

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

Effective February 16, 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 February 16, 2021. This Directive updates and replaces the previous version of this Directive dated January 8, 2021.

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:

Antigen Test means a point-of-care rapid antigen test for the novel coronavirus known as COVID-19 where the test kit has been obtained from Ontario Health and is taken in accordance with Rapid Antigen Screening Guidance.

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.

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.

Licensee has the same meaning as under the Act.

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

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

Phase 2 Adopters means all public health units with the exception of the following public health units: Durham Regional Health Unit, City of Ottawa Health Unit, Peel Regional Health Unit, Simcoe Muskoka District Health Unit, City of Toronto Health Unit, Windsor-Essex County Health Unit and York Regional Health Unit.

Rapid Antigen Screening Guidance means the Ministry of Health's COVID-19 Guidance: Considerations for Rapid Antigen Screening, as amended, with the exclusion of the frequency of specimen collection and screening.

Rural, Remote and Northern Communities means long-term care homes that have notified the Ministry of Long-Term Care that their home is located in an area with any of the following characteristics: i) a community with a population of less than 30,000, and a travel time that is greater than 30 minutes from a community with a population of more than 30,000; or ii) a community that is without year-round road access, or reliant on a third party (such as train, airplane or ferry) for transportation to a larger centre (source: Rural and Northern Health Care Framework/Plan, Ministry of Health and Long-Term Care, 2011).

Rural, Remote and Northern Communities Exception means long-term care homes in Rural, Remote and Northern Communities who may adopt an alternative model of testing frequency for Caregivers, Staff, Student Placements and Volunteers in recognition of the unique or exacerbated challenges facing these communities (e.g., lower than average access to human resources) as communicated in the Associate Deputy Minister Memo dated February 4, 2021.

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".

Staff 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 Visiting Policy, as amended.

Volunteer has the same meaning as under the Act.

When used in this Directive, the words **Green, Yellow, Orange, Red, Grey and Shutdown** 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. **Test Frequency and Timing for Caregivers, Staff, Student Placements and Volunteers.** Subject to the exception in this Directive set out in section 4, every Licensee shall ensure that Caregivers, Staff, Student Placements and Volunteers working in or visiting the home regularly take **Antigen Tests or PCR Tests** in accordance with and at the frequency prescribed in this Directive. Where a Staff, Student Placement or Volunteer takes a PCR Test or Antigen Test at the long-term care home, the Licensee shall ensure that the test is taken as soon as possible upon entry to the long-term care home. Where a Caregiver takes a PCR Test or Antigen Test at the long-term care home, the Licensee shall ensure that the test is taken before granting them entry to the long-term care home, whether the visit will take place indoors or outdoors.

1.1 Test Frequency Periods of Time. Every Licensee shall ensure that Caregivers, Staff, Student Placements and Volunteers working in or visiting a long-term care home take:

- 1.1.1 From **February 16 through to and including February 27th, 2021**, and subject to the exceptions in this Directive set out in sections 1.3, 1.4 and 4, COVID-19 tests in accordance with one of the following three testing frequencies and requirements:

- a. an **Antigen Test** three times within a seven day period, on non-consecutive days;
- b. a **PCR Test** taken in accordance with the following frequencies:
 - i. **Green and Yellow zones.** This shall include one **PCR Test** every fourteen days for long-term care homes located in public health unit regions in Green or Yellow zones. 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, Grey and Shutdown zones.** This shall include one **PCR Test** every seven days for long-term care homes in public health unit regions in Orange, Red, Grey or Shutdown zones. The time period between testing should be as close to seven days as can practically be achieved, unless testing is conducted more frequently.

OR

- c. one **PCR Test** and one **Antigen Test** within a seven day period.

- 1.1.2 From **February 28th through to and including March 14th, 2021**, and subject to the exceptions in this Directive set out in sections 1.3, 1.4 and 4, COVID-19 tests in accordance with one of the following two testing frequencies and requirements:

- a. an **Antigen Test** three times within a seven day period, on non-consecutive days;
- OR**
- b. one **PCR Test** and one **Antigen Test** within a seven day period.

1.1.3 From **March 15th, 2021 onward**, and subject to the exceptions in this Directive set out in sections 1.3, 1.4 and 4, an **Antigen Test** three times within a seven day period, on non-consecutive days.

1.2 Outbreak Exception. The timeframes described in section 1.1 are extended for a period of up to three weeks for long-term care homes that are experiencing an outbreak of COVID-19 from the time the outbreak resolves. For clarity this extension occurs each time a long-term care home resolves an outbreak. From **March 15, 2021 onward** this exception does not apply to a long-term care home that has implemented the requirements set out in subsection 1.1.3.

1.3 Occasional Entry Exception. Where a Caregiver, Staff, Student Placement or Volunteer enters a long-term care home less often than an applicable testing frequency contemplated under section 1.1, the Licensee shall ensure that the Caregiver, Staff, Student Placement or Volunteer takes:

- a) COVID-19 tests in accordance with any remaining applicable testing frequencies and requirements, if any;
- b) an Antigen Test on each day of entry; or
- c) a PCR Test within the last seven days, provided the Caregiver, Staff, Student Placement or Volunteer only enters once in a seven day period and the date of entry is **prior to March 15th, 2021**.

1.4 Consecutive Day Exception (3-4 Days Per Week). Every Licensee that uses **Antigen Tests** exclusively for its surveillance testing under this Directive shall ensure that Caregivers, Staff, Student Placements and Volunteers take an **Antigen Test** on two non-consecutive days within a seven day period in the following circumstances:

- a. Where the Caregiver, Staff, Student Placement and Volunteer enter a long-term care home:
 - i. Only three times within a seven day period where:
 - i. those days are all consecutive; or
 - ii. two of the three days of entry are consecutive.
 - ii. Only four times within a seven day period where:
 - i. those days are all consecutive; or
 - ii. two days of entry are followed by at least one day without entry, followed by an additional two consecutive days.

1.5 Rural, Remote and Northern Communities Exception. Beginning **February 22nd, 2021**, section 1.1 does not apply to a Licensee who qualifies for the Rural, Remote and Northern Communities Exception. Every Licensee who utilizes the Rural, Remote and Northern Communities Exception shall ensure that every Caregiver, Staff, Student Placement and Volunteer take one **PCR Test** and one **Antigen Test** on separate days within a seven day period.

1.5.1 Rural, Remote and Northern Communities Occasional Entry. Despite section 1.5, where a Caregiver, Staff, Student Placement or Volunteer enters a long-term care home, to which the Rural, Remote and Northern Communities Exception applies, only

once within a seven day period, the Licensee shall ensure that the Caregiver, Staff, Student Placement or Volunteer takes either a **PCR Test** or an **Antigen Test** on that day.

2. **Test Frequency for Support Workers.** Subject to the exceptions in sections 2.1, 4 and 5 of this Directive, every Licensee shall ensure that all Support Workers demonstrate that they have received a negative COVID-19 test result from an **Antigen Test** on the day of the visit before granting them entry as a visitor, whether the visit will take place indoors or outdoors.

2.1 Exception for Phase 2 Adopters. For the period of **February 16th through to and including February 21st, 2021**, Licensees that are Phase 2 Adopters are exempt from the requirements in section 2, provided such Licensees ensure that all 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, subject to the exceptions in sections 4 and 5, in accordance with the following testing frequencies:

- a. **Green and Yellow zones.** For long-term care homes located in public health unit regions in Green or Yellow zones, Licensees shall ensure that Support Workers demonstrate that they have received a negative **PCR Test** result in the past fourteen days 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, Grey and Shutdown zones.** For long-term care homes located in public health unit regions in Orange, Red, Grey or Shutdown zones, Licensees shall ensure that Support Workers demonstrate that they have received a negative **PCR Test** result in the past seven days and verbally attest to not subsequently having tested positive or have a negative **Antigen Test** result on the day of the visit.

3. **Test Frequency for General Visitors.** Subject to the exceptions in sections 3.1, 4 and 5 of this Directive, every Licensee shall ensure that for all General Visitors:
 - a. **Green and Yellow zones.** For long-term care homes located in public health unit regions in Green or Yellow zones, Licensees shall ensure that General Visitors demonstrate that they have received a negative **Antigen Test** on the day of the visit before granting them entry as a visitor, whether the visit will take place indoors or outdoors.
 - b. **Orange, Red, Grey and Shutdown zones.** No general visitors are permitted in long-term care homes located in public health unit regions in Orange, Red, Grey and Shutdown zones -..

3.1 Exception for Phase 2 Adopters (Green and Yellow zones). For the period of **February 16th through to and including February 21st, 2021**, Licensees that are Phase 2 Adopters are exempt from the requirements in section 3(a), provided such Licensees ensure that all General Visitors 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, subject to the exceptions in sections 4 and 5:

- a. **Green and Yellow zones.** For long-term care homes located in public health unit regions in Green or Yellow zones, Licensees shall ensure that General Visitors demonstrate that they have received a negative **PCR Test** result in the past fourteen days and verbally attest to not subsequently having tested positive, or have a negative **Antigen Test** result on the day of the visit.

4. Previous COVID-19. Despite the requirements set out in sections 1, 2 and 3(a) and 3.1(a) 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 shall ensure that no person described in sections 1, 2, 3 (a), and 3.1 of this Directive enters the home unless the requirements contained in this Directive have been met.

6.1 Requirement to Demonstrate Proof of Negative Antigen Test. Every Licensee shall ensure that a Caregiver, Staff, Student Placement, Volunteer, General Visitor and Support Worker who does not receive an **Antigen Test** on site at the long-term care home demonstrates that they have received a negative **Antigen Test** result, where applicable, before granting their entry to the long-term care home and maintain a log that such proof has been demonstrated.

7. Statistical Information. Every Licensee shall collect, maintain and disclose statistical information on testing as follows:

- a. Documentation that includes the number of Caregivers, Staff, Student Placements and Volunteers tested; the number of Caregivers, Staff, Student Placements and Volunteers who refused a test; the dates on which Caregivers, Staff, Student Placements and Volunteer testing was conducted (either at the long-term care home or another testing location);, the number of Caregivers, Support Workers and General Visitors who were permitted entry under an emergency or palliative situation in accordance with section 5; and the number of General Visitors and Support Workers tested in the home and the dates on which they were tested and number of Caregivers, Staff, Student Placement, Volunteers, General Visitors and

Support Workers that provided proof of a negative **Antigen Test** (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.

8. Provincial Antigen Screening Program. As part of the provincial antigen screening program there is a requirement for a Licensee to ensure that an Antigen Test is:

- a) used only for the purposes of the provincial antigen screening program; and
- b) not resold or distributed to any other person.