



Advant**Age**
Ontario

Advancing Senior Care

Staffing Qualifications Toolkit

Fixing Long-Term Care Act, 2021

August 2023

Table of Contents

Purpose..... 2
Overview of Requirements..... 3
Qualifications Checklist..... 4
Appendix A – Summary Table..... 6
Appendix B – Ministry of Long-Term Care Fact Sheet: Staffing Qualifications 12

Purpose

Changes to the regulations ([O. Reg. 246/22](#)) under the [Fixing Long-Term Care Act, 2021](#) (FLTCA), came into force on April 11, 2023. These include changes to requirements applying to staff qualifications. Generally, the amendments simplify or lessen the requirements and provide licensees with greater flexibility while hiring staff; for example, by removing educational requirements or broadening the range of acceptable education. The changes also permit licensees to hire certain staff members with relevant work experience in lieu of educational credentials.

Licensees must comply with the new regulations as of April 11, 2023. However, long-term care (LTC) homes have an additional six months to comply with many of the new staffing qualification requirements.

AdvantAge Ontario has developed this staffing qualifications toolkit to support members by providing them with a quick reference guide to the requirements, and to help members navigate the new or changed requirements. The toolkit includes the Ministry of Long-Term Care (MLTC) fact sheets explaining the changes.

Note: The toolkit is an AdvantAge Ontario product, with input and advice from our legal counsel. AdvantAge Ontario did not consult with the MLTC while developing it, nor does the Ministry endorse it. *Members should use the toolkit to support their reading and interpretation of the regulations.* The toolkit is a supportive but secondary resource relating to the qualification requirements. The FLTCA and its Regulation is the source of the qualification requirements, and members should refer directly to them for compliance purposes.

The next section explains the qualification requirements and the deadlines for complying with them. Appendix A has a table summarizing the specific requirements for each staff role and giving a pinpoint reference to where to find the requirement in the FLCTA and Regulation 246. Ministry Fact Sheets are in Appendix B.

Overview of Requirements

Nature and structure of the qualification requirements

Section 79 of the FLTCA sets out the basic requirements relating to staffing qualifications. Licensees must ensure that all staff of the home (a) have the proper skills and qualifications to perform their duties, and (b) possess the qualifications provided for in the regulation. Members should note that section 2 of the FLTCA sets out the definition of “staff.”

Members should note that Section 79(a) also applies generally. Even if licensees meet the specific requirements set out in the FLTCA and Regulation 246 relating to a certain category of staff, licensees must also ensure (more generally) that staff members have the skills or qualifications necessary to perform their tasks in the home. (These skills and qualifications are in addition to the explicit requirements set out in the FLTCA and Regulation 246.)

Clause (b) of section 79 refers to the qualifications requirements that are set out in Regulation 246. The licensee must comply with these requirements (subject to the transition period discussed immediately below).

Compliance date

Under section 399 of the Regulation, licensees have until October 11, 2023, to comply with the qualification requirements for most staff positions. This deadline does not apply to the following positions (and licensees should take steps to immediately comply with the qualification requirements for these positions, if they are not in compliance with them already):

1. Medical director
2. Director of nursing and personal care
3. Physicians
4. Registered nurses (RN, RN(EC), RPN)
5. Infection prevention and control lead
6. Registered dietitians

The October 11, 2023, compliance deadline applies to the following positions (with references to the relevant section of the Regulation):

1. Personal support workers – [R52](#)
2. Therapists - [R67](#)
3. Staff providing therapy services - [R67](#)
4. Social workers/social service workers - [R69](#)
5. Lead, restorative care – [R70](#)
6. Lead, recreational and social activities – [R72](#)
7. Staff members providing recreational and social activities – [R73](#)
8. Nutrition managers – [R81](#)
9. Cooks – [R82](#)
10. Food service workers – [R84](#)
11. Lead, housekeeping, laundry, and maintenance - [R98](#)
12. Lead, volunteer program - [R101](#)
13. Administrator - [R249](#)

Important note about section 388: The extension of time for compliance until October 11, 2023, is subject to the condition that the staff member (the person holding the position), in the reasonable opinion of the licensee, has the adequate skills, training and knowledge to perform the duties required of that position. The licensee must cease to employ a staff member who by November 11, 2023, does not meet the qualification requirements under the Act and Regulation.

Members should also note that section 388 requires licensees to keep records relating to staff members who do not possess the required qualifications before October 11, 2023, but in the licensee's opinion have adequate skills, training, and knowledge to perform the duties of their position. The record-keeping requirements are set out in subsections 388 (4) and (5).

Nature of recent changes to the qualification requirements

Members should note two types of major changes relating to the qualification requirements that came into force on April 11, 2023. First, for many positions the educational requirements are broadened. For example, "community college or university" is replaced with the broader category "Ontario post-secondary institution," which is defined in section 1 of the Regulation. This would include Indigenous Institutes. This gives licensees greater flexibility in hiring and applies in the context of the following positions:

1. Personal support workers – [R52](#)
2. Restorative care lead – [R70](#)
3. Recreational lead – [R72](#)
4. Recreational staff – [R73](#)

Members should note that sections 70-73 of the regulations include a provision that permits licensees to hire a person who has an equivalent diploma, degree, or certificate from another jurisdiction than Ontario, including outside of Canada.

The second type of important change is that for several roles a licensee may hire a person who does not possess the required educational credential but who does have relevant work experience. Licensees can still hire based on the credential. This change also gives licensees greater flexibility in hiring and applies in the following contexts:

1. Recreational care lead – [R72](#) (for grandfathering an existing staff member)
2. Recreational staff – [R73](#)
3. Cooks - [R82](#)
4. Food service worker – [R84](#)
5. Housekeeping, laundry, and maintenance lead – [R98](#) (for managerial/supervisory experience requirement)

Qualifications Checklist

A simple process for members to follow in assessing their approach and compliance with the qualifications requirements is set out below.

1. Identify positions with qualifications requirements in the Act and Regulation.
2. Assess existing staff qualifications against the requirements in the Act and Regulation.

3. For some positions, qualifications are subject to the discretion (or “reasonable opinion”) of the licensee, for example, with respect to experience in lieu of education or equivalency of education from another jurisdiction. Make a record of any discretionary (“reasonable opinion”) decisions, and briefly summarize the evidence in support of the decision.
4. Cease to employ or redeploy staff members who do not meet qualification requirements.
5. Make sure you have records relating to [section 388 extension](#).

Appendices

Appendix A - Summary Table

Appendix B - Ministry of Long-Term Care Fact Sheet: Staffing Qualifications

Information Contact

Olivia Nero
Director, Public Policy
onero@advantageontario.ca

Appendix A – Summary Table

Required Qualifications for Mandatory Roles under the *Fixing Long-Term Care Act, 2021*

A = *Fixing Long-Term Care Act, 2021* R = Regulation 246 under the Act

* = R388 does not apply

Role	Qualifications	Ref
All staff of the home	Must possess the qualifications set out in Regulation 246 . Must have the proper skills and qualifications to perform their duties.	A79
Physicians *	Must be member of the Ontario College of Physicians and Surgeons .	A2
Nursing staff *	Must have appropriate current certificate of registration with the College of Nurses of Ontario .	R51
Administrator	Education - Post-secondary degree from a program that is a minimum of three years in duration, or a post-secondary diploma in health or social services from a program that is a minimum of two years in duration. Experience - At least three years working (a) in a managerial or supervisory capacity in the health or social services sector, or (b) in another managerial or supervisory capacity, if they have already successfully completed the program in long-term care home administration or management. Must have demonstrated leadership and communication skills. Must have successfully completed or is enrolled in a program in long-term care home administration or management that is a minimum of 100 hours in duration of instruction time (if enrolled, must complete the course within the time set out in the regulation). This includes AdvantAge Ontario's Administrator Leadership Program (ALP) .	A76 R249
Director of nursing and personal care *	Must be a member of the College of Nurses of Ontario who holds a certificate of registration as a registered nurse. Must have (a) at least one year of experience working as a registered nurse in the long-term care sector, (b) at least three years of experience working as a registered nurse in a managerial or supervisory capacity in a health care setting, and (c) demonstrated leadership and communication skills. (Exception relating to pre-July 1, 2010, employment as a Director of Nursing and Personal Care, subject to work history.)	A77 R250
Medical director*	Must be a member of the College of Physicians and Surgeons of Ontario .	A78

Role	Qualifications	Ref
	Must complete the Ontario Long Term Care Clinicians' Medical Director course (within 12 months after appointment or by April 11, 2023, if the Medical Director was the Medical Director of the home on April 11, 2022).	R251
Personal support worker (PSW)	<p>Every person hired as a PSW or to provide personal support services must provide proof of graduation issued by a provider of a PSW program that meets the requirements set out in subsection R52(2).</p> <p>OR</p> <p>A licensee may hire a PSW or a person to provide personal support services if they are described in subsection R52(3).</p> <p>(“Personal support services” are defined in A11: “services to assist with the activities of daily living, including personal hygiene services, and includes supervision in carrying out those activities.”)</p>	R52
Therapists	Must have a current certificate of registration with the appropriate college of a regulated health profession.	R67
Therapy support personnel who are members of the staff of the home	<p>(Working under the direction of a member of the appropriate regulated health profession and the supervision of the designated lead required under section R70.)</p> <p>Successful completion of a training program in restorative care or enrolled in such a program.</p> <p>OR</p> <p>Successful completion of a relevant training course provided by the licensee that is designed and supervised by a qualified therapist who is a member of the appropriate college of a regulated health profession.</p>	R67
Social workers or social service workers	Must have registration under the Social Work and Social Service Work Act, 1998 .	R69
Lead, restorative care program	<p>Must have a current general certificate of registration with a college of a regulated health profession or the Ontario College of Social Workers and Social Service Workers.</p> <p>OR</p> <p>At least one year of experience in a health care setting</p> <p>and</p> <p>(a) a post-secondary diploma, degree or certificate in recreation and leisure studies, kinesiology, therapeutic</p>	R70

Role	Qualifications	Ref
	<p>recreation or other related field from an Ontario post-secondary institution,</p> <p>or</p> <p>(b) a post-secondary diploma, degree or certificate granted in another jurisdiction that, in the reasonable opinion of the licensee, is equivalent to the diploma, degree or certificate described in (a).</p>	
<p>Lead, recreational and social activities program</p>	<p>The licensee shall ensure that the designated lead has experience in a health care setting or other relevant setting and,</p> <p>Must have experience in a health care setting or other relevant setting and</p> <p>(a) a post-secondary diploma, degree or certificate in recreation and leisure studies, therapeutic recreation, kinesiology, gerontology or other related field from an Ontario post-secondary institution; or</p> <p>(b) a post-secondary diploma, degree or certificate granted in another jurisdiction that, in the reasonable opinion of the licensee, is equivalent to the diploma, degree or certificate described in clause (a).</p> <p>→ Exception: A person employed at a long-term care home as a designated lead for the recreational and social activities program before April 11, 2023, may continue in that role without meeting the requirements in that subsection if, in the reasonable opinion of the licensee, the person has the appropriate skills, knowledge and experience to perform the duties required of that position.</p>	<p>R72</p>
<p>Staff members providing recreational and social activities</p>	<p>Must have one of the following:</p> <p>(a) A post-secondary diploma, degree or certificate in recreation and leisure studies, therapeutic recreation, kinesiology, gerontology or other related field from an Ontario post-secondary institution;</p> <p>(b) A post-secondary diploma, degree or certificate granted in another jurisdiction that, in the reasonable opinion of the licensee, is equivalent to the diploma, degree or certificate described in clause (a); or</p> <p>(c) In the reasonable opinion of the licensee, the appropriate skills, knowledge and experience providing recreational and social activities to perform the duties required of that position.</p>	<p>R73</p>

Role	Qualifications	Ref
Registered dietitian *	Must be a member of the College of Dietitians of Ontario who holds a temporary or general certificate of registration under the Dietetics Act, 1991 .	R1
Nutrition manager	<p>Must be an active member of the Canadian Society of Nutrition Management or a registered dietitian.</p> <p>But, a person employed at a long-term care home as a nutrition manager before April 11, 2023, may continue in that role without meeting the qualifications of that subsection if they are actively pursuing membership in the Canadian Society of Nutrition Management or registration as a dietitian by the College of Dietitians of Ontario.</p> <p>Requirement for membership does not apply to a person who was employed as a nutrition manager in a home immediately before July 1, 2010, and who meets requirements relating to minimum recent experience – see R81.</p>	R81
Cooks	<p>Must have at least one of the following:</p> <ul style="list-style-type: none"> (a) a chef a chef training or culinary management diploma or certificate granted by a college of applied arts and technology or a private career college. (b) A certificate of qualification in the trade of Cook or Institutional Cook that was issued by, <ul style="list-style-type: none"> - the Director of Apprenticeship under the Apprenticeship and Certification Act, 1998, - the Registrar of the College under the Ontario College of Trades and Apprenticeship Act, 2009, or - the Registrar of Skilled Trades Ontario under the Building Opportunities in the Skilled Trades Act, 2021. OR (c) has, in the reasonable opinion of the licensee, appropriate skills, knowledge and experience in the fields of institutional, health care, restaurant or hospitality cooking to perform the duties required of the position. 	R82
Food service workers	<p>Must have at least one of the following (unless he or she is a cook to whom R82 applies):</p> <ul style="list-style-type: none"> (a) have successfully completed or are enrolled in a Food Service Worker program at a college of applied arts and technology or a Food Service Worker program provided by a private career college; (b) have successfully completed an apprenticeship program in the trade of Cook, Institutional Cook or Assistant Cook under the Apprenticeship and Certification Act, 1998, the Ontario College of Trades and Apprenticeship Act, 2009, or the Building Opportunities in the Skilled Trades Act, 2021; 	R84

Role	Qualifications	Ref
	<p>(c) have entered into a registered training agreement in the trade of Cook, Institutional Cook or Assistant Cook under the Apprenticeship and Certification Act, 1998, the Ontario College of Trades and Apprenticeship Act, 2009, or the Building Opportunities in the Skilled Trades Act, 2021; or</p> <p>(d) have, in the reasonable opinion of the licensee, appropriate skills, knowledge and experience in the fields of institutional, health care, restaurant or hospitality food service to perform the duties required of the position. O. Reg. 246/22, s. 84 (1); O. Reg. 66/23, s. 20 (1, 2).</p> <p>The qualification requirements do not apply to the following:</p> <p>(a) students hired on a seasonal or part-time basis, who have successfully completed food handler training;</p> <p>(b) persons (nutrition managers) who meet the qualifications in subsection 81 (2) or 82 (2) or who are exempt from meeting those qualifications as they meet the requirements under subsection 81 (3) or (3.1); or</p> <p>(c) persons who have a post-secondary diploma in food and nutrition management or a post-secondary degree in food and nutrition.</p>	
<p>Lead, housekeeping, laundry, maintenance (Lead for each program but a person may be lead for more than one program)</p>	<p>Must have the skills, knowledge and experience to perform the role, including:</p> <p>(a) knowledge of evidence-based practices and, if there are none, prevailing practices relating to housekeeping, laundry and maintenance, as applicable; and</p> <p>(b) experience in a managerial or supervisory capacity or, in the reasonable opinion of the licensee, appropriate skills, knowledge and experience in a health care or relevant setting to perform the duties required of the position.</p>	<p>R98</p>
<p>Lead, volunteer program</p>	<p>Must have</p> <p>(a) at least one year of experience with seniors in an organized program or one year of experience with persons in a health care setting; and</p> <p>(b) experience or knowledge in recruitment, selection, orientation, placement and supervision of volunteers.</p>	<p>R101</p>
<p>Lead, infection prevention and control program*</p>	<p>Education and experience in infection and control practices in the following areas:</p> <ol style="list-style-type: none"> 1. Infectious diseases 2. Cleaning and disinfection 3. Data collection and trend analysis 4. Reporting protocols 	<p>R102</p>

Role	Qualifications	Ref
	<ul style="list-style-type: none"> 5. Outbreak management 6. Asepsis 7. Microbiology 8. Adult education 9. Epidemiology 10. Program management <p>Current certification in infection control from the Certification Board of Infection Control and Epidemiology. Note: This certification requirement applies as of April 11, 2025.</p>	

Ministry of Long-Term Care Staffing Qualifications

As of April 11, 2023, new and amended provisions to [Ontario Regulation 246/22](#) (the “Regulation” or O. Reg. 246/22) under the [Fixing Long-Term Care Act, 2021](#) (the “Act”) related to long-term care staffing role qualification requirements will come into effect.

Background and Purpose

[“A better place to live, a better place to work: Ontario’s long-term care staffing plan”](#) (staffing plan), released in December 2020, commits to issuing guidance to long-term care home licensees on innovative and flexible staffing models of care. As a first step to advancing this work, and as the Ministry of Long-Term Care (ministry) approaches the one-year milestone of the coming into force of the Act and Regulation, changes have been made to the staffing qualifications in the Regulation informed by consultation with key sector partners and stakeholders.

These changes reflect the long-term care sector’s lived experience and address emerging priorities related to staffing in long-term care.

A broad range of stakeholders communicated a need for ongoing staffing flexibility and new solutions to address staffing challenges in the long-term care and broader health sectors that have been exacerbated by the COVID-19 pandemic. The ministry conducted thorough and informative consultations with key internal and external sector stakeholders, including with the public, to inform the development of the new and amended regulatory provisions related to staffing qualifications.

The resulting regulatory amendments made to O. Reg. 246/22 are intended to reflect that the staffing qualification requirements identified as immediate action items are proportionate with the responsibilities and accountabilities of the roles, while maintaining resident safety and quality of care. They also intend to eliminate barriers that restrict qualified professionals/individuals from entering the long-term care sector to pursue a rewarding career.

*This document is for informational purposes only. Licensees are responsible for ensuring compliance with the requirements of the Fixing Long-Term Care Act, 2021 and its Regulation. In the event of a conflict or inconsistency between this document and the Act or Regulation, the Act or Regulation will prevail. **This document does not constitute legal advice or interpretation. Users should consult their legal counsel for all purposes of legal advice and interpretation.***

Questions?

mltc.correspondence@ontario.ca

Summary of Amendments to Staffing Qualification Requirements

1. Staffing Qualifications Transitional Provision (Section 388 in O. Reg. 246/22)

Previous Requirements

- Long-term care home licensees were not required to comply with the requirements set out in the Act or Regulation respecting staffing qualifications until **12 months** after the coming into force date of section 388 (**April 11, 2023**), as long as the person holding the position, in the reasonable opinion of the licensee, had the adequate skills, training and knowledge to perform the duties required of that position. The licensee would be required to terminate the staff member if they did not meet the applicable requirements under the Act and Regulation within **13 months** after the coming into force of this section 388 (**May 11, 2023**).

New Requirements / Amendments

- Long-term care home licensees are not required to comply with the requirements set out in the Act or Regulation respecting staffing qualifications until 18 months after the coming into force date of section 388 (October 11, 2023), as long as the person holding the position, in the reasonable opinion of the licensee, has the adequate skills, training and knowledge to perform the duties required of that position. The licensee is required to terminate the staff member if they do not meet the applicable requirements under the Act and Regulation within 19 months after the coming into force of this section 388 (November 11, 2023).

Rationale for Amendments

- Extend the transitional staffing qualifications provision by six-months to provide long-term care homes with notice and time to wind down reliance on the flexibility provision. This would ensure resident safety and quality of care while supporting ongoing recruitment and stability of staff during a period of health human resources staffing challenges.
- The extension will also allow the ministry to review and engage the sector and public on the remaining staffing qualifications for certain staff roles.

2. Changes Specific to Personal Support Workers (Section 52 in O. Reg. 246/22)

Previous Requirements

- Personal support workers or anyone hired to provide personal support services, regardless of their title, were required to complete a personal support worker program that met the minimum personal support worker educational program requirements set out in the Regulation, subject to certain exceptions. Those minimum requirements included:
 - The Personal Support Worker Program Standard dated July 2014 and originally published by the Ministry of Training, Colleges and Universities, or
 - The Personal Support Worker Training Standard dated October 2014 and originally published by the Ministry of Training, Colleges and Universities.

New Requirements / Amendments

- The references to Personal Support Worker Standards documents have been replaced with a requirement that personal support workers must complete a personal support worker program that meets the program requirements set by the Ministry of Colleges and Universities for an Ontario postsecondary institution or district school board to issue a personal support worker certificate.

Rationale for Amendments

- To clarify qualification requirements and ensure that they are proportionate with the responsibilities and accountabilities of the roles, while maintaining resident safety and quality of care.

3. Designated Lead for Restorative Care (Section 70 in O. Reg. 246/22)

Previous Requirements

- Requirements to hold the position of designated lead of a home's restorative care program include having a postsecondary diploma or degree in recreation and leisure studies, kinesiology, therapeutic recreation or other related field from a community college or university, and at least one year of experience in a health care setting.

New Requirements / Amendments

- The educational requirements are being updated to reflect new terminology included in the Regulation for clarity purposes to define Ontario postsecondary institution for the purposes of the Regulation to mean:
 - 1) an Indigenous Institute,
 - 2) a private career college,
 - 3) a college of applied arts and technology,
 - 4) a publicly assisted university, or
 - 5) another degree granting institution.
- The changes to this section are intended to replace the previously used terms “community college” and “university” with this updated terminology, as well as clarify that the designated lead can still meet the educational qualifications if they have a postsecondary diploma, degree or certificate granted in another jurisdiction that, in the reasonable opinion of the licensee, is equivalent to the Ontario diploma, degree or certificate.

Rationale for Amendments

- Updated references with a new definition of “Ontario postsecondary institution” and the addition of an “equivalent postsecondary diploma, degree or certificate from another jurisdiction”.

4. Changes Specific to Designated Lead for Recreational and Social Activities Program (Section 72 in O. Reg. 246/22)

Previous Requirements

- Designated leads for recreation and social activities that were hired after July 1, 2010 were required to have a postsecondary diploma or degree in recreation and leisure studies, therapeutic recreation, kinesiology or other related field from a community college or university; and at least one year of experience in a health care setting.
- Those hired before July 1, 2010 and who were working or employed as a designated lead in a long-term care home could be a designated lead in a different long-term care home if the person worked or was employed as a designated lead in a long-term care home:
 - On a full-time basis for at least three years during the five years immediately before being designated in the different home; or
 - On a part-time basis for the equivalent of at least three full-time years during the seven years immediately before being designated in the different home.

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mltc.correspondence@ontario.ca

Pg. 15

New Requirements / Amendments

- Add that the postsecondary educational requirement can also include gerontology as a field of study from an Ontario postsecondary institution, or a postsecondary diploma, degree or certificate granted in another jurisdiction that in the reasonable opinion of the licensee is equivalent.
- Remove the minimum years of experience and add that experience needed can come from a health care setting or other relevant setting.
- Remove the grandfathering provisions pertaining to the July 1, 2010 dates and replace them with a new streamlined grandfathering provision that permits persons employed in the role to continue if in the reasonable opinion of the licensee the person has the appropriate skills, knowledge and experience.
- Update references with new definition of “Ontario postsecondary institution” and equivalent postsecondary diploma, degree or certificate from another jurisdiction.

Rationale for Amendments

- Responsive to stakeholder feedback to add gerontology as another field of study for postsecondary education and to expand experience to also include a relevant setting.
- Supports homes to maintain high-quality care to long-term care residents during a period of staffing shortages, by allowing licensees to retain and hire designated leads for recreational and social activities from a broader pool of qualified candidates.

5. Changes Specific to Staff Members Providing Recreational and Social Activities (Section 73 in O. Reg. 246/22)

Previous Requirements

- Staff members providing recreational and social activities in the home were required to have a postsecondary diploma or degree in recreation and leisure studies, therapeutic recreation, kinesiology or other related field from a community college or university; or be enrolled in a community college or university in a diploma or degree program in such a field. There were limited exceptions.

New Requirements / Amendments

- Add that the postsecondary educational requirement can also include gerontology as a field of study from an Ontario postsecondary institution or a postsecondary diploma, degree or certificate granted from another jurisdiction that the licensee reasonably believes is equivalent. In addition, recreational /social programming staff could be hired where the licensee reasonably determines the person has the appropriate skills, knowledge and experience (in place of the identified educational/training requirements) to fulfill the role.
- Remove the previous exception (grandfathering provisions pertaining to the July 1, 2010 dates) and the requirement to terminate staff who do not meet the educational/training requirements as these would no longer be needed.

Rationale for Amendments

- Responsive to stakeholder feedback to add gerontology as another field of study for postsecondary education.
- Supports homes with maintaining high-quality care to long-term care residents during a period of staffing shortages, by allowing licensees to retain and hire staff for recreational and social activities from a broader pool of qualified candidates.

6. Food Handler Training – Cooks, Food Service Workers and Nutrition Managers (Section 78 in O. Reg. 246/22)

Previous Requirements

- Food handler training outlined in section 32 of O. Reg. 493/17 of the *Health Protection and Promotion Act* [O. Reg. 493/17: FOOD PREMISES \(ontario.ca\)](#) apply to long-term care staff, but there was no specific reference to those requirements in the *Fixing Long-Term Care Act, 2021* or its Regulation.

New Requirements / Amendments

- Food handler training requirements will be reflected in section 78 of the Regulation.
 - The licensee shall ensure that during every hour in which a food service area is operating, there is at least one cook, food service work or nutrition manager in the area who has completed the food handler training.
 - Food service area will be defined in the Regulation to mean the parts of the home where meals or meal portions are prepared.

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mltc.correspondence@ontario.ca

Pg. 17

Rationale for Amendments

- Ensures clarity for food handler training requirements in long-term care that are consistent with the *Health Protection and Promotion Act* regulation.

7. Minimum Staffing Hours Formula – Nutrition Managers and Food Service Workers (Sections 81 and 83 in O. Reg. 246/22)

Previous Requirements

Minimum staffing hours for food service workers shall be calculated as follows:

$$M = A \times 7 \times 0.45$$

Minimum staffing hours for nutrition managers shall be calculated as follows:

$$M = A \times 8 \div 25$$

Where, “M” is the minimum number of staffing hours per week, and “A” is,

- (a) if the occupancy of the home is 97 per cent or more, the licensed bed capacity in the home for the week, or
- (b) if the occupancy of the home is less than 97 per cent, the number of residents residing in the home for the week, including absent residents.

New Requirements / Amendments

Minimum staffing hours for food service workers shall be calculated as follows:

$$M = A \times 7 \times 0.45$$

Minimum staffing hours for nutrition managers shall be calculated as follows:

$$M = A \times 8 \div 25$$

Where, “M”

“M” is the minimum number of staffing hours per week, and “A” is either,

- (a) the licensed bed capacity in the home for the week (excluding beds not available for occupancy per a ministry directive, policy or law) or
- (b) the number of residents residing in the home for the week, including absent residents.

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mltc.correspondence@ontario.ca

Pg. 18

The amendments include providing homes with the option to choose either option (a) or (b) when calculating the minimum staffing hours for both food service workers and nutrition managers. This allows homes the flexibility to choose the formula that works best for their home's staffing purposes. The 97% occupancy threshold has been removed as part of the calculation for determining minimum number of staffing hours per week.

Rationale for Amendments

- These revisions were made to simplify staff scheduling and reduce challenges related to fluctuations in required staff numbers.

8. Changes Specific to Nutrition Managers (Section 81 in O. Reg. 246/22)

Previous Requirements

- Nutrition managers that were hired under the transitional staffing flexibility provision (section 388) were not required to have their Canadian Society of Nutrition Management membership/Registered Dietitian designation with the College of Dietitians (College), allowing home licensees the flexibility to hire nutrition managers with relevant experience and skills.

New Requirements / Amendments

- Add two new grandfathering provisions as follows: 1) nutrition managers who started in their role before April 11, 2023 may continue as long as they are actively pursuing their Canadian Society of Nutrition Management membership or registration with the College and 2) nutrition managers who have been employed in the home since July 1, 2010 may continue in the role without Canadian Society of Nutrition Management membership/registration with the College.

Rationale for Amendments

- Provides flexibility for existing nutrition managers to complete the necessary training within a flexible timeframe.
- Allows homes to retain qualified staff who do not have their Canadian Society of Nutrition Management membership/Registered Dietitian designation, but who have a wealth of experience working in the home since July 1, 2010 (or prior).

Clarity on “Actively Pursuing”

- Nutrition managers who started in their role before April 11, 2023, who do not have their Canadian Society of Nutrition Management membership or registration with the College, may continue as long as they are actively pursuing their Canadian Society of Nutrition Management membership or registration with the College.
- The phrase “actively pursuing” is not defined in the Regulation.
- From a policy standpoint, the ministry understands the phrase to mean that nutrition managers are taking steps towards achieving their Canadian Society of Nutrition Management membership or registration with the College.
- These steps could include completing necessary coursework or training, submitting required documentation, and paying fees to the applicable organization.
- As part of the ministry inspection process, long-term care licensees should be prepared to demonstrate that such steps are being taken by the nutrition managers and are completed within a reasonable timeframe.

9. Changes Specific to Cooks (Section 82 in O. Reg. 246/22)

Previous Requirements

- Long-term care licensees were only permitted to hire cooks that met specific educational and training requirements regardless of having the required skills and extensive experience in analogous settings.

New Requirements / Amendments

- Long-term care licensees may hire cooks with institutional, health care, restaurant, or hospitality cooking experience (in place of the identified educational/training requirements) that the licensee is reasonably satisfied will allow them to perform the duties required of the position. Alternatively, licensees may hire cooks with the educational qualifications specified in the Regulation.
- Remove the grandfathering provisions pertaining to the July 1, 2010 dates as they are no longer relevant.

Rationale for Amendments

- Supports homes with maintaining high-quality care to long-term care residents during a period of staffing shortages, by allowing licensees to retain and hire cooks from a broader pool of qualified candidates.

10. Changes Specific to Food Service Workers (Section 84 in O. Reg. 246/22)

Previous Requirements

- Long-term care licensees were only permitted to hire food service workers that met specific educational and training requirements regardless of having the required skills and extensive experience in analogous settings.

New Requirements / Amendments

- Long-term care licensees may hire a food service worker with institutional, health care, restaurant, or hospitality food service experience (in place of the identified educational/training requirements) that the licensee is reasonably satisfied will allow them to perform the duties required of the position.
- Remove the grandfathering provisions pertaining to the July 1, 2010 dates and the requirement to terminate staff who do not meet the educational/training requirements as these would no longer be needed.

Rationale for Amendments

- Supports homes with maintaining high-quality care to long-term care residents during a period of staffing shortages, by allowing licensees to retain and hire food service workers from a broader pool of qualified candidates.

11. Changes specific to Designated Lead Each for Housekeeping, Laundry, Maintenance (Section 98 in O. Reg. 246/22)

Previous Requirements

- Required a minimum of two years' experience in a managerial or supervisory capacity and knowledge of evidence-based practice or prevailing practices relating to housekeeping, laundry, and maintenance.
- Required a postsecondary degree or diploma.

Questions?

mltc.correspondence@ontario.ca

Pg. 21

New Requirements / Amendments

- Remove the minimum years of experience and add that to have the required experience a person must have either experience in a managerial or supervisory capacity or, in the reasonable opinion of the licensee, has the appropriate skills, knowledge and experience in a health care or relevant setting to perform the duties of the position.
- Remove the postsecondary educational requirement.
- Remove the grandfathering provisions pertaining to the July 1, 2010 dates as these would no longer be needed.

Rationale for Amendments

- Supports homes with maintaining high-quality care to long-term care residents during a period of staffing shortages, by allowing licensees to retain and hire Designated Leads for Housekeeping, Laundry and Maintenance from a broader pool of qualified candidates.