

**To: All Independent Health Facilities**

**Date: July 31, 2023**

**Subject: September 25, 2023 Proclamation Date**

**On September 25, 2023, Bill 60, [Your Health Act, 2023](#), will come into force as law:**

- On that date, the *Independent Health Facilities Act* will be repealed and replaced with the *Integrated Community Health Services Centres Act, 2023* (ICHSCA).
- The ICHSCA will maintain the key principles of the current IHFA.
- A new regulation (“Regulation”) made under the ICHSCA will also come into effect on this date.

The [Integrated Community Health Services Centres Act](#) is available online for public access.

### **Name Change for Facilities**

Upon proclamation, all facilities will be known as Integrated Community Health Services Centres (ICHSCs). The program area at the Ministry will be known as the Integrated Community Health Services Centres Program.

The descriptor “community diagnostic and surgical centres” will also be used to more commonly reference ICHSCs in public facing materials consistent with the [Your Health: A Plan for Connected and Convenient Care](#)

### **New Requirements in the Legislation**

The [Integrated Community Health Services Centres Act](#) will:

- Protect patient safety through **strengthened quality assurance** and oversight of community surgical and diagnostic centres.
- Ensure that **no centre can refuse an insured service** to a patient who chooses not to purchase uninsured upgrades and no patient can pay to receive insured services faster than anyone else.
- Ensure that patients not able to have their complaints addressed at a centre can now seek help from the **Ontario Patient Ombudsman**.
- Ensure measures that will protect the **stability of health human resources** in public hospitals as more centres are brought online and that centres work with health system partners to promote optimal patient care pathways, including that physicians who are employed at these centres must have privileges to do the same work in hospitals.

In sum, the ICHSCA introduces new provisions to strengthen quality assurance and patient safety, protect from user charges, ensure system integration with the hospital sector and the stability of health human resources.

### **New Requirements in the Regulation**

As noted in the ministry's memo of June 13, 2023, there is also a new Regulation which carries over the regulatory requirements that currently exist under the IHFA and includes some new requirements for licensees. The [Regulation](#) is available online for public access.

**Please Note:** *the Regulation now reflects some further changes arising from the public consultation.*

It is the licensee's responsibility to review and be familiar with the legislative and regulatory requirements, in order to ensure that each centre is ready to meet the requirements on September 25, 2023.

Please review the detailed regulation in full. The following is a high-level summary of the new regulation requirements for licensees include:

### **Enhanced Patient Complaints Process**

- Every licensee will ensure that all written or verbal complaints made to the licensee or a staff member concerning the care of a patient(s) or the operation of the centre are dealt with as prescribed in the Regulation.
- Complaints will be investigated, resolved (where possible) and a response provided to the patient within 10 business days of the receipt of the complaint or an investigation is commenced immediately, if the complaint alleges harm or risk of harm to a patient(s). If the licensee anticipates that the complaint cannot be investigated and resolved within 10 business days, the licensee shall provide an acknowledgement of receipt of the complaint within 5 business days, including when the complainant can reasonably expect a resolution.
- A response that is provided to a complainant will include, the [contact information for the Patient Ombudsman under the \*Excellent Care for All Act, 2010\*](#).
- Every licensee will maintain a comprehensive record of each complaint.
- Every licensee will keep and maintain the individual record for each complaint for at least 3 years following the end of the complaints process
- Every licensee will ensure that the complaints record is reviewed and analyzed for trends at least quarterly, with consideration given to the key principles set out in the ["Patient, Family and Caregiver Declaration of Values" \(as amended from time to time\)](#). A written record would need to be kept of each review and any improvements made.

## **Role of the Patient Ombudsman**

The Patient Ombudsman will be given authority to investigate complaints in Integrated Community Health Services Centres under the *Excellent Care for All Act, 2010*.

## **Requirement to Post Information about Uninsured Services at the Centre**

- The Licensee will post the following on the licensee's website, if any, and at a conspicuous place in the integrated community health services centre:
  - a list of prices for all uninsured services that are offered at the centre, as determined by the Licensee
  - the process for obtaining patient consent in connection with those uninsured services
  - the phone number and email address for the ministry's [Protecting Access to Public Healthcare program](#).
  - a description of the complaints process

## **Retention of Records**

Every licensee will retain a patient's health record or a copy of it for at least ten (10) years, as prescribed in the Regulation.

## **Requirement for Claims Submission within 3 Months of Date of Service**

The previously announced requirement to submit claims for facility costs within three months of the date of service, effective April 1, 2023, is now included in the Regulation.

## **Future Regulation**

In the coming months, the ministry also intends to propose a subsequent set of amendments to the Regulation to strengthen the quality assurance framework and oversight within the centres. The ministry will notify the sector when those proposed amendments are available for public consultation.

Should you wish to contact us regarding any of the above, please email us at [IHFP@ontario.ca](mailto:IHFP@ontario.ca).