

Hon. George Smitherman
Minister of Health and Long-Term Care
10th Flr, Hepburn Block
80 Grosvenor St
Toronto, ON M7A 2C4

2/4/2008

Honourable Minister,

Re. alPHa Resolution A06-5 – Boarding or Lodging Homes

On behalf of member Medical Officers of Health, Boards of Health and Affiliate organizations of the Association of Local Public Health Agencies (alPHa), I am writing today to remind you of alPHa's resolution on the regulation and registration of boarding and lodging homes (A06-5, attached).

We were encouraged by the recommendations that resulted from a consultation undertaken in early 2007 by the Ontario Seniors' Secretariat that was followed by a September 2007 announcement of the intent to introduce consumer protection legislation to address the long-standing absence of enforceable standards for rest, retirement, boarding and lodging homes that are not regulated by *Nursing Homes Act*, the *Charitable Institutions Act* or the *Homes for the Aged and Rest Homes Act*.

Section 10 of Ontario's Health Protection and Promotion Act specifically prescribes the duty to inspect lodging and boarding houses by local health units. The HPPA does not however require that these types of premises register with boards of health or municipalities, which is a significant barrier to fulfilling this duty. Furthermore, this duty to inspect is narrow, mainly focused on the food service and sanitation functions of these facilities - there is no statutory authority for health units to respond to complaints related to the quality of personal care, nor to resolve them should any be identified in the course of a regular visit.

We believe that Ontarians living in boarding and lodging houses as well as rest and retirement homes should enjoy similar protections from abuse and neglect, and be assured of a high standard of personal care through the establishment of mandatory minimum standards and provision of medical officers of health with the regulatory tools to ensure that they are met. We hope that you will carefully consider the attached resolution as a basis for strengthening quality of care in Ontario's not-for-profit long-term care sector.

The proposed legislation is long overdue and we anticipate that acting on the recommendations of the consultation will be a government priority this year.

Yours truly,

ORIGINAL SIGNED

Linda Stewart,
Executive Director

Copy: Dr. David Williams, Chief Medical Officer of Health (Acting)
Hon. Aileen Carroll, Minister Responsible for Seniors

Encl.

alPHa Resolution A06-5

TITLE: Boarding or Lodging Homes

SPONSOR: Durham Regional Council

WHEREAS medical officers of health and municipal staff are required to inspect boarding or lodging houses, including rest and retirement homes, with respect to public health and fire & property standards respectively; and

WHEREAS boarding or lodging houses are not required to be registered with medical officers of health or municipalities; and

WHEREAS the health and wellbeing of residents of substandard boarding or lodging houses may be at risk, in part because the lack of registration may lead to ineffective medical officer of health and municipal inspection and enforcement; and

WHEREAS the provision of personal care in boarding or lodging houses is unregulated in Ontario; and

WHEREAS medical officers of health have no powers to inspect or resolve concerns related to the quality of personal care in boarding or lodging houses; and

WHEREAS the last time the Government of Ontario formally studied unregulated residential accommodation was in 1991 when it struck the Commission of Inquiry that reported in 1992; and

WHEREAS successive provincial governments have never implemented the recommendations of the Commission of Inquiry, including those that addressed personal care and safety

NOW THEREFORE BE IT RESOLVED THAT alPHa urge the Government of Ontario to review the need to regulate boarding or lodging houses, including rest and retirement homes;

AND FURTHER THAT this review include but not be limited to the following:

- a) The applicability of the recommendations of the 1992 Commission of Inquiry into Unregulated Residential Accommodation
- b) The need for boarding and lodging houses to register with medical officers of health and municipalities on a mandatory basis
- c) The setting of mandatory minimum standards for personal care in boarding or lodging houses that provide such care for their residents
- d) The role of medical officers of health with respect to the inspection and enforcement of such personal care standards

AND FURTHER THAT the Premier of Ontario, Ministers of Health and Long Term Care, Municipal Affairs and Housing and Responsible for Seniors, the Chief Medical Officer of Health the City of Toronto and the Association of Municipalities of Ontario are so advised.