

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

Effective December 15, 2021 at 7pm

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 **December 15, 2021 at 7pm**. This directive updates and replaces the previous version of this directive dated **November 4, 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, volunteering **or visiting** long-term care homes.

Objectives

Vaccination is part of a range of measures and actions that can help prevent and limit the spread of COVID-19, **particularly variants of concern (VOC)**, 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 vaccination 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 vaccination rates in long-term care homes

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** means a type of visitor who is visiting the home to provide direct care to meet the essential needs of a particular resident. Caregivers must be at least 18 years of age and must be designated by the resident or his/her substitute decision-maker (if any). Direct care includes providing support or assistance to a resident that includes providing direct physical support (for example, eating, bathing and dressing) and/or providing social and emotional support.
- **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
- **general visitor** means a person who is not an essential visitor and is visiting the home to provide non-essential services related to either the operations of the home or a particular resident or group of residents.
- **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** means a person who visits a home to provide support to the critical operations of the home or to provide essential services to a resident. Essential services include, but are not limited to, services provided by regulated health professionals, emergency services, social work, moving services, legal services, post-mortem services, maintenance and repair services, food and nutrition services, water and drink delivery services, mail, delivery and courier services, assistive devices program vendors, and election / voting services
- **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, volunteers, **general visitors and caregivers** 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 section 1.5, every licensee of a long-term care home shall ensure that no staff, support worker, student placement or volunteer who have not met the requirements of section 2 attends the home for the purposes of working, undertaking a student placement, or volunteering.

1.3 Subject to sections 1.4 and 1.5 (with respect to caregivers), every licensee of a long-term care home shall ensure that no general visitor or caregiver who has not met the requirements under section 2 enters the long-term care home, regardless of the purpose of the visit.

- a. For clarity, general visitors or caregivers who have not met the requirements under section 2, may visit outdoors with a resident or staff member where permitted under and in accordance with all laws, including Directive #3, and may enter the home for the sole purposes of screening and testing, as required in the [Minister's Directive on COVID-19: Long-Term Care Home Surveillance Testing and Access to Homes](#) and Directive #3, but must leave the home immediately after screening and/or testing is completed.

1.4 Despite section 1.3, the following rules apply to caregivers:

- a. For the period of time from December 15th, 2021 to December 19th, 2021, section 1.3 does not apply to caregivers.
- b. For the period of time from December 20th, 2021 to February 20th, 2022, a licensee may allow a caregiver to enter the long-term care home as long as the caregiver has provided proof of having received one dose of a COVID-19 vaccine as contemplated in section 2.1 or proof of a valid medical contraindication to receiving the COVID-19 vaccine in accordance with section 2.2.

1.5 A licensee of a long-term care home may provide an extension of not more than seven (7) days duration, on a case by case basis, where the licensee determines that there are unforeseen or extenuating circumstances outside of the control of the staff, support worker, student placement, volunteer or caregiver that impedes the individual from meeting the requirements set out in sections 2.1 or 2.2.

1.6 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, at a minimum:

- 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, or
- 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](#) .

2.4 Sections 2.1 and 2.2 do not apply with respect to a general visitor or caregiver that is attending the home for palliative situations or to infants under 1 year of age, subject to any restrictions or requirements contained in [Directive #3](#).

2.5 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, volunteering, [or visiting or attending to a resident](#). Any additional consequences shall be in accordance with the licensee's [applicable](#) human resources policies, collective agreements, and any applicable legislation, directives, and policies.

2.6 Every licensee shall make available to staff, support workers, student placements, volunteers [and caregivers](#) 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

2.7 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, volunteers, **caregivers, general visitors** 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, volunteers, **caregivers or general visitors**
- d. the total number of individuals who have been granted an extension of not more than seven (7) days pursuant to section 1.5 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.