

FTR Now

Ontario Introduces Changes to the *Ambulance Act*

Date: October 2, 2017

On September 27, 2017, amendments to the *Ambulance Act* were tabled as part of [Bill 160, *Strengthening Quality and Accountability for Patients Act, 2017*](#), omnibus legislation which addresses a number of changes in the healthcare system.

In this *FTR Now*, we discuss these amendments which, if passed, could have a significant impact on municipalities.

Under Bill 160, the Minister of Health and Long-Term Care would have the ability to issue “operational or policy directives to the operator of a land ambulance where the Minister considers it in the public interest to do so.” The Bill further specifies that “[a]n operator shall comply with every directive of the Minister.”

These operational or policy directives from the Minister can be general or particular in their operation. One such area can be a directive concerning “responsibilities to facilitate the adoption of treatment models for persons with lower acuity conditions.”

The Bill also authorizes regulation-making power to “[exempt] any class of persons, services, conveyances, vehicles or equipment from any provision of this Act and attaching any conditions to any such exemption including exemptions for the purpose of pilot projects.”

The proposed language is not entirely clear. It could certainly allow the development of pilot projects whereby firefighters perform certain paramedic functions that they are now not allowed to perform.

Currently, the *Fire Protection and Prevention Act* (FPPA) states that firefighters perform “fire protective services” which can include “rescue and emergency services.” In the past, “emergency services” has been held to allow firefighters to perform some medical tasks. Persons with “low acuity conditions” might fit within this definition.

Both of these changes could allow for the deployment of a fire-medical type of position within some fire departments.

It is interesting that these proposed changes are only to the *Ambulance Act* and not the FPPA. This would seem to indicate an intent to allow movement of jurisdiction from Emergency Medical

Services (EMS) to Fire but not from Fire to EMS.

If passed, the Bill would also permit paramedics to transport persons by ambulance to destinations other than hospitals. In cases of persons with mental health issues, for example, this may mean that the paramedic could take that person to a facility more appropriate than a hospital, such as a primary care or community-based facility.

In addition to the potential changes to paramedic jurisdiction, the Bill broadens the powers of investigation by inspectors or investigators to examine and inspect ambulances, vehicles, supplies, equipment of workplaces; to examine and inspect records; and make inquiries of any person.

Finally, the Minister would also be able to establish fees that may be charged for each class or kind of service provided by the operator of each class of ambulance services. This could allow for the generation of further revenue.

Bill 160 has just been introduced at First Reading. We will report on its progress through the legislative process.

For further information on Bill 160, please contact [John W. Saunders](#) at 416.864.7247 or any member of our [Municipal Practice Group](#).

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