

Schedule 1: *Integrated Community Health Services Centres Act, 2023*

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Interpretation & Application		
Definitions	<p>“Director” means the Director or Directors appointed under section 3 and, where more than one Director has been appointed, means the Director or Directors that have been assigned the power, function or duty in the provision in which the term appears;</p> <p>“facility cost” means, (a) a charge, fee or payment for or in respect of a service or operating cost that, (i) supports, assists and is a necessary adjunct, or any of them, to an insured service, and (ii) is not part of the insured service, or (b) any other charge, fee or payment that is prescribed as a facility cost;</p> <p>“health facility” means a place in which one or more members of the public receive health services and includes an integrated community health services centre;</p>	All included definitions are new or modified by new legislation.

	<p>“inspecting body” means an organization that is prescribed as an inspecting body in accordance with the regulations;</p> <p>“inspector” means an inspector appointed under section 42 or 43;</p> <p>“integrated community health services centre” means, subject to any exemptions set out in the regulations,</p> <ul style="list-style-type: none"> (a) a health facility, including a community surgical and diagnostic centre, in which one or more members of the public receive services for or in respect of which facility costs are charged or paid, or (b) a health facility, including a community surgical and diagnostic centre, or a class of health facilities, that is prescribed; <p>“Minister” means the Minister of Health or such other member of the Executive Council as may be assigned the administration of this Act under the Executive Council Act;</p> <p>“physician” has the same meaning as in the Health Insurance Act;</p> <p>“quality and safety standards” means,</p> <ul style="list-style-type: none"> (a) the quality and safety standards established by an inspecting body under paragraph 1 of subsection 43 (3), (b) any additional quality and safety standards that may be prescribed, and (c) any other applicable generally accepted quality and safety standards; 	
Application of the Act	2. This Act does not apply to a place, service or class of services, health facility or class of health facilities or person or class of persons that is exempted by the regulations.	
Consideration of Past Conduct	50. Where the Minister or Director makes a decision under this Act, they may consider any person’s current or past failures to	Same as IHFA

	comply with a requirement under this Act or under any other Act that they may consider relevant.	
Appointment of Director		
	<p>3. (1) The Minister shall appoint one or more persons as the Director for integrated community health services centres. Director may be individual or other entity.</p> <p>Director may be individual or other entity (2) A Director may be an individual or another entity.</p> <p>If more than one Director appointed (3) Where more than one person is appointed as Director, the appointment may specify the functions and duties of each person who is appointed.</p> <p>Director's powers (4) Subject to this Act and the regulations, the Director has the power to perform any functions or duties that the Director has under this Act.</p>	Under IHFA, Director is an appointed Ministry employee and there is no reference to more than one Director
Application and Licensing Process		
Licence	4. No person shall establish or operate an integrated community health services centre except under the authority of a licence.	Same in IHFA (with modified wording re IHF/ICHSC)
Call for Applications	5.(1)The Minister may at any time authorize the Director to call for one or more applications for the establishment and operation of one or more integrated community health services centres by, (a) sending a call for applications to one or more specified persons; or (b) publishing a call for applications in any manner the Director considers appropriate.	Same in IHFA (with modified wording re IHF/ICHSC)
Contents of call for application	5(2) A call for applications shall specify,	Same as IHFA

	<p>(a) the service or services to be provided in the integrated community health services centre;</p> <p>(b) the locality in which the integrated community health services centre is to be located;</p> <p>(c) such other requirements and limitations as the Minister considers relevant; and</p> <p>(d) the final date for submission of applications.</p>	
<p>Required contents for licence application</p>	<p>5(4) A licence application must be in the form specified by the Director and must include, but is not limited to,</p> <p>(a) a detailed description of the service or services to be provided in the proposed integrated community health services centre and how it will provide connected and convenient care, including the applicant's,</p> <ul style="list-style-type: none"> (i) capacity to improve patient wait times, (ii) plans to improve patient experiences and access to care in the proposed integrated community health services centre, and (iii) plans to integrate with the health system; <p>(b) details of the applicant's quality assurance and continuous quality improvement programming, including policies for infection prevention and control;</p> <p>(c) the business, clinical and professional experience of the applicant, including how the applicant will meet all governance and management responsibilities of the proposed integrated community health services centre;</p> <p>(d) details of the physical nature of the proposed integrated community health services centre, including its address and distance to other integrated community health services centres and hospitals;</p> <p>(e) a detailed staffing model for the proposed integrated community health services centre and evidence of the sustainability of this model, including,</p> <ul style="list-style-type: none"> (i) staff classification with rates of compensation and ranges of compensation, as applicable, 	

	<p>(ii) the number of staff required for each position, (iii) the model for staffing anaesthesia delivery, if applicable, and (iv) information regarding the hospital privileges of physicians who provide services at the centre, if applicable;</p> <p>(f) a description of how the applicant has consulted with health system partners in the development of the application, including any endorsement of the application by health system partners;</p> <p>(g) a description of current linkages with health system partners and how the applicant will maintain and improve those linkages to promote optimal patient care pathways;</p> <p>(h) a description of how the proposed integrated community health services centre will address the health equity needs of diverse, vulnerable, priority and underserved populations, taking into account linguistic needs, in the region specified in the call for applications;</p> <p>(i) a description of any uninsured services that are being provided or will be provided at the proposed integrated community health services centre, including, (i) a description of any charges for the uninsured services, and (ii) a detailed description of the processes for providing information and obtaining patient consent in connection with any uninsured services; and</p> <p>(j) such other information as is specified in the call for applications.</p>	
<p>Form and Request for Additional Information</p>	<p>19. (1) Every application under this Part must, (a) be in a form acceptable to the Director; and (b) contain any information, which may include personal information, that the Director considers necessary or advisable.</p> <p>Director may request additional information (2) The Director may request additional information from any person in respect of any application under this Part.</p>	<p>Same as IHFA</p>

Confidentiality	19(3) Any information that the Director collects in relation to an application submitted under this Part shall be deemed, for the purposes of section 17 of the <i>Freedom of Information and Protection of Privacy Act</i> , to have been supplied in confidence to the Director.	Not subject to FIPPA
Consideration of Applications	5(5)The Director shall consider all applications submitted in response to a call for applications.	
Issuance of Licence	<p>6(1) The Director may issue a licence to a person who has submitted an application for the establishment and operation of an integrated community health services centre if the Director is of the opinion that,</p> <p>(a) the applicant provided all of the information required in subsection 5 (4);</p> <p>(b) the licence should be issued, taking into account the considerations set out in subsection (2);</p> <p>(c) the integrated community health services centre will be operated in accordance with this Act and the regulations and any other applicable Act or regulation;</p> <p>(d) the persons listed in subsection (3) will operate the integrated community health services centre competently and in a responsible manner in accordance with this Act and the regulations, will ensure that the specified services are provided and will comply with the quality and safety standards;</p> <p>(e) the past conduct relating to the operation of an integrated community health services centre or any other matter or business of a person listed in subsection (3) affords reasonable grounds to believe that,</p> <p style="padding-left: 40px;">(i) the centre will be operated with honesty and integrity and in accordance with the law, and,</p> <p style="padding-left: 40px;">(ii) the centre will not be operated in a manner that is prejudicial to the health, safety or welfare of any person;</p> <p style="padding-left: 40px;">and</p> <p>(f) there is no other reason that the person should not be issued a licence.</p>	

<p>Considerations in assessing application</p>	<p>6(2) In deciding whether to issue a licence, the Director shall consider,</p> <ul style="list-style-type: none"> (a) the nature of the services to be provided in the proposed integrated community health services centre; (b) the extent to which the services are already available in Ontario or in any part of Ontario; (c) the extent to which the services to be provided in the proposed integrated community health services centre will promote connected and convenient care, including the applicant's, <ul style="list-style-type: none"> (i) capacity to improve patient wait times, (ii) plans to improve patient experiences and access to care in the proposed integrated community health services centre, and (iii) plans to integrate with the health system; (d) the current and future need for the service or services in Ontario or any part of Ontario, taking into account the needs of diverse, vulnerable, priority and underserved populations and linguistic needs; (e) the potential impact on health system planning, including the availability of sustainable health human resources; (f) whether the issuing of the licence would improve the availability of the services in the region specified in the call for applications; (g) the potential impact on the co-ordination of health services, based on consultations with health system partners; (h) the projected cost in public money for the operation of the proposed integrated community health services centre; (i) the availability of public money to pay for the operation of the proposed integrated community health services centre; and (j) any other matter that the Director considers relevant to the management of the health care system. 	
<p>Discretion</p>	<p>6(4) The issuance of a licence is discretionary, and the Director,</p> <ul style="list-style-type: none"> (a) is not required to issue a licence to any person; and (b) may prefer any application over other applications. 	<p>Same as IHFA</p>

<p>Limitations & Conditions</p>	<p>Location 6(5) The Director shall not issue a licence for the operation of an integrated community health services centre that is located, (a) within the same building as, or in a building that is adjacent to, a private hospital within the meaning of the Private Hospitals Act; or (b) at any other prescribed place.</p> <p>Limitations and conditions 6(6) A licence may be subject to such limitations and conditions as may be prescribed or as may be specified by the Director and set out in the licence.</p> <p>6(7) The Director may specify as a limitation or condition of a licence the list of services or types of services in respect of which the integrated community health services centre is licensed.</p>	<p>Same as IHFA</p>
<p>Minister May Direct Refusal</p>	<p>7(1) At any time after the Minister authorizes the Director to request one or more calls for applications for the establishment and operation of an integrated community health services centre, and before any or all of the licences are issued, the Minister may direct the Director, in writing, not to issue a licence or licences in respect of the call for applications.</p>	<p>Same as IHFA</p>
<p>Expiry and Surrender of License</p>	<p>8. (1) Every licence expires on the expiry date specified on the licence unless it is revoked or is surrendered to the Director before that date. (2) A licensee may surrender their licence to the Director but shall give the Director at least six months notice before doing so.</p>	<p>Eliminates automatic expiry at 5 year mark (s.12, IHFA)</p>
<p>Renewal of License</p>	<p>9(1) A licence is renewable, subject to the approval of the Director.</p> <p>9(4) In deciding whether to approve an application for the renewal of a licence, the Director shall take into consideration the following matters, as well as any matters that the Director would be entitled to take into consideration if the Director were making a decision under subsection 13 (1) (Revocation or Suspension):</p>	<p>Same as IHFA</p>

	<p>1. The licensee's past conduct with respect to compliance with requirements under this Act.</p> <p>2. Any actions taken by the licensee in response to a compliance order.</p>	
Relocation	10 (1) A licensee shall not relocate an integrated community health services centre without the prior approval of the Director.	Same as IHFA
Transfer of Licence	11 (1) A licence is not transferable without the prior approval of the Director.	Same as IHFA
Order by Director to take control	<p>12. (1) Where the Director is of the opinion that an integrated community health services centre should continue to operate after the expiry, surrender, suspension or revocation of the licence, after the death of the licensee or after the licensee ceases to operate the centre, the Director, by a written order, may take control of and operate the centre for a period not exceeding one year.</p> <p>(2) Where the Director takes control of and operates an integrated community health services centre under subsection (1), the Director has all the powers of the licensee and the Director may appoint one or more persons to operate the centre and each person so appointed is a representative of the Director.</p>	Same as IHFA
Revocation or Suspension of Licence	<p>13. (1) The Director may revoke or suspend a licence where,</p> <p>(a) the licensee, any member of the licensee's staff, an employee of the licensee or any regulated health professional affiliated with the integrated community health services centre is in contravention of any of the following,</p> <p style="padding-left: 40px;">(i) the requirements under this Act,</p> <p style="padding-left: 40px;">(ii) any other Act or regulation of Ontario, or</p> <p style="padding-left: 40px;">(iii) any Act or regulation of Canada;</p> <p>(b) there is a breach of a limitation or condition of the licence;</p> <p>(c) any person has made a false or misleading statement in any application made under this Act;</p> <p>(d) any person has made a false or misleading statement in any report or document, or in any other information, that is requested</p>	Same as IHFA, except where noted in red

	<p>by the Director or that is otherwise required to be furnished by this Act or the regulations or any other Act or regulation that applies to the integrated community health services centre;</p> <p>(e) the Director is of the opinion that there is reasonable ground for belief that the integrated community health services centre is not being or will not be operated in accordance with the law and with honesty and integrity;</p> <p>(f) the Director is of the opinion that there is reasonable ground for belief that the integrated community health services centre is not being or will not be operated competently and in a responsible manner in accordance with this Act or the regulations or any other Act or regulation that applies to the centre;</p> <p>(g) the Director is of the opinion that there is reasonable ground for belief that the integrated community health services centre is not being operated in compliance with the quality and safety standards, having regard to any factors the Director considers relevant, including, without limitation,</p> <p>(i) the nature of risks revealed in the course of inspections, and</p> <p>(ii) the actions taken by the licensee in response to compliance orders;</p> <p>(h) the licensed services have not been provided at the integrated community health services centre for a period of at least six months;</p> <p>(i) the licensee has entered into a contract described in section 26 (Contracts) contrary to that section, whether or not the licensee has been convicted of an offence under that section;</p> <p>(j) the licensee is a corporation that has not complied with the requirements in section 27 (Share Transfer), whether or not the licensee has been convicted of an offence under that section;</p> <p>(k) the licensee is a corporation that has failed to notify the Director contrary to section 28 (Change in Directors);</p> <p>(l) the licensee, any member of the licensee’s staff, any employee of the licensee or any regulated health professional affiliated with</p>	<p>Removes: h)...“and is not taking reasonable steps to prepare the facility to open or re-open;”(IHFA)</p>
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	<p>the integrated community health services centre has failed to co-operate with an inspector under section 44;</p> <p>(m) the Director is of the opinion upon reasonable grounds that the integrated community health services centre is being operated or will be operated in a manner that poses a risk of serious harm to a person's health and safety;</p> <p>(n) the licensee has failed to comply with a request for information under section 59, whether or not the licensee has been convicted of an offence under that section;</p> <p>(o) the licensee has failed to comply with a compliance order, whether or not the licensee has been convicted of an offence under section 63; or</p> <p>(p) any other ground that may be prescribed applies.</p> <p>When Effective</p> <p>13(2) A decision of the Director under subsection (1) takes effect immediately upon notice of the decision being served upon the licensee, or, if another date is stipulated in the decision, upon that date</p>	Same as IHFA
Amendments to conditions of licence	14. (1) The Director may at any time amend the limitations and conditions of a licence, which may include adding or eliminating a service from the list of services in respect of which an integrated community health services centre is licensed.	Same as IHFA, except where noted in red.
Eliminating Service	14(4) Despite subsection (1), the Director shall not amend the limitations and conditions of a licence to eliminate a service from the list of services in respect of which an integrated community health services centre is licensed unless, <p>(a) the Director is of the opinion that there is reasonable ground for belief that the eliminated service is not being provided, or will not be provided, in a responsible manner in accordance with this</p>	Same as IHFA

	<p>Act or the regulations, or any other Act or regulation that applies to the centre;</p> <p>(b) the Director is of the opinion that there is reasonable ground for belief that the eliminated service is being provided, or will be provided, in a manner that is prejudicial to the health, safety or welfare of any person;</p> <p>(c) the licensed service has not been provided at the integrated community health services centre for a period of at least six months; or</p> <p>(d) any other prescribed circumstances apply.</p> <p>Notice of amendment 14(6) The Director shall serve notice of an amendment under subsection (1) that eliminates a service, together with reasons for the decision, on the licensee.</p>	
<p>Appeal Rights of Licensee</p>	<p>15. (1) If the Director does not approve the renewal of a licence under section 9, revokes or suspends a licence under subsection 13 (1) or amends the limitations and conditions of a licence under subsection 14 (1) to eliminate a service from the list of services in respect of which an integrated community health services centre is licensed, the Director shall serve notice of the decision, together with written reasons, on the licensee.</p> <p>Notice requiring hearing by Board 15(2) A notice under subsection (1) shall inform the licensee that the licensee is entitled to a hearing by the Board if the licensee mails or delivers, within 15 days after the notice under subsection (1) is served on the licensee, notice in writing requiring a hearing to the Director and the Board, and the licensee may so require such a hearing.</p> <p>No stay</p>	<p>Same as IHFA</p>

	<p>15(3) Despite section 25 of the Statutory Powers Procedure Act, a request for a hearing by the Board made in accordance with subsection (2) of this section, or an appeal to Divisional Court of the Board's decision under section 17 of this Act, shall not operate as a stay of a decision of the Director mentioned in subsection (1) of this section.</p> <p>No interim stay 15(4) Despite section 16.1 of the Statutory Powers Procedure Act, the Board shall not make an interim order to stay a decision of the Director mentioned in subsection (1) of this section</p>	
Minister's Right to Revoke/Refuse	<p>18. (1) The Minister may direct the Director in writing to, (a) revoke or refuse to renew a licence; or (b) amend the limitations and conditions of a licence to eliminate a service from the list of services in respect of which the integrated community health services centre is licensed.</p> <p>In this case, the Director must give the licensee at least 6 months written notice. There is no statutory right of appeal.</p>	Same as IHFA
Requirements for all applications	<p>19. (1) Every application under this Part must, (a) be in a form acceptable to the Director; and (b) contain any information, which may include personal information, that the Director considers necessary or advisable.</p>	Same as IHFA
Requirements on Licensee	<p>20. (1) Every licensee shall comply with every applicable requirement under this Act.</p> <p>Quality and safety standards (2) Every licensee shall comply with the applicable quality and safety standards.</p>	Will be subject to the <i>Quality of Care Information Protection Act, 2016</i> (QCIPA), as IHFs were.

	<p>Licensee responsible (3) If the Director or an inspector is of the opinion that any person under the control of a licensee is failing to comply with a requirement under this Act, the licensee shall be deemed not to have complied with the relevant requirement, and the Director or inspector may take any action permitted under this Act in consequence.</p> <p>Truthfulness 21. Every licensee shall provide truthful, complete and accurate information in any application, report, document or in any other information required or requested under this Act or as a limitation and condition of a licence or of receiving funding.</p> <p>Posting 24. (1) Every licensee shall post any prescribed documents and information in a prominent place clearly visible to members of the public at or near the entrance of the integrated community health services centre and on the centre’s website, if any.</p>	<p>Same as IHFA.</p> <p>Same as IHFA, with addition of centre’s website.</p>
Complaints Process		
Complaints Process	<p>22. Every licensee shall, in accordance with the requirements provided for in the regulations, establish and maintain a process for receiving and responding to patient complaints.</p>	<p>Amendments made to <i>Excellent Care for All Act, 2010</i> to include ICHSCs under the definition of “health sector organization”, subjecting them to the Patient Ombudsman’s jurisdiction.</p> <p>The amendment under the ECFAA would modify the definition of patient as follows:</p> <p>(2) The definition of “patient or former patient” in subsection 13.1 (9) of the Act is amended by adding the following clause: <i>(b.1) a person who receives or has received services from an integrated community</i></p>

		<i>health services centre, unless the person is subject to an exemption provided for by the Regulations.</i>
Incident Review Process	<p>23. (1) Every licensee shall, in accordance with the requirements provided for in the regulations, if any, establish and maintain a process for the review of incidents.</p> <p>Reporting of incidents (2) Every licensee shall, in accordance with the requirements provided for in the regulations, if any, report incidents to the Director, and the report may include any necessary personal information related to such incidents.</p> <p>Definition (3) In this section, “incident” means any unintended event that occurs when a patient receives services in an integrated community health services centre that, (a) results in death, or serious disability, injury or harm to the patient, and (b) does not result primarily from the patient’s underlying medical condition or from a known risk inherent in providing the service</p>	Same as IHFA
Corporate Obligations & Accountability		
Interest affecting the control of a corporation	<p>1(2) A person shall be deemed to have an interest affecting the control of a corporation if the person, alone or with one or more associates, directly or indirectly beneficially owns or controls the lesser of, (a) voting shares in the corporation in a sufficient number to permit that person, either alone or with one or more associates, to direct the management and policies of the corporation; or</p>	Same as IHFA

	<p>(b) voting shares to which are attached 10 per cent or more of the voting rights attached to all issued and outstanding voting shares of the corporation.</p> <p>Associates 1(3) Persons shall be deemed to be associates of each other if, (a) one person is a corporation of which the other person is an officer or director; (b) one person is a partner of the other person; (c) one person is a corporation of which the other person beneficially owns, directly or indirectly, voting shares carrying more than 10 per cent of the voting rights attached to all voting shares of the corporation for the time being outstanding; (d) both persons are members of a voting trust where the trust relates to shares of a corporation; (e) one person is the father, mother, brother, sister, child or spouse of the other person or is another relative who has the same home as the other person; or (f) both persons are associates within the meaning of clauses (a) to (e) of the same person</p>	
Corporations without share capital	<p>1(4) For the purposes of this Act, the provisions of this Act related to corporations, their control, and the ownership, control and voting of shares apply with necessary modifications in respect of corporations to which the Not-for-Profit Corporations Act, 2010 applies</p>	Same as IHFA
Contracts	<p>26. (1) A licensee shall not enter into a contract that may result in, (a) a change in the beneficial ownership of the licence without a corresponding transfer of the licence; or (b) in the case of a licensee that is a corporation, a person acquiring or increasing an interest affecting the control of the corporation while it is a licensee.</p> <p>Exception</p>	Same as IHFA

	(2) Subsection (1) does not apply if the licence includes a limitation or condition as to the ownership or control of the licensee and the contract would not result in a breach of a limitation or condition	
Share Transfer	27. A licensee that is a private company as defined in the <i>Securities Act</i> shall not permit an issue or transfer of its voting shares except in accordance with the limitations and conditions of the licence.	Removed the following from the IHFA: “13 (1) A licensee that is a private company as defined in the Securities Act shall not permit an issue or transfer of its voting shares <i>that may result in a person acquiring or increasing an interest affecting its control while it is a licensee unless its licence includes a condition as to the ownership or control of the licensee and such issue or transfer of voting shares would not result in a breach of that condition.</i> ”
Duty of Corporation to Notify Director	28. (1) A licensee that is a corporation shall notify the Director in writing within 15 days of any change in the officers or directors of the corporation. Same (2) Where a corporation has an interest in a licence and there is reasonable ground for belief that an event will occur whereby a person would acquire an interest or increase an interest affecting the control of the corporation while the corporation has an interest in the licence, the corporation shall immediately notify the Director.	Same as IHFA
Record-keeping	30. (1) For the purposes of this Act, every licensee shall maintain such records as may be necessary to establish whether they have provided a service to a person for or in respect of which a facility cost is charged or paid. Same, providing service 30(2) For the purposes of this Act, every licensee shall maintain such records as may be necessary to demonstrate that a service for which they prepare or submit a claim for payment is the service that they provided.	Same as IHFA.

	<p>Same, necessary service 30(3) For the purposes of this Act, every licensee shall maintain such records as may be necessary to establish whether a service they have provided is medically or therapeutically necessary.</p> <p>Prompt preparation 30(4) The records described in subsections (1), (2) and (3) must be prepared promptly when the service is provided.</p>	
Payments & Accountability		
Facility Costs	<p>Payments and facility costs 29. (1) The Minister may pay all or part of the facility costs or other operating costs of an integrated community health services centre.</p> <p>Other prescribed costs (2) The Minister may pay any other prescribed costs of an integrated community health services centre.</p>	Variation from IHFA: <i>“Subject to the regulations, the Minister may pay all or part of the capital costs or operating costs of an independent health facility or of the costs of the services provided in an independent health facility according to the method of payment approved by the Minister.”</i>
Prohibition on Charging Facility Costs	<p>Prohibition on charging of facility costs 29(3) No person shall charge a facility cost, or accept payment of a facility cost, for or in respect of a service provided in an integrated community health services centre unless the centre is operated by a licensee.</p> <p>Facility costs may only be charged to Minister or prescribed person 29(4) No person shall charge or accept payment of a facility cost unless the facility cost is charged to, and the payment accepted from, the Minister or a prescribed person.</p> <p>Regulation 29(8) A regulation made in respect of subsection (4) shall not prescribe an insured person who receives an insured service as a person to whom a facility cost may be charged, or from whom payment of a facility cost may be received, in respect of the service.</p>	

<p>Insured Persons</p>	<p>No preferences 29(5) No person shall, (a) charge or accept payment for providing an insured person with a preference in obtaining access to an insured service at an integrated community health services centre; (b) obtain or accept a benefit, direct or indirect, for providing an insured person with a preference in obtaining access to an insured service at an integrated community health services centre; or (c) offer to do anything referred to in clause (a) or (b).</p> <p>No refusal for choice not to pay 29(6) No person shall refuse to provide or refuse to continue to provide an insured service to an insured person for any reason relating to the insured person’s choice not to pay, or not to provide a direct or indirect benefit, for any product, device or service offered at the integrated community health services centre.</p> <p>Plan to reimburse facility cost 40(2) Where the Director is satisfied that a person has paid a facility cost, all or part of which was charged in contravention of section 29, the Director may direct that the amount of the facility cost that was charged in contravention of section 29 be paid to the person out of the Plan.</p> <p>Fee is debt to Plan 40(3) The person who charged the facility cost referred to in subsection (2) is indebted to the Plan for an amount equal to the amount paid out of the Plan under subsection (2) and the administrative charge prescribed by the regulations</p>	

Funding to which not entitled	<p>29(7) No person shall obtain, receive or attempt to obtain or receive any of the following that the person is not entitled to obtain or receive under this Act:</p> <ol style="list-style-type: none"> 1. Payment for or in respect of an integrated community health services centre. 2. Payment for or in respect of a service provided in an integrated community health services centre. 	Same as IHFA.
Refusal to Pay	<p>31. The Minister shall refuse to pay if the claim for payment is not prepared in the required form, does not meet the prescribed requirements or is not submitted to the Minister within the prescribed time. However, the Minister may pay if, in the Minister’s opinion, there are extenuating circumstances.</p> <p>Refusal to pay, pay reduced amount or substitute amount: circumstances</p> <p>32. (1) Under any of the following circumstances, the Minister may, with respect to a claim for payment for a service provided by a licensee, refuse to pay for the service, pay a reduced amount for the service, pay for the service the Minister considers to have been provided and not the service described in the claim that was submitted or require reimbursement of the amount paid for the service:</p> <ol style="list-style-type: none"> 1. If the Minister is of the opinion that any or all of the following apply: <ol style="list-style-type: none"> i. All or part of the service was not in fact rendered. ii. The service has not been rendered in accordance with a requirement under this Act. iii. There is an absence of a record described in section 30. 2. If the Minister is of the opinion that the nature of the service is misrepresented, whether deliberately or inadvertently. 3. If the Minister is of the opinion that all or part of the service was not provided in accordance with the quality and safety standards. 4. In such other circumstances as may be prescribed. 	<p>Same as IHFA</p> <p>Same as IHFA</p>

<p>Recovery by Minister</p>	<p>Post-payment notice that reimbursement is required 32(4) Where the Minister has made a payment to a licensee and the Minister is of the opinion that a circumstance described in subsection (1) exists and that reimbursement to the Minister is required, the Minister shall notify the licensee of the decision to require reimbursement and the amount of reimbursement that is required.</p> <p>Recovery by Minister 32(5) The Minister may obtain or recover money that, in the opinion of the Minister, a licensee owes to the Minister by any method, including, without being limited to, set-off against any money payable to them under this Act or, in the event that the licensee is a physician, any money payable to them under the Plan, unless another method of payment is agreed to by the Minister.</p> <p>Patient not to pay 32(7) No person shall charge or accept payment or other benefit from an insured person for a service that is the subject of a decision of the Minister under this section, except as may be provided for in the regulations, if any.</p> <p>Debt 34. The requirement to reimburse the Minister under section 32 or 33 creates a debt owed to the Crown in right of Ontario in the amount set out in the decision of the Minister.</p> <p>Interest 37. Where the Minister has required payment under section 32, interest accrues on the amount that is required to be paid commencing on the date of the Minister’s decision, at the rate for postjudgment interest provided for under section 127 of the Courts of Justice Act</p>	<p>Same as IHFA</p> <p>Same as IHFA</p> <p>Same as IHFA</p> <p>Same as IHFA</p> <p>Same as IHFA</p>
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Board Appeals	<p>38. (1) The following persons may request a hearing by the Board with respect to the following matters:</p> <ol style="list-style-type: none"> 1. A licensee may request a hearing to review a decision of the Minister under subsection 32 (3) or (4). 2. A person may request a hearing to review a decision of the Minister under section 33. <p>Notice of request 38(2) The person requesting a hearing shall file a notice of the request within 30 days after receiving notice of the decision of the Minister.</p> <p>No stay 39(6) Despite section 25 of the Statutory Powers Procedure Act, a request for a hearing under paragraph 1 of subsection 38 (1) of this Act does not have the effect of staying the decision with respect to which the request was made.</p> <p>No interim order to stay 39(7) Despite section 16.1 of the Statutory Powers Procedure Act, the Board shall not make an interim order to stay the decision with respect to which the request was made.</p>	Same as IHFA
Set-off against OHIP	<p>Notice of proposed set-off 41(5) The Director shall serve notice of the proposed set-off referred to in subsection (4), together with written reasons, on the person who is indebted to the Plan.</p> <p>Notice requiring hearing by Board 41(6) A notice under subsection (5) shall inform the person that they are entitled to a hearing by the Board if the person mails or delivers, within 15 days after the notice under subsection (5) is served on the person, notice in writing requiring a hearing to the Director and the Board, and the person may so require a hearing.</p>	Same as IHFA

	<p>Powers where no hearing</p> <p>41(7) Where a person does not require a hearing by the Board in accordance with subsection (6), the proposed set-off stated in the notice under subsection (5) may be carried out.</p>	
Permitted Disclosure under <i>Health Insurance Act</i>	<p>Disclosure of information</p> <p>41(11) Despite subsection 38 (1) of the Health Insurance Act, the General Manager may, for the purpose of this section, provide information regarding the nature of the services provided, the date or dates on which the services were provided and for whom, the name and address of the person who provided the services, the amounts paid or payable by the Plan for such services and the persons to whom the fee for the insured service and the facility cost were paid or are payable to,</p> <p>(a) a member of the Board;</p> <p>(b) the person who was charged or who paid the facility cost;</p> <p>(c) the person who charged or accepted payment of the facility cost and counsel for the person;</p> <p>(d) any person engaged in the administration of this Act or the regulations or any proceedings under this Act; or</p> <p>(e) any other person with the consent of the person to whom the services were provided in respect of which the facility cost was charged.</p>	Same as IHFA
Inspections & Compliance Orders		
Inspector	<p>42. (1) The Minister or the Director may appoint, in writing, one or more persons, or the members of any class of persons, as inspectors for the purpose of ensuring compliance with this Act and the regulations, subject to any limitations the Minister or Director may provide for in the appointment.</p> <p>Inspectors by virtue of office</p> <p>(2) Every reviewer appointed under the <i>Health Insurance Act</i> is, by virtue of office, an inspector for the purposes of this Act and shall be deemed to have been appointed for the purpose mentioned in subsection (1).</p>	Same as IHFA

	<p>Certificate of appointment (3) The Minister or Director shall issue to every inspector appointed under subsection (1) a certificate of appointment which the inspector shall produce, upon request, when acting in the performance of their duties. An inspector mentioned in subsection (2) shall produce their certificate of appointment issued under the Health Insurance Act.</p>	
<p>Inspecting Bodies</p>	<p>43. (1) The regulations may prescribe one or more organizations as inspecting bodies of integrated community health services centres for the purposes of this Act and the regulations.</p> <p>(2) Every organization that is prescribed as an inspecting body is deemed to have among its objects all the powers necessary to act as an inspecting body for the purposes of this Act and the regulations.</p> <p>Responsibilities of inspecting bodies (3) Subject to the regulations, an inspecting body has the following powers and responsibilities with respect to the integrated community health services centres that are provided for in the regulations:</p> <ol style="list-style-type: none"> 1. Establishing, maintaining and publishing quality and safety standards for integrated community health services centres. 2. Establishing schedules for the regular inspection of integrated community health services centres. 3. Providing for the inspection of integrated community health services centres as the inspecting body considers advisable or as requested by the Director. 	

	<p>4. Appointing inspectors to carry out the responsibilities of inspectors under this Act. In the appointment, the inspecting body may limit the authority of an inspector in such manner as the inspecting body considers necessary or advisable.</p> <p>5. Submitting reports of inspections and other information, which may include personal information, to the Director and to other prescribed persons or entities.</p> <p>6. Providing reports at such times, in such form, in such detail and with such supporting material as is required by the Director.</p> <p>7. Making summaries of inspection reports available to the public.</p> <p>8. Making compliance orders under clauses 49 (1) (a) and (b).</p> <p>9. Making compliance orders issued by the inspecting body available to the public.</p> <p>10. Establishing committees to carry out any functions of the inspecting body, or any function required by the Director.</p> <p>11. Establishing and collecting fees for any activity that the inspecting body is required or permitted to carry out under this Act, including fees for administrative and overhead costs related to the activity, from licence applicants and licensees.</p> <p>12. Exercising any power and carrying out any responsibility provided for in the Regulations.</p> <p>Certificate of appointment</p> <p>(4) An inspecting body shall issue to every inspector appointed under paragraph 4 of subsection (3) a certificate of appointment which the inspector shall produce, upon request, when acting in the performance of their duties.</p> <p>No personal health information</p> <p>(5) Before making a compliance order, or a summary of a report, available to the public under subsection (3), the inspecting body shall remove all personal health information from the order or summary that it intends to make public.</p>	
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<p>Inspections</p>	<p>Inspections by Inspector 42(4) If the Director considers it necessary or advisable that an inspection be carried out of an integrated community health services centre’s compliance with this Act and the regulations, the Director may give notice in writing to an inspector to conduct an inspection and the inspector shall comply with the notice.</p> <p>Inspection by Inspecting Body 43(6) If the Director considers it necessary or advisable that an inspection be carried out of an integrated community health services centre’s compliance with the quality and safety standards, the Director may give notice in writing to an inspecting body and the inspecting body shall direct an inspector to conduct an inspection.</p> <p>Requiring information from Licensee 43(8) An inspecting body may request that a licensee, an applicant for a licence or a prescribed person provide the inspecting body with any information or reports that the inspecting body considers necessary or advisable for the purpose of carrying out its functions, and the licensee, applicant or prescribed person shall comply with the request in the manner and within the time set by the inspecting body.</p>	<p>Modified from IHFA, which required a “reasonable ground belief that there was a contravention of s.3” to under this Act where it be considered “necessary or advisable” regarding compliance with Act/Regulators.</p>
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	<p>(g) call upon experts who may enter the premises and provide assistance to the inspector in carrying out the inspection in any manner that the inspector considers necessary or advisable; and</p> <p>(h) if the consent of the person who is to receive the services has been obtained, observe the staff of the centre in providing services to members of the public.</p> <p>Obligation to produce and assist 44(6) If an inspector demands that a record or any other thing be produced under this section, the person who has custody of the record or thing shall produce it and, in the case of a record, shall, on request, provide any assistance that is reasonably necessary to interpret the record or to produce it in a readable form.</p> <p>Records and things removed from place 44(7) A record or other thing that has been removed for review, examination or copying shall,</p> <p>(a) be made available to the person from whom it was removed on request and at a time and place that are convenient for the person and for the inspector; and</p> <p>(b) be returned to the person within a reasonable time.</p> <p>Court Order to Enter 46. (1) On application without notice, a justice may issue an order authorizing an inspector named in the order to enter a place specified in the order and to exercise any of the powers mentioned in subsection 44 (4), if the justice is satisfied on information under oath that the inspector has been prevented from entering a place that may be entered under section 44, or has been prevented from exercising a power mentioned in subsection 44 (4), or that there are reasonable grounds to believe that the inspector will be prevented from entering the place or exercising the power.</p>	<p>Same as IHFA</p> <p>Same as IHFA</p>
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Inspection Report	44(9) Within a reasonable period of time after completing an inspection, an inspector shall make a report in writing to the Director or, in the case of an inspector appointed by an inspecting body, to the inspecting body.	Same as IHFA
Confidentiality	<p>57. (1) Every inspecting body and every inspector appointed by an inspecting body shall keep confidential all information that comes to their knowledge in the course of performing a function or duty or exercising a power related to the administration of this Act, subject to subsection (2).</p> <p>Permitted Disclosure</p> <p>(2) An inspecting body or inspector appointed by an inspecting body may disclose information described in subsection (1),</p> <p>(a) to the Director, upon request of the Director or for purposes related to this Act, the Health Insurance Act or the Commitment to the Future of Medicare Act, 2004;</p> <p>(b) to comply with any requirement under this Act to post the information or to make the information public;</p> <p>(c) where the person to whom the information relates has consented to the disclosure;</p> <p>(d) where the disclosure of the information is required or permitted by a law of Ontario or Canada;</p> <p>(e) where disclosure is required in a proceeding before the Board;</p> <p>(f) where the inspecting body has reasonable grounds to believe that the disclosure is necessary for the purpose of eliminating or reducing a significant risk of serious bodily harm to a person or group of persons; or</p> <p>(g) in such circumstances as may be prescribed.</p>	Expands permitted disclosure.
Disclosure to Health College	58(7) Where the Director, the Minister or an inspecting body determines that it is advisable to do so, the Director, Minister or inspecting body shall disclose personal information to a College within the meaning of the Regulated Health Professions Act, 1991 for the purpose of the administration of that Act or an Act named in Schedule 1 to that Act.	Adds inspecting body, and makes this disclosure mandatory.

Cooperation	44(8) Every person shall give all reasonable assistance to an inspector in the exercise of the inspector's powers or the performance of the inspector's duties under this Act	Same as IHFA
Compliance Orders	<p>49(1) The Director may order a licensee to,</p> <p>(a) do anything, or refrain from doing anything, to achieve compliance with a requirement under this Act;</p> <p>(b) prepare, submit and implement a plan for achieving compliance with a requirement under this Act; or</p> <p>(c) ensure that specified licensed services are not provided at the integrated community health services centre until the licensee achieves compliance with a requirement under this Act.</p> <p>Same, inspecting body</p> <p>(2) An inspecting body may order a licensee to do anything set out in clause (1) (a) or (b).</p> <p>Grounds</p> <p>(3) A compliance order under subsection (1) or (2) may be made if, in the opinion of the Director or inspecting body, after considering any factors provided for in this Act or the regulations, the licensee has not complied with a requirement under this Act or, if in the opinion of the Director or inspecting body, it is necessary or advisable to protect the health or safety of any person.</p>	<p>Same as IHFA, except where noted in red.</p> <p>New</p> <p>Same as IHFA</p>
Publication	<p>Payments</p> <p>56(1) Subject to the regulations, if any, the Minister is authorized to publish information, including personal information other than personal health information, that relates to any payments under this Act to a licensee.</p> <p>Compliance</p> <p>(2) The Director is authorized to publish any information that relates to compliance with licensing and quality and safety standards under this Act, including personal information other</p>	Same as IHFA

	than personal health information.	
Request for Reports or Information by Director	<p>59(1) The Director may request, at any time, that a licensee or other person disclose to the Director, or to a person specified by the Director, any information or reports that the Director considers necessary or advisable for purposes related to the administration of this Act or the Health Insurance Act or for other prescribed purposes, and the licensee or other person shall comply with the request.</p> <p>Rules re providing records and information</p> <p>59(5) Where the Director requires a licensee or other person to provide information under subsection (1), the following rules apply:</p> <ol style="list-style-type: none"> 1. The licensee or other person shall submit copies of the requested information and, where required by the Director, shall include a signed certificate of authenticity and a signed copy of an audit trail for electronic records. 2. If the Director is not satisfied with the copies of the requested information, the Director may require the licensee or other person to produce the original documents to the Director, and the documents shall be returned to the licensee or other person in a timely manner after copies have been made. 3. Where a licensee or other person fails to produce the copies or originals of information required under this section, the Director may, on notice to the licensee or other person, apply to a justice or a provincial judge for an order compelling production of the required information and the justice or provincial judge may issue the order if they are satisfied that there are reasonable grounds for believing that the licensee or other person failed to produce the information 	Same as IHFA
Offences		
	63(1) Every person who contravenes section 4 (Licensing); 10 (Relocation), 11 (Transfer of Licence), subsection 20 (2) (Quality	

	and Safety) or section 25 (Not to use Licence as Security), 26 (Contracts), 27 (Share Transfer), 29 (Payments and Facility Costs), 47(Obstruction) or 57 (Confidentiality for Inspecting Body and inspectors) is guilty of an offence.	
Obstruction offence	47. Where an inspector is conducting an inspection under section 44 or executing an order under section 46 or where a provincial offences officer is executing a warrant under section 158 or 158.1 of the Provincial Offences Act with respect to a matter relevant to this Act, no person shall, (a) hinder, obstruct or interfere with the inspector or officer, or otherwise impede the inspector or officer; (b) destroy or alter a record or other thing that has been demanded under clause 44 (4) (b) or that is subject of a warrant under section 158 or 158.1 of the Provincial Offences Act; or (c) fail to do anything required under subsections 44 (6) or (8) or subsection 48 (7)	Same as IHFA
Penalty for Individuals	63(4) Every individual who is convicted of an offence under this section is liable, for each day or part of a day on which the offence occurs or continues, (a) for a first offence, to a fine of not more than \$50,000 or, subject to subsection (6), to imprisonment for a term of not more than 12 months, or to both; and (b) for a subsequent offence, to a fine of not more than \$100,000 or, subject to subsection (6), to imprisonment for a term of not more than 12 months, or to both.	Same as IHFA
Penalty for Corporation	63(5) Every corporation that is convicted of an offence under this section is liable, for each day or part of a day on which the offence occurs or continues, to a fine of not more than: \$100,000 for a first offence and to a fine of not more than \$500,000 for a subsequent offence	Same as IHFA

Regulations		
Regulation-making Authority	<p>65(1) The Lieutenant Governor in Council may make regulations,</p> <ol style="list-style-type: none"> 1. providing for and governing anything that this Act refers to as being prescribed or provided for in the regulations, or as being required to be done in accordance with the regulations or as being subject to the regulations; 2. defining or clarifying the meaning of any word or expression used in this Act that is not otherwise defined in this Act; 3. providing for exemptions from this Act or any provision of this Act, subject to any conditions that may be set out in the regulation; 4. prescribing charges, fees or payments that are or are not facility costs for the purposes of this Act; 5. prescribing health facilities that are or are not integrated community health services centres for the purposes of this Act; 6. providing for additional powers, functions and duties of the Director; 7. governing the issuance, renewal, transfer, suspension and revocation of licences, including governing refusals to renew licences; 8. establishing and governing rules respecting the permitted locations of integrated community health services centres; 9. prescribing limitations and conditions that attach to licences of integrated community health services centres; 10. governing the relocation of integrated community health services centres under section 10, providing for the terms and conditions of the relocation and respecting the time at which the application must be made; 11. governing any application that may be made or submitted under this Act, including the process for submitting applications; 12. respecting forms and their use; 13. classifying integrated community health services centres; 14. governing the care, treatment and services provided in integrated community health services centres, including governing 	Same as IHFA, except where noted in red

	<p>safety, quality management programs, and prescribing quality and safety standards;</p> <p>15. governing the requirements for staff and employees of integrated community health services centres;</p> <p>16. governing the process licensees must have for receiving and responding to patient complaints;</p> <p>17. governing payments by the Minister under section 29, including prescribing the method of determining the amounts and prescribing conditions for the payment of such amounts;</p> <p>18. governing claims made for the purposes of payment under section 29, including requiring claims to be made in the prescribed manner and at the prescribed time and prescribing conditions for the making of claims;</p> <p>19. governing the books, records and accounts to be kept by licensees including their form and content and the place or places where they are to be kept;</p> <p>20. requiring the accounts of integrated community health services centres to be audited and requiring the licensees to furnish information or accounts required by the Director;</p> <p>21. governing the records to be kept by licensees with respect to the care and treatment of patients of the integrated community health services centre;</p> <p>22. governing reports and returns to be made to the Director by licensees;</p> <p>23. requiring and governing a system or systems to be used by licensees to monitor the results of the services provided in integrated community health services centres;</p> <p>24. governing access to patient or drug records and specifying persons who may have access to such records;</p> <p>25. prescribing inspecting bodies and governing the exercise of their responsibilities under this Act;</p> <p>26. governing inspections, including the actions to be taken by an inspector or inspecting body;</p>	
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	<p>27. requiring licensees or applicants for a licence to pay fees established by an inspecting body for any activity the inspecting body is required or permitted to carry out under this Act, including fees for administrative and overhead costs related to the activity;</p> <p>28. governing compliance orders, including factors that must be considered before issuing a compliance order and actions to be taken in connection with the issuance of a compliance order;</p> <p>29. governing and restricting the disposition and transfer of the assets of integrated community health services centres;</p> <p>30. governing transitional or similar matters that may arise due to the enactment of Schedule 1 to the Your Health Act, 2023;</p> <p>31. generally for carrying out what the Lieutenant Governor in Council considers to be the purposes, provisions and intent of this Act</p>	
Transition		
	<p>Inspections</p> <p>62. (1) The following rules apply to any inspection, assessment or related proceeding under the Independent Health Facilities Act that was not finally determined on the day that Act was repealed:</p> <ol style="list-style-type: none"> 1. The inspection, assessment or proceeding, and any related proceedings, are continued. 2. The inspection, assessment or proceeding, and any related proceedings, shall be dealt with in accordance with the Independent Health Facilities Act, as it read immediately before its repeal. 3. The appointments of any persons under the Independent Health Facilities Act are continued for the purpose of disposing of the inspection, assessment or proceeding and any related proceeding until those issues have been finally determined. <p>Limitations and Conditions of Licence</p>	

	<p>(2) When this subsection comes into force, every licence for an independent health facility under the Independent Health Facilities Act that was in force immediately before this subsection came into force continues under this Act, subject to the same limitations and conditions that applied to the licence under the Independent Health Facilities Act.</p>	
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