Human Resources Legislative Update

Regulatory Amendments Relating to Independent Health Facilities Proposed

Date: August 15, 2013

The Ontario government has proposed an amendment to O. Reg. 264/07 (General) made under the Local Health System Integration Act, 2006 ("LHSIA"). The proposed regulation would make independent health facilities ("IHFs") prescribed health service providers for the purpose of the LHSIA.

Subject to certain specified exceptions, an IHF is defined in the Independent Health Facilities Act ("IHFA") as a health facility in which one or more members of the public receive services for or in respect of which facility fees are charged or paid, or a health facility or a class of health facilities designated by the Minister. This proposed amendment, together with amendments to the IHFA, will permit local health integration networks ("LHINs") to fund IHFs. Currently, IHFs can only be funded directly by the Ministry of Health and Long-Term Care. Comments on this proposed regulation are due by October 11, 2013.

The Ontario government has also proposed a regulation under the IHFA which will prescribe IHFs as health service providers, ensuring consistency between the LHSIA and the IHFA and allowing LHINs and Cancer Care Ontario to fund IHFs. Comments on this proposed regulation are due by October 11, 2013.

These proposed regulations are further to the Ontario government's January 2012 Action Plan for Health Care to establish community-based specialty clinics.