**The Regional Municipality of Durham**

Legislative Services

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**Alexander Harras**
Regional Clerk &
Director of Legislative Services

Sent Via E-mail

July 22, 2022

Dear Regional Council Candidate,

**RE: Region of Durham Long Term Care Homes, Committee of Management Appointments**

Thank you for expressing your interest in seeking election to a position on Regional Council for the Regional Municipality of Durham. As an upper-tier municipality, the Region provides several functions and services that are not provided by the lower tier municipalities in Durham, one of which is the operation of Long-Term Care (LTC) homes. In accordance with provincial legislation, a municipality that operates one or more LTCs must have a Committee of Management comprised of elected members of Regional Council. The Region of Durham currently operates four LTCs, for which all members of Regional Council form the Committee of Management.

In April of 2022, the Province of Ontario passed the *Fixing Long-Term Care Act* and its associated Regulation 246/22. Section 256 of the Regulation introduces new mandatory screening measures that members of an LTC Committee of Management must complete. Therefore, for the 2022-2026 term of office, all elected members of Durham Regional Council will be required to complete the screening measures mandated by the provincial government. Failure to complete and pass the screening will result in an elected member being unable to participate or vote on any matters that come before Regional Council related to the Region's Long-Term Care homes, as they will not be an eligible member of the Committee of Management.

The new screening measures mandated by the Province of Ontario include:

1. A criminal record check, completed by the elected member no earlier than six months prior to the date the member is sworn into office and no later than one month after the member is sworn into office; and

2. A signed declaration disclosing the following information with respect to the member:

    a. Since the time that the police record check was completed, every charge, order of a judge or justice of the peace, including a peace bond, probation order, prohibition order or warrant to arrest, and every conviction for an offence or any other outcome of a charge for an offence with respect to:

        1. Any offence under the *Fixing Long-Term Care Act*, the *Long-Term Care Homes Act, 2007*, the *Nursing Homes Act*, the *Charitable Institutions Act* or the *Homes for the Aged and Rest Homes Act*;

        2. Any offence referenced at section 742.1 of the *Criminal Code* (Canada);

        3. Any offence under the *Cannabis Act* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada); and

        4. Any other provincial or federal offence if the offence involved,
            i. improper or incompetent treatment or care of a vulnerable person that resulted in harm or a risk of harm of any kind to the vulnerable person, including but not limited to physical, emotional, psychological or financial harm,
            ii. abuse or neglect of a vulnerable person that resulted in harm or risk of harm of any kind to the vulnerable person, including but not limited to physical, emotional, psychological or financial harm,
            iii. unlawful conduct that intentionally resulted in harm or a risk of harm of any kind to a vulnerable person, including but not limited to physical, emotional, psychological or financial harm, or
            iv. misuse or misappropriation of a vulnerable person's money.

    b. In the last five years from the date the member is sworn into office, every commencement of a proceeding and every finding of guilt with respect to:

        1. An act of misconduct as a member of a health profession as defined in the *Regulated Health Professions Act, 1991*;

        2. An act of misconduct as a member of a regulated profession as defined in the *Fair Access to Regulated Professions and Compulsory Trades Act, 2006*; and

        3. An act of misconduct under any other scheme governing a profession, occupation or commercial activity, including a scheme a person is not required to participate in in order to practice or engage in the profession, occupation or activity.

All individuals elected to Regional Council in the 2022 municipal elections will be required to provide the above noted police record check and signed declaration prior to being eligible to sit as a member of the Committee of Management for the Region's Long-Term Care homes. Should you be successful in election to a position on Regional Council, Legislative Services will provide you with a copy of the required declaration for signature, to be returned to the Regional Clerk upon completion. A police record check may be requested online from the Durham Regional Police Service at the following link:

https://www.drps.ca/online-services/police-records/police-record-checks/

Fees associated with the required police record check shall be borne by the elected member. Should you have any questions about these new requirements for the 2022-2026 term of office, please do not hesitate to contact the undersigned.

Sincerely,

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