

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

Effective **January 27, 2022**

This Minister's Directive is issued pursuant to section 174.1 of the Long-Term Care Homes Act, 2007, 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 updates and replaces the previous version of this Directive dated December 31, 2021.

This Directive sets out requirements for proof of vaccination against COVID-19 for people working (including as staff and support workers), undertaking a student placement, volunteering, or visiting at long-term care homes.

Vaccination remains the best defence against COVID-19, and combined with other measures and actions, high vaccination rates can help prevent and limit the spread of this virus 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.

For definitions applicable to this Directive, please refer to the definitions section.

I hereby issue the following Directive to every licensee of a long-term care home:

1. Application and Consequences

- 1.1 Every licensee of a long-term care home shall ensure that the requirements in this Directive are met with respect to all staff, support workers, student placements, volunteers, general visitors and caregivers entering a long-term care home, regardless of the frequency and duration with which they attend the home (collectively the "covered individuals").
- 1.2 Every licensee shall ensure that a covered individual does not enter the home unless the requirements contained in this Directive have been met.

1.3 This Directive does not apply to inspectors with a statutory right of entry.

2. Proof of Vaccination Requirements

2.1 In accordance with the Table set out in section 4.1 of this Directive, every licensee shall ensure that every covered individual provides proof of having received:

1. All required doses of a COVID-19 vaccine to be fully vaccinated against COVID-19; and
2. A third dose of a COVID-19 vaccine authorized by Health Canada.

2.2 Every licensee shall ensure that the requirements in section 2.1 are met by the applicable deadline set out in section 4.1.

3. Proof of Valid Medical Exemption

3.1 Section 2 does not apply with respect to a covered individual who provides proof of a valid medical exemption **in the form of an enhanced vaccination certificate** that:

1. Confirms that the individual cannot be vaccinated against COVID-19 or cannot receive a subsequent dose of a COVID-19 vaccine for a medical reason;
2. Is issued in accordance with Ministry of Health's guidance on [Medical Exemptions to COVID-19 vaccination \(as amended\)](#); and
3. Specifies the effective time-period for the medical exemption.

3.2 If the medical exemption is time-limited, every licensee shall ensure that the covered individual provides proof of vaccination in accordance with section 2 within 30 days of the medical exemption expiring.

3.3 Despite the above, a licensee may accept proof of a medical exemption in a form other than an enhanced vaccine certificate if:

- 1. The medical exemption was issued before January 27, 2022; and**
- 2. The medical exemption was issued in accordance with the Minister's Directive that was in effect at the time that the proof of medical exemption was provided to the licensee.**

4. Deadlines

4.1 Every licensee shall ensure that the requirements set out in sections 2 and 3 are met by the deadlines in the Table below for every covered individual:

Proof of COVID-19 Vaccine or Medical Exemption	Staff, support workers, student placements, and volunteers	Caregivers	General Visitors (when permitted)
Proof of First Dose or Proof of Medical Exemption	Currently required to be fully vaccinated against COVID-19 (see below)	Currently Required	Currently required to be fully vaccinated against COVID-19 (see below)
Proof of being Fully Vaccinated Against COVID-19 or Proof of Medical Exemption	Currently Required	By February 21, 2022	Currently Required
Proof of Third Dose or Medical Exemption	By March 14, 2022, for those eligible for a third dose before March 14, 2022 For those eligible for a third dose on or after March 14, 2022, they must provide proof of having received the third dose within 30 days of being eligible	By March 14, 2022, for those eligible for a third dose before March 14, 2022 For those eligible for a third dose on or after March 14, 2022, they must provide proof of having received the third dose within 30 days of being eligible	Not required unless otherwise specified in the COVID-19 Guidance Document for Long-Term Care Homes in Ontario

4.2 For any covered individual, except a general visitor, a licensee may provide one or more extension(s) of not more than seven (7) days each to the applicable deadline in section 4.1 where the licensee determines on a case-by-case basis that:

1. For an initial extension, there are unforeseen or extenuating circumstances outside of the control of the covered individual that prevents them from providing the required proof by the applicable deadline in section 4.1.
2. For any additional extension, the unforeseen or extenuating circumstances described in section 4.2(1) continue to exist at the time the additional extension is granted.

- 4.3 Every licensee shall document in writing and keep a record of the name of the individual, date, duration and rationale for any extension provided under section 4.2.

5. Exceptions

- 5.1 Despite section 1.2 and subject to any restrictions or requirements contained in Directive #3, a licensee must permit the following individuals entry into the home:
1. A support worker who is attending the home for emergency or palliative situations, to provide timely medical care, or for the sole purpose of making a delivery.
 2. A general visitor (where permitted) or caregiver who is attending the home to visit or attend to a resident receiving palliative end of life care, or to infants under one year of age.

6. Communication

- 6.1 Every licensee shall ensure that information on the proof of COVID-19 vaccination requirements, as set out in this Directive, is communicated to all covered individuals and to residents and their substitute-decision makers.
- 6.2 Every licensee shall communicate the consequences for covered individuals who do not provide proof per either sections 2 or 3, 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.

7. Education

- 7.1 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:
1. How COVID-19 vaccines work;
 2. Vaccine safety related to the development of the COVID-19 vaccines;
 3. The benefits of vaccination against COVID-19;
 4. Risks of not being vaccinated against COVID-19; and

5. Possible side effects of COVID-19 vaccination.

8. Statistical Information

- 8.1 Every licensee of a long-term care home shall collect, maintain, and disclose to the Ministry of Long-Term Care, on a monthly basis and in a manner set out by the ministry and where requested, the following statistical information:
 1. The total number of individuals subject to this Directive for the reporting cycle.
 2. The total number of individuals who have submitted proof as per the requirements in sections 2 and 3 broken down by which type of proof was provided.
 3. For each of the following covered individual categories: staff, student placements, volunteers, caregivers and general visitors, the number of individuals who have provided proof as per the requirements in sections 2 and 3, broken down by which type of proof was provided.
 4. The total number of individuals who have been granted an extension pursuant to section 4.2.

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 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.

Definitions

All terms in this Directive have the same meaning as under the *Long-Term Care Homes Act, 2007* (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 a resident in order to meet the essential needs of a particular resident. Caregivers must be at least **16 years of age** and must be designated by the

resident or their substitute decision-maker (if any). Direct care includes providing support or assistance to a resident, such as 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.
- **Eligible for a third dose** has the meaning described in the Ministry of Health's [COVID-19 Vaccine Third Dose Recommendations](#) guidance.
- **Fully vaccinated against COVID-19** has the same meaning as in the Ministry of Health guidance: [COVID-19 fully vaccinated status in Ontario](#).
- **General visitor** means a type of visitor who 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, including visiting for social reasons.
- **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 and 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 type of visitor 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.