

Office of the Deputy Minister

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April 22, 2021

MEMORANDUM TO: Health Profession Regulators of Ontario
Board Chairs and Chief Executive Officers of Ontario Public
Hospitals
Matthew Anderson, President & Chief Executive Officer,
Ontario Health
Canadian Union of Public Employees
Canadian Office and Professional Employees
Ontario Council of Hospital Unions
Ontario Nurses Association
Ontario Public Service Employees Union
Services Employees International Union Healthcare
Unifor

FROM: Helen Angus
Deputy Minister
Ministry of Health

RE: **Supporting Health Care Workers and Hospitals with Authority
for Enhanced Practice Scope within Alternate Models of Care
and Staff Redeployment from Independent Health Facilities**

The Government of Ontario has implemented a wide array of measures to protect the health and safety of the people of Ontario during the COVID-19 pandemic, including providing the necessary supports for Ontario public hospitals to focus on delivering patient care.

On April 7, 2021 a third emergency was declared under the *Emergency Management and Civil Protection Act (EMCPA)* in response to the COVID-19 pandemic. Following this, on April 9, 2021, the Lieutenant Governor in Council issued an order under the EMCPA to provide Ontario Health and Home and Community Care Support Services (otherwise known as Local Health Integration Networks) with the ability to redeploy staff to hospitals in order to support the staffing and capacity pressures caused by the third wave of the COVID-19 pandemic.

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On the same day, another emergency order was issued to facilitate the transfer of patients to support the hospital sector's ability to optimize critical care resources in the face of surging demand.

Our health care system continues to face unprecedented staffing and capacity pressures as positive cases, hospitalizations and admission to intensive care units due to COVID-19, escalates. To address these challenges, there is a critical need for public hospitals to maximize their capacity in order to provide care to their communities.

The Ontario government is employing a multi-faceted approach to ensure Ontarians continue to have access to high-quality, medically necessary services. We continue to strengthen the health care system by supporting more critical care beds and building health human resources for our hospitals during this third, more serious wave of the pandemic.

The province has already been taking steps to maximize capacity in our provincial health care system by ramping down elective surgeries, transferring patients where the most appropriate care can be provided, redeploying health care workers to sites experiencing significant capacity pressures, and recruiting additional health care workers. These measures will support frontline health care workers and provide staffing flexibility to hospitals, while ensuring high quality patient care.

Today, the Government of Ontario is taking additional action to address these urgent pressures and to support health care workers and hospitals as they continue to work to maximize system resources.

A new order under the *EMCPA* authorizes health care professionals to provide patient care services outside their regular scope of practice and enables hospitals to employ, contract, appoint or otherwise engage regulated health professionals from out-of-province.

Regulated health professionals, either from Ontario or out-of-province, are now authorized to engage outside of their regular scope of practice, provided that it is necessary in response to the pandemic and is consistent with the duties that are assigned or the privileges that are granted by the hospital, and the professional acts in a manner that is consistent with any measures taken by a hospital as part of its efforts to respond to, prevent and alleviate the outbreak of COVID-19. Hospitals are responsible to ensure that staff members are only assigned tasks or asked to deliver services that they are reasonably qualified to provide. Under the *EMCPA* health professionals acting under the Act or the authority of an order issued under the Act will not be subject to any action or other proceedings for actions they take or perform under the Act, or an order made under the Act, or for neglect or default in performance of these acts, where they are done in good faith.

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Lastly, an additional order under the EMCPA authorizes Independent Health Facilities to redeploy staff to hospitals on a voluntary basis to help with capacity needs relative to the third wave of COVID-19.

I am requesting that all health regulatory Colleges provide any necessary support to their registrants who are impacted by these orders.

Like the emergency orders previously introduced to allow for staff redeployment, we will be asking our hospitals to rely on these orders only when necessary.

Thank you for all that you are doing to protect the health and safety of the people of Ontario during the COVID-19 pandemic.

Sincerely,



Helen Angus
Deputy Minister of Health

- c: Melanie Fraser, Associate Deputy Minister, Health Services
- Tara Wilson, A/Assistant Deputy Minister, Hospitals and Capital Division
- Patrick Dicerni, Assistant Deputy Minister, Ontario Health Insurance Plan Division
- Sean Court, Assistant Deputy Minister, Strategic Policy, Planning & French Language Services Division
- Michael Hillmer, Assistant Deputy Minister, Capacity Planning and Analytics Division
- David Lamb, Director, Capacity and Health Workforce Planning Branch
- Allison Henry, Director, Health Workforce Regulatory Oversight Branch
- Pauline Ryan, Director, Health Services Branch
- Independent Health Facility Licensees