

FACT SHEET:

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Student placements in long-term care homes and O. Reg. 146/20 under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*

Effective April 23, 2021, the government has amended [Ontario Regulation 146/20 \(O. Reg. 146/20\)](#) under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA) to permit fully immunized workers to work in multiple long-term care homes. The Ministry of Long-Term Care, Ministry of Health, and Ministry of Colleges and Universities are providing clarification about the application of O. Reg. 146/20 to student placements in long-term care homes and other health service provider settings.

Stakeholders are encouraged to seek independent legal advice related to O. Reg. 146/20 and how it may apply to particular circumstances. The fact sheet is designed to provide general information and is not intended to constitute legal advice.

O. Reg. 146/20 – Limiting Work to a Single Long-Term Care Home

- O. Reg. 146/20 restricts long-term care home employees from performing work in another long-term care home operated or maintained by the same licensee; as an employee of any other health service provider (as per its meaning under the *Connecting Care Act, 2019*); or as an employee of a retirement home.
- On April 23, 2021, O. Reg. 146/20 was amended so that this restriction does not apply to employees who are fully immunized against COVID-19, unless otherwise directed by a medical officer of health. Under O. Reg. 146/20, “fully immunized” means a person has received the total required number of doses of a COVID-19 vaccine approved by Health Canada and it has been at least 14 days since they received their final dose of the COVID-19 vaccine.
- The employment status of an individual is a key focus of O. Reg. 146/20. It applies only with respect to LTC home employees who perform work in an LTC home and does not specifically refer to student placements.
- The Chief Medical Officer of Health’s [Directive #3 for Long-Term Care Homes under the *Long-Term Care Homes Act, 2007*](#) (issued on May 4, 2021) requires that all long-term care homes must have policies and procedures in place to ensure the health and safety of the staff and residents in both outbreak and non-outbreak situations. The Directive notes that long-term care home employers must comply with [O. Reg 146/20](#) under the ROA and retirement home employers must comply with [O. Reg 158/20](#) under the ROA.

- The requirements set out in O. Reg. 146/20 are not specifically intended to capture students in placements; however, there are circumstances in which they may apply to student placements in long-term care homes and other health service provider settings. Examples of a few circumstances are addressed in the Questions and Answers below.

It is important to note that there is a need to ensure sustainability of Ontario's health care workforce to protect the health of Ontarians while ensuring public safety. As such, long-term care licensees, health service providers and postsecondary institutions are encouraged to support student placements in a manner consistent with the requirements of O. Reg. 146/20, Directive #3 and public health guidance. As noted, stakeholders are encouraged to seek independent legal advice related to O. Reg. 146/20 and how it may apply to particular circumstances.

Questions and Answers

I am an employee of a long-term care home and I would like to complete a student placement with another health service provider such as an acute care facility or a hospital. Does the regulation apply?

- If a long-term care home employee is completing a student placement at a different health service provider such as an acute care facility or a hospital, the restriction in O. Reg. 146/20 applies only if that individual is also an employee of the acute care facility or hospital and they are not fully immunized against COVID-19 (as defined in the Order).
- O. Reg. 146/20 does not apply if the long-term care home employee completing the student placement is not an employee of the acute care facility or hospital.

I am an employee of a long-term care home and I would like to complete a student placement at another long-term care home operated by a different long-term care licensee than my current employer licensee. Does the regulation apply?

- If a long-term care home employee is completing a student placement at another long-term care home operated by a different licensee, the restriction in O. Reg. 146/20 would apply only if that individual is also an employee of the other licensee and they are not fully immunized against COVID-19 (as defined in the Order).
- O. Reg. 146/20 does not apply if the long-term care home employee is completing a student placement and is not an employee of the other long-term care home operated by a different licensee.
- The restriction in O. Reg. 146/20 would also apply to a long-term care home employee completing a student placement in another long-term care home operated or maintained by the same licensee if they are not fully immunized against COVID-19 (as defined in the Order).

I am an employee of a long-term care home and also a faculty member at a postsecondary institution. Does this regulation apply?

- O. Reg. 146/20 does not restrict long-term care home employees from working at a post-secondary institution at the same time.

I am an employee of a long-term care home and also a clinical instructor/ coordinator/ faculty liaison contracted part-time by a college to evaluate student performance in long-term care settings. Does this regulation apply?

- O. Reg. 146/20 does not restrict long-term care home employees from working for a post-secondary institution at the same time.
- Clinical instructors/ coordinators/ faculty liaisons travelling between long-term care homes are expected to adhere to precautions and procedures outlined in Directive #3 for Long-Term Care Homes (issued on May 4, 2021), including limiting the number of work locations wherever possible.
- Post-secondary institutions and their clinical instructors/ coordinators/ faculty liaisons must be mindful of any risks associated with their work in long-term care settings and take all appropriate health and safety precautions as outlined in public health guidance to ensure the ongoing wellbeing and safety of all involved.

If students are allowed to complete placements and work at another health care provider, such as a long-term care home, is this a risk to the safety and well-being of residents at the long-term care home and to employees?

- There are a number of precautions and procedures outlined in Directive #3 for Long-Term Care Homes (issued on May 4, 2021) which long-term care homes are required to implement to protect the safety and well-being of residents and their employees. This includes:
 - Active screening of all persons, including staff, visitors and residents returning to the home. All persons entering the home must be actively screened for symptoms and exposure history for COVID-19 prior to being allowed to enter the home. Anyone who fails active screening (e.g. having symptoms of COVID-19 and/or having had contact with someone who has COVID-19) is not allowed to enter the home (with limited exceptions).
 - Requiring that every individual in the long-term care home practice physical distancing (a minimum of 2 metres or 6 feet) at all times (with limited exceptions).
 - Requiring that all staff and visitors comply with universal masking at all times, even when staff are not delivering direct patient care, including in administrative areas. During their breaks, to prevent staff to staff transmission of COVID-19, staff must remain two metres away from others at all times and be physically distanced before removing their medical mask or eating and drinking. Masks

must not be removed when staff are in contact with residents and/or in designated resident areas.

- o Requiring that visitors must wear a medical mask when indoors. For outdoor visits, visitors must wear a medical mask or a non-medical mask.,
- o Long-term care homes are also required to have policies regarding masking for residents. It is strongly recommended that residents must wear/be assisted to wear a medical mask or non-medical mask when receiving direct care from staff, when in common areas with other residents (with the exception of meal times), and when receiving a visitor as tolerated.
- Furthermore, the *Minister's Directive: COVID-19: Long-Term Care Home Surveillance Testing and Access to Homes* (dated March 15, 2021) requires that licensees must ensure that all staff, caregivers, student placements and volunteers working in or visiting the home take Antigen Tests or PCR Tests in accordance with the direction, frequency and timing described in the Minister's Directive. Surveillance testing helps to prevent the spread of COVID-19 within homes by ensuring that individuals entering the home can be screened simply and quickly and that positive COVID-19 cases that may otherwise be missed are identified.
- The sustainability of the health care workforce is key to protecting the health of Ontarians, especially our most vulnerable in long-term care homes, against COVID-19.
- Clinical placements are essential for students to experience frontline care delivery to support the development and advancement of their clinical knowledge, skills, and judgment, as well as to build their confidence and competence to practice. As more students complete their clinical placements, Ontario's health workforce will be better positioned with a steady supply of frontline workers that addresses staffing shortages across the health care and long-term care sectors.
- In cases where students require placements in health care facilities, in addition to on campus training and education, institutions have been encouraged to work with placement partners to arrange these opportunities where permitted under O. Reg. 146/20, and it is safe to do so according to public health guidance. The Ontario government expects that post-secondary institutions, placement partners and students continue to be mindful of any risks and take all appropriate health and safety precautions to ensure their safety as well as that of any clients in clinical settings.

What measures can post-secondary education institutions and placement partners implement to ensure the safety of students, colleagues and residents in long-term care homes?

- Institutions and partners should ensure that students employed or placed in a long-term care home are taking steps to minimize the risk of COVID-19 exposure and spread.
- The government expects that post-secondary institutions, placement partners and students continue to be mindful of any risks and take all appropriate health and safety

precautions to ensure their safety as well as the safety of any clients in clinical settings. All post-secondary institutions, must comply with all applicable public health measures and orders according to their public zones set out in Ontario Regulation 363/20 under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, legislation, including the *Occupational Health and Safety Act* as well as advice, recommendations and instructions from public health officials.

- Long-term care homes are required to implement a number of precautions and procedures as outlined in Directive #3 for Long-Term Care Homes (issued on May 4, 2021). Please see the response to the previous question about some of the precautions and procedures which long-term care homes must implement to protect the safety and well-being of residents and their employees.

As a student, my placement provider and/or post-secondary institution is/are not allowing me to work and undertake my placement in different settings. Can I complete my clinical placement requirement at my place of employment?

- The Ontario government expects that all post-secondary institutions and their students continue to be mindful of any risks associated with placements and take all appropriate health and safety precautions as outlined in public health guidance to ensure the ongoing wellbeing and safety of employees and students.
- Each publicly-assisted post-secondary institution is responsible for its respective academic and administrative policies, including the development and delivery of curriculum, requirements for placements, and ensuring that learning outcomes can be met. In the case of nursing programs, placements must be done in-line with the program requirements from the appropriate regulatory body. The Ontario government does not have a role in outlining program requirements as that is the responsibility of each institution.
- Private career colleges are obligated to deliver programs as approved by the Superintendent under the *Private Career Colleges Act, 2005*, and to ensure all Ontario government or third-party program standard provisions are met, including requirements related to supervision during placements. Students should discuss, with their private career college, the possibility of counting work hours toward practicum requirements. If a satisfactory resolution is not reached, the student may lodge a complaint with the private career college pursuant to the terms set out in the student's enrolment contract.
- The Ontario government encourages post-secondary institutions and sector partners to work together to help ensure that students meet their program requirements while taking all steps to help ensure the health and safety of the population that is supported by the placement.

In addition to the requirements under O. Reg. 146/20, precautions and procedures based on public health guidance, direction from the Ministry of Long-Term Care, and the policy of each long-term care home is to be followed to ensure the safety and wellbeing of all participants. In

addition, the most recently issued directives from the Chief Medical Officer of Health for long-term care homes must be followed.

If you have any questions or require further information, please contact: LTC.info@Ontario.ca.