

# Minister's Directive: Long-term care home COVID-19 immunization policy

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Effective **November 4, 2021**

This Minister's Directive is issued pursuant to section 174.1 of the *Long-Term Care Homes Act, 2007* (the 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 of a long-term care home shall carry out every operational or policy directive that applies to the long-term care home.

This directive is effective as of **November 4, 2021**. This directive updates and replaces the previous version of this directive dated **October 1, 2021**.

This directive sets out requirements related to vaccination against COVID-19 for people working (including as staff and support workers), undertaking a student placement or volunteering in long-term care homes.

## Objectives

Achieving high immunization rates in Ontario's long-term care homes through vaccination is part of a range of measures and actions that can help prevent and limit the spread of COVID-19 in homes. Vaccination against COVID-19 helps reduce the number of new cases, and, most importantly, reduces severe outcomes including hospitalizations and death due to COVID-19 in both residents and others who may be present in a long-term care home.

The objectives of this directive are to:

- set out a provincially consistent approach to COVID-19 vaccination requirements in long-term care homes
- maximize COVID-19 immunization rates in long-term care homes
- ensure that individuals have access to information about COVID-19 vaccination
- increase accountability and transparency through public reporting of immunization rates in long-term care homes

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## 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:

- **Directive #3** means Directive #3 for Long-Term Care Homes under the [Long-Term Care Homes Act, 2007](#) issued under section 77.7 of the [Health Protection and Promotion Act \(HPPA\)](#), R.S.O. 1990, c. H.7, by the Chief Medical Officer of Health, as amended from time to time
- **licensee** has the same meaning as under the Act
- **physician** has the same meaning as under the Act
- **registered nurse in the extended class** has the same meaning as under the Act
- **resident** has the same meaning as under the Act
- **staff** has the same meaning as under the Act
- **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”
- **substitute decision-maker** has the same meaning as under the Act
- **support worker** has the same meaning as in the Ministry of Long-Term Care’s [COVID-19 guidance document for long-term care homes in Ontario](#), effective August 20, 2021 or as amended
- **volunteer** has the same meaning as under the Act

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

## 1. Application of the directive

1.1 Every licensee of a long-term care home shall ensure that the requirements under section 2 of this directive apply to all staff, support workers, student placements, and volunteers regardless of the frequency with which they attend the home and regardless of the duration of any period of time they attend the home.

1.2 Subject to sections 1.3, **1.3.1**, and 1.4, every licensee of a long-term care home shall ensure that no staff, support workers, student placements or volunteers who have not met the requirements of section 2 attend the home for the purposes of working, undertaking a student placement, or volunteering.

1.3 Every licensee of a long-term care home shall ensure that all staff, support workers, student placements, and volunteers meet the applicable requirements set out in section **2.1 and 2.2** by November 15, 2021, or from the first day the individual begins attending the home for the purposes of working, undertaking a student placement, or volunteering, if they **began** attending the home to work, undertake a student placement or volunteer **after October 1, 2021**.

1.3.1 Despite section 1.3, every licensee of a long-term care home shall ensure that any staff, support worker, student placement or volunteer who began working or attending the home on or prior to October 1, 2021 and has provided proof of having received at least one dose of a COVID-19 vaccine as contemplated in section 2.1 by November 15, 2021, but not proof of all required doses, must provide proof of a final required dose of a COVID-19 vaccine, as required in section 2.1, by December 13, 2021.

1.4A licensee of a long-term care home may provide an extension of not more than seven (7) days duration to the requirements set out in sections 1.3 or 1.3.1, on a case by case basis, where the licensee determines that there are unforeseen or extenuating circumstances outside of the control of the individual that impede the individual from meeting the requirements set out in sections 2.1 or 2.2.

1.5 This directive does not apply to inspectors with a statutory right of entry.

## 2. Requirements

2.1 Every licensee of a long-term care home shall ensure that all individuals to whom this directive applies provide proof of having received:

- i. the full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines
- ii. one or two doses of a COVID-19 vaccine not authorized by Health Canada, followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada
- iii. three doses of a COVID-19 vaccine not authorized by Health Canada.

2.2 a. Section 2.1 does not apply with respect to an individual who provides written proof of a valid medical contraindication to receiving the COVID-19 vaccine as described in paragraphs i., ii. and iii. above, provided by either a physician or registered nurse in the extended class, that sets out:

- i. that the individual cannot be vaccinated against COVID-19
- ii. the effective time period for the medical contraindication

b. If the effective time period of a medical contraindication provided pursuant to subsection 2.2 (a)(ii) has expired, every licensee of a long-term care home shall ensure, within 30 days of the medical contraindication expiring, that the individual provides proof of vaccination in accordance with subsection 2.1.

- 2.3 Sections 2.1 and 2.2 do not apply with respect to a support worker that is attending the home for emergency or palliative situations, to provide timely medical care, or for the sole purposes of making a delivery, subject to any restrictions or requirements contained in [Directive #3](#) (PDF).
- 2.4 Every licensee of a long-term care home shall clearly set out the consequences for individuals who do not provide proof per either subsection 2.1 or 2.2, including that they cannot attend the home for the purposes of working, undertaking a student placement, or volunteering. Any additional consequences shall be in accordance with the licensee's human resources policies, collective agreements, and any applicable legislation, directives, and policies.
- 2.5 Every licensee shall make available to staff, support workers, student placements and volunteers an educational session that includes at a minimum the following information:
- i. how COVID-19 vaccines work
  - ii. vaccine safety related to the development of the COVID-19 vaccines
  - iii. the benefits of vaccination against COVID-19
  - iv. risks of not being vaccinated against COVID-19
  - v. possible side effects of COVID-19 vaccination
- 2.6 Every licensee of a long-term care home shall ensure that information on COVID-19 vaccination requirements is communicated to all staff, support workers, student placements, and volunteers, and to residents and their substitute-decision makers.

### **3 Statistical information**

- 3.1 Every licensee of a long-term care home shall collect, maintain, and disclose to the Ministry of Long-Term Care, at a minimum, on a monthly basis and in a manner set out by the ministry, the following statistical information:
- a. the total number of individuals subject to this directive for the reporting cycle
  - b. the total number of individuals who have submitted the proof as per the requirements in subsections 2.1 and 2.2 broken down by which type of proof was provided
  - c. for each type of proof per section 3.1(b), the number of individuals who submitted each type of proof who are staff, student placements, or volunteers
  - d. the total number of individuals who have been granted an extension of not more than seven (7) days and the reason why

## **Notice regarding sharing of statistical information**

The Ministry of Long-Term Care may share any and all statistical information provided by licensees pursuant to this directive with the Ministry of Health, local public health units or the public, including by posting on a public-facing website of the Government of Ontario, at any time. In addition, every licensee shall make available the above information to a long-term care home inspector upon request.