

ADMISSION TO LONG-TERM CARE IN ONTARIO

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The first step to entering long-term care is to contact your nearest Community Care Access Centre (CCAC) and make an application. They will assess you and decide whether you are eligible. To qualify to move into a long-term care home, you must: be over the age of 18; have a valid Ontario Health Card; and have health care needs that cannot be met with any combination of caregiving, homecare or community-based services, but that can be met in a long-term care home. If the CCAC finds you eligible, you can choose up to five homes in which you would like to live. You may be able to move in right away if one of the homes on your list has space for you. Otherwise, your name will be put on a waiting list.

If you are mentally competent, only you can make the decision whether or not you want to be admitted to a long-term care home. If you are not mentally capable, your substitute decision maker will make that decision for you. This may be an attorney you appoint in a power of attorney for personal care, a family member, or the Public Guardian and Trustee. If you are found to be incapable and you disagree, you can apply to the Consent and Capacity Board to review the finding of incapacity. It is up to you or your substitute decision maker to decide which long-term care homes you wish to apply to based upon your needs. It is important to visit the homes or have someone to do that for you, as there are penalties if you turn down a bed offer in a home that is on your list. Only put homes down on your list that you are willing to live in. This is the same whether you are applying for long-term care from hospital or the community (See *“Discharge from Hospital to Long-Term Care: Issues in Ontario”* available on the Advocacy Centre for the Elderly website listed below.)

The provincial government pays for your nursing, personal care, food, and programs and support services in the home. However, you are required to pay an accommodation fee, which is the same for each long-term care home in Ontario. There are three levels of accommodation from which you can choose. The basic accommodation level is the cheapest; however, if you cannot afford it, you can apply for a rate reduction to help. This reduction is designed so that you will still have a little money left each month for personal expenses after you have paid for your accommodation.

You may prefer to live in semi-private or private accommodation. This is called “preferred accommodation”. You will have to pay more for it, and you must be able to pay the higher rate. Sometimes people will request semi-private or private accommodation because they have shorter waiting lists, and then apply for a transfer to basic accommodation after they are admitted. These transfers are done on an alternating basis with admissions from the community and may take many years, depending on the length of the internal transfer list. For this reason, you should be prepared to pay the preferred accommodation indefinitely unless you get a written agreement with the home that says how long you will pay the higher rate.

More information on this topic is available at:

Office of the Public Guardian and Trustee – <http://www.attorneygeneral.jus.gov.on.ca>

Ontario Network for Prevention of Elder Abuse – <http://www.elderabuseontario.com/>

Advocacy Centre for the Elderly – <http://www.ancelaw.ca>

Your Legal Rights – <http://yourlegallrights.on.ca/>

Ontario Seniors' Secretariat – www.seniors.gov.on.ca/en/seniorsguide/8.php

Ontario Association of Community Care Access Centres (OACCAC) – <http://www.ccac-ont.ca>

Ministry of Health and Long-Term Care - <http://www.health.gov.on.ca/en/public/programs/ltc/default.aspx>

This column provides general legal information and not legal advice. It was written by staff lawyers from community legal clinics, or Legal Aid Ontario, and volunteer local lawyers. The law can change. You should contact a lawyer to determine your legal rights and obligations. If you are living on a low income, you may be eligible for free legal help from LAO (criminal, family or immigration) or your clinic (income security programs, employment law, tenants' rights, consumer law, or human rights). You can reach LAO at 1-800-668-8258 or visit them online at www.legalaid.on.ca. Contact your local clinic (Community Advocacy & Legal Centre) at 1-877-966-8686 for more information or visit www.communitylegalcentre.ca.

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