

Human Resources Legislative Update

Ontario Tables Omnibus Healthcare Bill

Date: October 3, 2017

On September 27, 2017, the Ontario government tabled [Bill 160, Strengthening Quality and Accountability for Patients Act, 2017](#), omnibus legislation which addresses the delivery of healthcare services in Ontario.

If passed, Bill 160 would create the following statutes:

- The *Health Sector Payment Transparency Act*, which would require disclosure of information about financial relationships within the healthcare system for the purpose of, among other things, transparency.
- The *Medical Radiation and Imaging Technology Act, 2017*, which would repeal the *Medical Radiation Technology Act, 1991* and is aimed at, among other things, strengthening the oversight of the practice of medical radiation and imaging technology.
- The *Oversight of Health Facilities and Devices Act, 2017*, which would, among other things, seek to improve the safety and oversight of services delivered in health facilities, and ensure that patients and their caregivers have access to critical information about the quality of care provided.

If passed, Bill 160 would amend the following statutes:

- The *Health Protection and Promotion Act* would be amended to regulate recreational water facilities and certain personal service establishments such as barber shops, nail salons and tattoo parlours. In addition, the term “reportable disease” would be replaced with the term “disease of public health significance” and the Ontario Agency for Health Protection and Promotion would be added as a recipient of reports of diseases and events.
- The *Long-Term Care Homes Act, 2007* would be amended to include new enforcement tools and administrative penalties including the power to suspend a licence and to make operational and policy directives in respect of long-term care homes. The *Health Care Consent Act* would be amended to provide for rules with respect to confining in a care facility, including who may give consent to confine on behalf of an incapable person.
- The *Ontario Mental Health Foundation Act* (OMHF) would be repealed. As [announced by the government](#), the Foundation would be dissolved as the bulk of OMHF’s original mandate (diagnosis and treatment) is currently delivered by community-based organizations. The OMHF’s research mandate would be managed through Ontario’s existing Health System Research Fund.
- The *Ontario Drug Benefit Act* would be amended to change the reimbursement criteria for certain drug benefits listed on the Ontario Drug Benefit Formulary, so that the executive officer would be able to establish reimbursement criteria relating to any prescriber or class of prescribers, and not only physicians.
- The *Excellent Care for All Act, 2010* would be amended to, among other things, create an exemption under the *Freedom of Information and Protection of Privacy Act* for records in the custody or control of the Ontario Health Quality Council that were prepared or obtained by the patient ombudsman while conducting an investigation.
- The *Retirement Homes Act, 2010* would, among other things, be amended to introduce mechanisms that would permit the Minister to require review of the Retirement Homes Regulatory Authority (RHRA) and would permit the Auditor General to conduct value-for-money audits of the RHRA.
- The *Ambulance Act* would be amended to, among other things, permit paramedics to transport low acuity patients to non-hospital facilities. For further details on these amendments, see our *FTR* Now of October 2, 2017 [Ontario Introduces Changes to the Ambulance Act](#).

Consequential amendments would be made to several other statutes.