

Sent by e-mail to: [ltcminister@ontario.ca](mailto:ltcminister@ontario.ca)

January 6, 2025

The Honourable Natalia Kusendova-Bashta  
Minister of Long-Term Care  
400 University Avenue, 6th Floor  
Toronto, Ontario M5G 1S5

Dear Minister Kusendova-Bashta,

**Re: *Support for Seniors and Caregivers Act, 2024: Proposed amendments to the Fixing Long-Term Care Act, 2021 (Ontario Regulatory Registry #24-HLTC040)***

The Association of Municipalities of Ontario (AMO) and our members have long been committed to providing and advancing high quality long-term care and we know that the provincial government shares this commitment. AMO was pleased to see some of the changes outlined in the *Support for Seniors and Caregivers Act, 2024*, particularly around improved access to dementia care, which is consistent with our longstanding asks to expand emotion-focused care. However, we are deeply concerned about the enforcement and liability provisions in the Bill.

AMO supports measures that will protect vulnerable long-term care residents from abuse, but we are concerned that the approach proposed in this Bill raises three significant challenges that are inconsistent with this goal:

- 1. Potential impact of new individual liability provisions on long-term care staff recruitment.** Despite recent investments by the provincial government, the health human resources crisis persists in Ontario. Long-term care homes in particular face significant challenges in recruitment and retention of staff due to burnout, low wages, and high turnover. The proposed addition of potential liability to this workforce, which is already overburdened, will only make the challenge of attracting workers to this sector worse.
- 2. Potential impact of liability for Board members.** The proposed amendment that an officer or director of the licensee, or a member of a board or committee of management would be guilty of an offense if they “authorise, permit or concur in the commission” of the offense of abusing or neglecting a resident by a staff member, volunteer, or person providing services to the home or a resident of the home is also concerning. AMO is concerned that this change will lead to the unintended consequences of discouraging involvement in board governance, including in oversight of municipally-operated long-term care homes.
- 3. Removal of the reduction of penalties from municipal and other non-profit homes.** This change ignores the fact that unlike for-profit homes, board members

for municipally-operated long-term care homes do not receive financial compensation for the risks related to their personal liability. Insurance available to protect our members also does not cover compliance related claims. These punitive measures do not contribute to better care and further strain the municipal sector which is already subsidizing the provincial government beyond their fiscal capacity.


Our members are committed to their roles on the Boards of long-term care homes and to the safety of residents in municipal long-term care homes. We strongly encourage the provincial government to reconsider these changes.

The path forward for ensuring safety of long-term care residents lies with ensuring sufficient staffing capacity to provide the highest quality of care possible. AMO has consistently called for a comprehensive, sector-wide health human resources strategy to address the challenges with recruiting and retaining staff across the health system. In addition to a more thoughtful approach to patient safety, proper planning and investment is what is urgently needed to protect our residents.

AMO also continues to call for a social and economic prosperity review to rebalance the provincial-municipal fiscal relationship, including a more sustainable approach to funding health services like long-term care.

AMO appreciates your attention to this matter, and we are available to work with your Ministry and the broader long-term care sector to develop initiatives that genuinely protect long-term care residents and enhances their care.

Sincerely,



Robin Jones  
AMO President  
Mayor of the Village of Westport

cc: The Honourable Paul Calandra, Minister of Municipal Affairs and Housing  
Melissa Thomson, Deputy Minister, Ministry of Long-Term Care  
Martha Greenberg, Deputy Minister, Ministry of Municipal Affairs and Housing