

**Minister's Directive:
COVID-19: LONG-TERM CARE HOME
SURVEILLANCE TESTING AND
ACCESS TO HOMES**

Effective November 23, 2020

Ministry of Long-Term Care

Minister's Directive: **COVID-19: Long-Term Care Home Surveillance Testing And Access to Homes**

This Minister's Directive is issued pursuant to s. 174.1 of the *Long-Term Care Homes Act, 2007* (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 shall carry out every operational or policy directive that applies to the long-term care home.

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 has the same meaning as in the Ministry of Long-Term Care's COVID-19 Visiting Policy effective November 23, 2020 or as amended.

COVID-19 test means a validated real-time polymerase chain reaction (PCR) assay laboratory test for the novel coronavirus known as COVID-19.

General Visitor has the same meaning as in the Ministry of Long-Term Care's COVID-19 Visiting Policy effective November 23, 2020 or as amended.

Ontario Health means the corporation continued under section 3 of the *Connecting Care Act, 2019*.

Personal Information has the same meaning as in the *Freedom of Information and Protection of Privacy Act*.

Personal Health Information has the same meaning as in the *Personal Health Information Protection Act, 2004*.

Student 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, that does not meet the definition of "staff" or "volunteer".

Support Worker has the same meaning as in the Ministry of Long-Term Care's COVID-19 Visiting Policy effective November 23, 2020 or as amended.

Effective November 23, 2020, I hereby issue the following Directive with respect to every long-term care home:

1. **Staff, Students and Volunteers**. Subject to the exception in section 4 of this Directive, every licensee of a long-term care home shall ensure that Staff, Students and Volunteers working in the home regularly take a COVID-19 test:
 - a. **Green and Yellow Levels**. This shall include one COVID-19 test **every two weeks** for long-term care homes located in public health unit regions in Green-Prevent or Yellow-Protect levels of the COVID-19 Response Framework: Keeping Ontario Safe and Open issued November 3, 2020 or as amended. The time period between testing should be as close to 14 days as can practically be achieved, unless testing is conducted more frequently.
 - b. **Orange, Red and Grey Levels**. This shall include a COVID-19 test **every week** for long-term care homes in public health unit regions in Orange-Restrict, Red-Control or Grey-Lockdown levels of the COVID-19 Response Framework: Keeping Ontario Safe and Open issued November 3, 2020 or as amended. The time period between testing should be as close to 7 days as can practically be achieved, unless testing is conducted more frequently.

2. **Caregivers and Supporter Workers**. Subject to the exceptions in sections 4 and 5 of this Directive, every licensee shall ensure that all Caregivers and Support Workers demonstrate that they have received a negative COVID-19 test result and verbally attest to not subsequently having tested positive before granting them entry as a visitor, whether the visit will take place indoors or outdoors:
 - a. **Green and Yellow Levels**. For long-term care homes located in public health unit regions in Green-Prevent or Yellow-Protect levels of the COVID-19 Response Framework: Keeping Ontario Safe and Open issued November 3, 2020 or as amended, licensees shall ensure that Caregivers and Support Workers demonstrate that they have received a negative COVID-19 test result in the **past two weeks**, and verbally attest to not subsequently having tested positive.
 - b. **Orange, Red and Grey Levels**. For long-term care homes located in public health unit regions in Orange-Restrict, Red-Control or Grey-Lockdown levels of the COVID-19 Response Framework: Keeping Ontario Safe and Open issued November 3, 2020 or as amended, licensees shall ensure that Caregivers and Support Workers demonstrate that they have received a negative COVID-19 test result in the **past week**, and verbally attest to not subsequently having tested positive.

3. **General Visitors**. Subject to the exceptions in sections 4 and 5 of this Directive, every licensee shall ensure that for General Visitors:
 - a. **Green and Yellow Levels**. For long-term care homes located in public health unit regions in Green-Prevent or Yellow-Protect levels of the COVID-19 Response Framework: Keeping Ontario Safe and Open issued November 3, 2020 or as amended, licensees shall ensure that General Visitors demonstrate

- that they have received a negative COVID-19 test result in the **past two weeks**, and verbally attest to not subsequently having tested positive.
- b. **Orange, Red and Grey Levels.** No General Visitors are permitted in long-term care homes located in public health unit regions in Orange-Restrict, Red-Control or Grey-Lockdown levels of the COVID-19 Response Framework: Keeping Ontario Safe and Open issued November 3, 2020 or as amended.
4. **Previous COVID-19.** Despite the requirements set-out in sections 1, 2 and 3 of this Directive, an individual that has previously had laboratory-confirmed COVID-19 and was cleared by the local public health unit, should not be re-tested for surveillance purposes under this Directive except
- a. with new onset of symptoms of COVID-19, and
 - b. can be considered:
 - i. if there is exposure to a confirmed case of COVID-19;
 - ii. if there is a COVID-19 outbreak in the home; or
 - iii. at the direction of the local public health unit.
5. **Palliative and Emergency Situations.** Despite the requirements set-out in sections 2 and 3 of this Directive, the requirements for Support Workers, Caregivers and General Visitors do not need to be followed in an emergency or palliative situation, subject to any restrictions or requirements contained in Directive #3 for Long-Term Care Homes issued by the Chief Medical Officer of Health.
6. **Access Subject to Requirements.** Effective November 30, 2020 every licensee of a long-term care home shall ensure that no person described in sections 1, 2, or 3(a) of this Directive enters the home unless the requirements contained in this Directive have been met. For clarity, the requirement in section 3(b) of this Directive is effective immediately.
7. **Statistical Information.** Every licensee of a long-term care home shall collect, maintain and disclose statistical information on testing as follows:
- a. Collect and maintain documentation that includes the number of staff, students and volunteers tested; the number of staff, students and volunteers who refused a test; the dates on which staff, students and volunteer testing was conducted (either at the long-term care home or another testing location); and, the number of caregivers and support workers tested in the home and the date on which they were tested.
 - b. Upon request, disclose statistical information about testing to the Ministry of Long-Term Care, the public health unit for the area in which the long-term care home is located and to Ontario Health.
 - c. In complying with paragraphs 7(a) and 7(b) above, the licensee shall ensure that no personal information or personal health information is disclosed.