

# **Aging with Confidence: Ontario's Action Plan for Seniors**

## **Guidelines for Submitting Applications for New Long- Term Care Bed Capacity**

Ministry of Health and Long-Term Care  
February 2018

# Version Control Tracking

Version #	Date Approved	Approved By	Changes (describe)
V 1.0	February, 2018	Brenda Blackstock	Original Document

## Updates to these Guidelines

The ministry may issue written clarifications or revisions to this document. The purpose of the Version Control Tracking section is to indicate the date and version of the Guidelines, and updates that have been made to the document. Applicants should check with the Ministry of Health and Long-Term Care (the ministry) to ensure they have the most up to date version of the Guidelines.

The ministry does not intend to post any revisions to the Guidelines within one (1) week of the application submission date.

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# 1. An Introduction to Long-Term Care in Ontario

## Home: The Fundamental Principle of Long-Term Care in Ontario

The *Long-Term Care Homes Act, 2007 (LTCHA)* states that “a long-term care home is primarily the home of its residents and is to be operated so that it is a place where they may live with dignity and in security, safety and comfort and have their physical, psychological, social, spiritual and cultural needs adequately met.”

## A Resident-Centred Long-Term Care Framework

The *LTCHA* and Ontario Regulation 79/10 (Regulation) together are the main legislative authority for safeguarding residents’ rights, improving the quality of care and the accountability of long-term care (LTC) homes for the care, treatment and well-being of over 78,000 residents. Every LTC home Licensee is required to comply with the *LTCHA* and Regulation. The Ministry of Health and Long-Term Care (the ministry) administers the legislation and enforces compliance.

Local Health Integration Networks (LHINs) are locally-based agencies of the Ontario government that have a legislative mandate to plan, fund and integrate the local health system in their respective geographic areas. Part of the LHIN responsibility is to coordinate and fund LTC homes within the LHIN’s area. Through Long-Term Care Home Service Accountability Agreements (L-SAAs) between each LTC home and its LHIN, funding entitlements and performance expectations and accountability are set out. LHINs monitor the achievement of the performance expectations stated in the L-SAA and its associated policies. LHINs also function as the designated placement coordinators for admissions to LTC homes in their respective areas and are responsible for determining eligibility for admission, prioritizing applicants on waiting lists, keeping/managing waiting lists and authorizing admissions.

Each LTC home must have a Residents’ Council made up of residents of that home and may have a Family Council made up of family and persons of importance to residents in that home as well. These two bodies have powers set out in the *LTCHA* to advise residents, families and persons of importance to residents related to:

- The rights and obligations of residents and the Home under the *LTCHA*;
- Support to resolve disputes between the Home and residents;
- Sponsoring and planning activities for residents;
- Collaborating with community groups and volunteers concerning activities for residents;
- Providing advice and recommendations to the Home regarding improvements to care, quality of life or the operations of the Home; and
- Reporting to the ministry concerns and recommendations that in the Council's opinion should be brought to the ministry's attention.

Resident and Family Councils also review inspection reports and Orders, the allocation of funding to the Home, and other matters related to the operation of the Home. Copies of inspection reports and Orders are sent directly to the Council's Chair.

## 2. Aging with Confidence: Ontario's Action Plan for Seniors

### Thinking to the Future

On November 7, 2017, the province announced Aging with Confidence: Ontario's Action Plan for Seniors (Aging with Confidence), a bold plan to empower seniors to make the choices that are right for them when it comes to their care, their independence and how they access government services, including LTC.

Recognizing that Ontario's population is aging and creating more demand for LTC, the province will support the building of 5,000 new LTC beds by 2022 and is planning for the creation of more than 30,000 new beds over the next decade. New LTC bed capacity will prioritize those with the highest need as well as those within hospitals who are ready to be discharged (designated alternative level of care or ALC) and require an LTC home. New LTC bed capacity serving culturally specific needs, francophone, and Indigenous populations will also be prioritized.

In addition to creating new LTC bed capacity, the province is also taking the following action to enhance resident-centred care:

- More staffing and supports in LTC to reach an average of four hours of direct care per resident per day, representing 15 million hours of care for residents once fully phased in;
- Promoting innovation in LTC by introducing new technologies to all LTC homes to help create a modernized and efficient system; and
- Providing greater access to culturally appropriate LTC and in-home supports.

This increased capacity and transformation in the quality and delivery of care will ensure that residents staying in newly created LTC beds are well served by a modernized system for 2017 and beyond. LTC homes with new bed capacity will continue to be places where residents may live with dignity, security, safety, and comfort.

## The Opportunity: New LTC Bed Capacity Allocations

The ministry is inviting all interested parties including existing non-profit operators, existing for-profit operators, and applicants new to the LTC sector, to apply for allocations of new LTC bed capacity across the province. The term “operator” includes both licensees of LTC homes licensed under Part VII of the *LTCHA* and the approved operators of municipal and First Nations LTC homes under Part VIII of the Act. Interested parties are strongly encouraged to engage with their local communities and LHINs to form innovative partnerships to create new LTC bed capacity that addresses local needs.

This opportunity for new LTC bed allocations is open to existing LTC home operators (existing operators) and potential new LTC home operators entering into the sector (potential operators). In addition to mandatory adherence to the legislative and regulatory requirements of the *LTCHA*, applications from existing operators and potential operators will be evaluated in recognition of each Applicant categories’ experience in the LTC sector. As such, the application package accompanying these Guidelines contain some questions that are unique to each Applicant category to help ensure that each Applicant has the opportunity to put forward an application that best reflects the strength of their proposed project.

## Linkage to the Enhanced Long-Term Care Home Renewal Strategy

Aging with Confidence is complementary to the ministry’s objective of redeveloping older existing LTC beds to current design standards. The term “LTC Home Redevelopment” includes both the creation/development of new LTC capacity and the redevelopment of existing LTC home capacity.

Existing operators who wish to redevelop existing beds that are eligible (B, C, and Upgraded D classified beds) under the current Enhanced Long-Term Care Home Renewal Strategy (Enhanced Strategy) without including new LTC bed capacity should continue to work with their assigned ministry project manager. If an existing operator does not know who their ministry project manager is, they need to email the ministry at [LTCHomeRenewalBranch@ontario.ca](mailto:LTCHomeRenewalBranch@ontario.ca).

Potential Applicants who are considering submitting an application for new LTC bed capacity under Aging with Confidence, which proposes to create a net new LTC home, or add new LTC capacity to the redevelopment of an existing eligible LTC home, should refer to these Guidelines.

## 3. Purpose of this Document

This document has been developed to provide guidance to potential Applicants on submitting an application for a conditional allocation of new LTC bed capacity under Aging with Confidence. For applications to be considered for these allocations during the present allocation opportunity, the ministry must receive them by no later than **Friday, March 2, 2018 at 17:00:00 (EST)**.

These Guidelines do not provide guidance on the operation of a LTC home. LTC homes must be operated in accordance with the *LTCHA* and Regulation, and all operational and funding policies. A list of relevant policies is found in Section 5 of these Guidelines.

The review process for applications received through this allocation opportunity is outlined in Section 6 of these Guidelines.

## 4. Goals and Objectives of this Allocation Opportunity

The objectives of this allocation opportunity for new LTC bed capacity are to:

1. Support the Aging with Confidence objective of having 5,000 new LTC beds online by 2022;
2. Support the Patients First: Action Plan for Health Care objective of community driven local health system planning; and
3. Support the Enhanced Strategy objective of incenting LTC bed redevelopment.

All applications received should respond to as many of the above goals and objectives as possible.

# 5. Applicable Ministry Program Requirements

All applications for allocations of new LTC bed capacity must propose a project that will be subject to, and consistent with:

- **Long-Term Care Home Design Manual, 2015**
  - Click here to find: [http://www.health.gov.on.ca/en/pro/programs/lcredev/docs/ltc\\_home\\_design\\_manual.pdf](http://www.health.gov.on.ca/en/pro/programs/lcredev/docs/ltc_home_design_manual.pdf)
- **Construction Funding Subsidy Policy for Long-Term Care Homes, 2015**
  - Click here to find: [http://www.health.gov.on.ca/en/pro/programs/lcredev/docs/construction\\_funding\\_subsidy\\_policy.pdf](http://www.health.gov.on.ca/en/pro/programs/lcredev/docs/construction_funding_subsidy_policy.pdf)
- **Long-Term Care Home Service Accountability Agreement policies**
  - Click here to find: [http://www.health.gov.on.ca/en/public/programs/ltc/lcaa\\_policies.aspx](http://www.health.gov.on.ca/en/public/programs/ltc/lcaa_policies.aspx)
- **Long-Term Care Homes Act, 2007 and Regulation 79/10 under that Act**
  - Click here to find: <https://www.ontario.ca/laws/>
- **Other relevant ministry/government policies, regulations, and legislation**

# 6. Application Review Process

All applications received will be reviewed by the ministry, with advice from the LHIN(s). Applications submitted by potential operators will have the same opportunity for consideration as those submitted by existing operators, subject to meeting all applicable requirements.

The review process for project applications is done in two stages as follows:

## Stage 1 – Application Review

The ministry will review all applications for potential Stage 1 approval to be entered into Stage 2. Approval to be entered into Stage 2 may also be referred to as a conditional allocation pending final ministry decision after in-depth analysis is completed in Stage 2.

Review of an application in Stage 1 will take into consideration factors such as, but not limited to:

- *Long-Term Care Homes Act, 2007*, requirements such as:

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- The need for LTC services in an area;
- The concentration of ownership, control or management of LTC homes in an area as well as the balance between non-profit and for-profit homes; and/or
- Demonstrated compliance history that is satisfactory to the ministry;
- Overall alignment with ministry policy priorities including:
  - Aging with Confidence
    - Enabling the placement of Ontarians with the highest need in LTC homes and/or reducing the number of Ontarians designated ALC in hospitals that are awaiting long-term care; and
    - New LTC beds that serve specific cultural needs, such as but not limited to those of the francophone community and those of Indigenous populations;
    - Click here to find out more: <https://www.ontario.ca/page/aging-confidence-ontario-action-plan-seniors>
  - Patients First
    - Access – Providing faster access to the right care;
    - Connect – Delivering better coordinated and integrated care in the community, closer to home;
    - Inform – Providing education, information and transparency patients need to make the right decisions about their health; and
    - Protect – Making decisions based on value and quality, to sustain the system for generations to come;
    - Click here to find out more: [http://www.health.gov.on.ca/en/ms/ecfa/healthy\\_change/](http://www.health.gov.on.ca/en/ms/ecfa/healthy_change/)
  - Enhanced Long-Term Care Home Renewal Strategy (Enhanced Strategy)
    - Enabling LTC bed redevelopment directly or indirectly;
    - Click here to find out more: <http://www.health.gov.on.ca/en/pro/programs/lcredev/>
- Demonstration of financial viability for the proposed capital project, and ongoing operation of the home thereafter, that is satisfactory to the ministry; and
- The Applicant's demonstration that the proposed project can be completed and the new LTC beds can be opened for operation as LTC beds by 2022.

Stage 1 approval into Stage 2 does not constitute any of the following:

- A ministry commitment to provide a Construction Funding Subsidy (CFS) for the proposed project;
- Approval of the construction project or its operation as a long-term care home;

- A licence or approval to operate a long-term care home, an undertaking for such a licence/approval, or the fulfillment of any other requirement, under the *LTCHA* (including under s. 96, 97, 98, 100, and 106 of that Act).

(If any of the above are not obtained within timeframes set by the ministry, the conditional allocation will lapse).

## Applications that are not approved into Stage 2

In the event that an application submitted during this specific new bed allocation opportunity is not approved to advance into Stage 2, the Applicant will be notified and may request a follow up meeting to receive feedback on their application from the ministry. Applications that do not advance at this time may be considered in future, subject to ministry conditions.

## Stage 2 – In-Depth Analysis

Detailed analysis from a capital and licensing perspective will be given to applications that are approved to advance to Stage 2. The ministry will be in regular contact with Applicants at this stage as it conducts a Licensing Transaction Review which includes reviewing each Applicant's compliance history and financials, consultation with the relevant LHIN(s), and holding a public consultation meeting to receive feedback on the proposed LTC bed licensing transaction (issuance of an undertaking for a new license on completion of the applicable conditions). Further information from the Applicant may be required.

The successful completion of Stage 2 is required prior to any decisions by the ministry to approve capital proposals and to undertake to issue a licence or grant an approval to operate a LTC home, subject to all applicable requirements.

Applicants whose applications are approved at Stage 2 must execute a Development Agreement with the ministry within 90 days of the date of approval and an undertaking to issue a licence or approval under the *LTCHA* would be made, subject to the requirements of the *LTCHA*, and any other conditions stipulated by the ministry. All projects are expected to be open and operational no later than December 31, 2022.

# 7. Project Funding

## Capital Funding

Applicants with applications approved on the completion of Stage 2 must execute a Development Agreement with the ministry. The terms of the Development Agreement must be fulfilled (which includes the requirement to obtain a licence or approval to operate the beds under the *LTCHA*) before a CFS is provided for the new LTC bed(s) starting on the new beds' First Resident Date in accordance with the Construction Funding Subsidy Policy, 2015.

## Operating Funding

In respect of the operational funding of the home, following its opening, the Applicant will first be required to enter into a Long-Term Care Home Service Accountability Agreement (L-SAA) with the applicable LHIN, and a Direct Funding Agreement with the ministry, in respect of the LTC beds constructed under the Development Agreement.

# 8. Submitting an Application

Applicants are to complete the associated document titled “**Application for Long-Term Care Home Development and Redevelopment**” (the Application). That package contains the required application forms for Applicants to complete as well as instructions on how to complete them.

The signatory on the Application must be able to bind the Applicant to it.

For an application to be considered for this invitation period, the ministry will need to receive the completed electronic PDF of the Application at [LTCHomeRenewalBranch@ontario.ca](mailto:LTCHomeRenewalBranch@ontario.ca) by **Friday, March 2, 2018 at 17:00:00 (EST)**.

E-mail submissions must be marked in the subject line ATTN: AGING WITH CONFIDENCE [APPLICANT NAME].

Incomplete or late submissions will not be reviewed at this time.

Applicants will be sent a confirmation of receipt of their application. If you do not receive this confirmation within one (1) business day of submitting your application, please contact [LTCHomeRenewalBranch@ontario.ca](mailto:LTCHomeRenewalBranch@ontario.ca).

Applicants are advised to send an email to [LTCHomeRenewalBranch@ontario.ca](mailto:LTCHomeRenewalBranch@ontario.ca) to be included on an email list for communications.

Any clarifications, revisions and/or updates to the Guidelines and/or application process will be provided via:

- Email from [LTCHomeRenewalBranch@ontario.ca](mailto:LTCHomeRenewalBranch@ontario.ca)
- Posting on the ministry's password protected Long-Term Care Homes Portal at [www.LTCHomes.net](http://www.LTCHomes.net)

You can contact the ministry regarding questions on this new LTC bed allocation opportunity via [LTCHomeRenewalBranch@ontario.ca](mailto:LTCHomeRenewalBranch@ontario.ca). Acknowledgement of receipt of your query will be given within one (1) business day, and a direct response will be provided as soon as possible.

Updated queries and responses will be provided in a generic form via email at least every three (3) business days during the application submission period if the ministry receives new questions since the last update email to those who provide their contacts via [LTCHomeRenewalBranch@ontario.ca](mailto:LTCHomeRenewalBranch@ontario.ca).

The last opportunity for a potential Applicant to ask a question will be Friday, February 23, 2018 at 17:00:00 (EST). The ministry does not intend to provide any revisions to the queries and responses document after Wednesday, February 28, 2018 at 17:00:00 (EST).

The ministry does not generally respond to specific questions regarding the review status of an application prior to the ministry communicating its decision to the Applicant.

Please note that:

The costs of preparing and submitting an application are solely the responsibility of the Applicant. Neither the LHIN(s) nor the ministry will be responsible under any circumstances whatsoever for any expenses or liabilities related to the application process or the application.

In issuing this document and any related documents, and communications, it is the ministry's express intention that the preparation or submission of an application and any other material prepared or submitted or work or expenses in connection with the application do not, under any circumstances, create any contractual or other legally enforceable obligation on the ministry (including the Minister and any other officer, employee or agency of the Government of Ontario, including the LHIN) to the Applicant or anyone else.

All applications submitted to the ministry are subject to the public access provisions of the *Freedom of Information and Protection of Privacy Act (FIPPA)*. If you believe that any of the information you submit in connection with your application reveals any trade secret or scientific, technical, commercial, financial or labour relations information belonging to you, and you wish that this information be treated confidentially (subject to Ministry of Health and Long-Term Care

applicable law) by the ministry and the applicable LHIN, you must clearly mark this information “confidential” and indicate why the information is confidential in accordance with s. 17 of *FIPPA*.

Applications are accepted by the ministry only on condition that an Applicant submitting an application thereby agrees to all of the above conditions and agrees that any information submitted may be shared with the applicable LHIN.

In addition, the ministry or the LHIN may disclose the names of the successful Applicants and the number of long-term care home beds allocated, and any other material that is subject to the public access provisions of *FIPPA*.

You may contact your local LHIN, municipal governments, hospitals or other organizations in order to obtain information to prepare the information requested in the Application.

# APPENDIX: LHIN Long-Term Care Contacts

Potential Applicants are strongly encouraged to consult with LHIN(s) relevant to their application prior to applying through this new LTC bed allocation opportunity to better ensure that their application(s) address local LTC needs.

## Central LHIN

Sandra lafrate – [Sandra.lafrate@lhins.on.ca](mailto:Sandra.lafrate@lhins.on.ca) / (905) 763-9928, ext. 4281

## Central East LHIN

Emily Van de Klippe – [Emily.VandeKlippe@lhins.on.ca](mailto:Emily.VandeKlippe@lhins.on.ca) / (905) 430-3308, ext. 3213

## Central West LHIN

Mark Edmunds – [Mark.Edmonds@lhins.on.ca](mailto:Mark.Edmonds@lhins.on.ca) / (905) 452-6981  
Kim Delahunt – [Kim.Delahunt@lhins.on.ca](mailto:Kim.Delahunt@lhins.on.ca) / (905) 796-0040, ext. 7784

## Champlain LHIN

Eric Partington – [Eric.Partington@lhins.on.ca](mailto:Eric.Partington@lhins.on.ca) / (613) 747-3216

## Erie St. Clair LHIN

Julie Franchuk – [Julie.Franchuk@ontario.ca](mailto:Julie.Franchuk@ontario.ca) / 1 (866) 231-5446, ext. 3215

## Hamilton Niagara Haldimand Brant LHIN

Rosalind Tarrant – [Rosalind.Tarrant@lhins.on.ca](mailto:Rosalind.Tarrant@lhins.on.ca) / (905) 945-4930, ext. 4209

## Mississauga Halton LHIN

Liane Fernandes – [Liane.Fernandes@lhins.on.ca](mailto:Liane.Fernandes@lhins.on.ca) / (905) 337-4881

## North East LHIN

Diana Stenlund – [Diana.Stenlund@lhins.on.ca](mailto:Diana.Stenlund@lhins.on.ca) / 1 (866) 906-5446, ext. 3217

## North Simcoe Muskoka LHIN

Beth Ward – [Beth.Ward@lhins.on.ca](mailto:Beth.Ward@lhins.on.ca) / (705) 326-7750, ext. 3232

## North West LHIN

Kevin Holder – [Kevin.Holder@lhins.on.ca](mailto:Kevin.Holder@lhins.on.ca) / (807) 548-5590  
Heli Mehta – [Heli.Mehta@lhins.on.ca](mailto:Heli.Mehta@lhins.on.ca) / (807) 684-9425, ext. 2042

## South East LHIN

Laurel Hoard - [Laurel.Hoard@lhins.on.ca](mailto:Laurel.Hoard@lhins.on.ca) / (613) 967-0196, ext. 2304

## South West LHIN

Tolleen Parkin – [Tolleen.Parkin@lhins.on.ca](mailto:Tolleen.Parkin@lhins.on.ca) / (519) 374-8021

## Toronto Central LHIN

Krista Cauz – [Krista.Cauz@tc.lhins.on.ca](mailto:Krista.Cauz@tc.lhins.on.ca) / (416) 217-3820, ext. 3250

## Waterloo Wellington LHIN

Blair Philippi – [Blair.Philippi@lhins.on.ca](mailto:Blair.Philippi@lhins.on.ca) / (519) 748-2222, ext. 3219

