of the program will adjust the funding allocation to provide funds to former Structural Compliance Premium (SCP) -1999 recipients and homes with eligible beds, defined as beds not receiving any other capital-related funding (either the CFS or the SCP-2009) as of March 31, 2020.

Funding will be provided to eligible operators who are party to a Letter of Agreement for Ministry Direct Funding to Long-Term Care Homes (Direct Funding Agreement, or DFA).

***Infrastructure Ontario Support***

Infrastructure Ontario (IO) has been engaged by the ministry to provide technical expertise and air conditioning/mechanical cooling options for LTC homes. IO and its service providers are coordinating a supply chain of air conditioning/mechanical cooling units that will be available for delivery and installation prior to the 2021 summer season. The sourcing information will include options for cooling solutions and established benchmark pricing. A

formal communication regarding the various air conditioning/mechanical cooling options and pricing will be distributed to LTC homes via the MLTC portal. LTC homes can email [IOLTCsupport@cbre.com](mailto:IOLTCsupport@cbre.com) for questions and information regarding access to sourcing and contact information of trusted industry suppliers.

### ***Funding Approach***

To help long-term care homes plan and adjust for future minor capital priorities, the program is being phased in over four years:

- In Year 1, the program was targeted only to homes that received SCP funding under the *Policy for Funding Construction Costs of Long-Term Care Homes -April 1999* (SCP, 1999), as of March 31, 2020. These homes received the same allocation in Year 1 as their 2019-20 SCP-1999 payment. No other homes received MC funding in Year 1.
- In Year 2 the annual allocation for eligible homes that received funding in Year 1 will be equal to the greater of 75% of their Year 1 allocation or \$5,000 for the year plus \$1.17 per day per eligible bed. Homes with eligible beds that did not previously receive SCP funding will receive a \$5,000 base allocation plus \$1.17 per day per eligible bed. Funding will be effective from April 1, 2021 to March 31, 2022.

Once the funding model is fully phased-in, eligible homes will receive a \$5,000 base allocation, plus a \$1.42 per diem amount for each eligible bed. The \$5,000 base allocation will ensure all eligible licensees receive a minimum allocation which will help ensure smaller homes with fewer beds are supported, while the per diem portion will help support larger homes.

As some homes have CFS beds expiring throughout the period between April 1, 2021 to March 31, 2022, the home's total funding allocation for the period will be paid out in equal monthly installments starting the first month when the home is eligible for funding.

### ***Expenditure Eligibility Criteria***

Details of the phased-in funding approach, the expenditure eligibility criteria, as well as terms and conditions, and accountability requirements are outlined in the enclosed/attached *Long-Term Care Minor Capital Program Funding Policy (the "Policy")*. The Policy is also accessible on the ministry's public website.

The Policy continues to be the primary Applicable Ministry Policy Document in respect of the Long-Term Care Minor Capital Funding Program under Schedule A of the Letter of Agreement for Ministry Direct Funding to Long-Term Care Homes (Direct Funding Agreement, or DFA) between each long-term care operator and the ministry. This letter and the additional condition set out below constitute an additional Applicable Ministry Policy Document in respect of the program for the April 1, 2021 to March 31, 2022 funding year. The Policy is subject to this additional condition.

To support the government's air conditioning priority for LTC homes, funding under the Policy for the second year of the program is subject to the following additional condition:

**Additional Condition for 21/22 Funding Year:** For homes that do not have air conditioning (including all similar mechanical cooling systems) serving all common areas and resident rooms, funding under the Minor Capital Program for the April 1, 2021 to March 31, 2022 funding year may be used only toward purchasing, installing, upgrading or repairing air conditioning to serve such areas, unless structural limitations prevent it. Only when all common areas and resident rooms in the home are served by air conditioning may funding under the Minor Capital Program for the 2021-22 funding year be used for other eligible Minor Capital expenditures as set out above. “Common areas” generally include all resident accessible areas in the home (such as a library, TV lounge, lobby, recreational rooms, dining areas, etc.) but do not include hallways, stairwells, elevators, public access washrooms. “Resident rooms” refer to rooms with one or more resident beds. This additional condition applies except where otherwise permitted in writing by the ministry.

### ***Eligibility, Reporting and Accountability***

A survey on the current state of cooling in LTC homes was recently sent to the sector in March 2021. The survey results will identify the homes that do not have cooling in common areas and/or resident rooms. A follow-up survey will be administered in late May 2021 (once the amendments to the regulation come into effect, subject to applicable approvals) to homes that report that they do not have full air conditioning or mechanical cooling systems from the March 2021 survey. This follow-up survey will provide a status of cooling in LTC homes prior to summer 2021.

The ministry will also be collecting information near the end of the fiscal year on the use of funds such as the amount of funding spent, the amount of funding used specifically for mechanical cooling in common areas and resident rooms, and on improvements of the use of cooling systems. Homes will also be asked to provide attestations to the ministry on the use of the Minor Capital fund for cooling in common areas and resident rooms with any exceptions approved by the ministry.

Long-Term Care Licensees must report expenditures pertaining to their Long-Term Minor Capital expenses on a separate line in Section I of the licensee’s audited Long-Term Care Home Annual Report for a defined 12-month period, in accordance with the form and manner set out in the “*Long-Term Care Home Annual Report Technical Instructions and Guidelines*”.

Funding under the Long-Term Care Minor Capital Funding Policy will be reconciled based on fiscal year. Similar to the process for Minor Capital Year 1, reporting of expenditures will be separate for the periods April 1 – December 31 2021 and January 1 – March 31 2022. The sum of the expenditures reported for both periods in LTCH Annual Reports will be reconciled against the funding for the 2021-22 fiscal year and any unspent funds will be recovered as part of the subsequent reconciliation.

As a reminder, it is the responsibility of each operator to meet the requirements found in O. Reg 79/10 and, in particular, section 305 and the corresponding “Operator Guidelines” that

informs requirements for carrying out any alterations, renovations or other work that may substantially disturb or inconvenience residents of the home, together with applicable requirements under any other relevant legislation, agreements or policies.

If you have any questions or require further information, please contact the ministry by e-mail at [LTC.Info@ontario.ca](mailto:LTC.Info@ontario.ca).

Thank you for your continued service and dedication in support of our government's commitment to transforming long-term care in Ontario, particularly during this unprecedented time, as we work together to implement enhanced measures to increase the comfort of residents and staff in time for the summer months.

Sincerely,



Sheila Bristo  
Assistant Deputy Minister  
Long-Term Care Operations Division  
Ministry of Long-Term Care

c:

Richard Steele, Deputy Minister, Ministry of Long-Term Care  
Donna Duncan, Chief Executive Officer, Ontario Long-Term Care Home Association  
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