

The Fixing Long-Term Care Act, 2021 (FLTCA) was a significant step in strengthening residents' rights in Ontario long-term care homes. Here's how the FLTCA addresses residents' rights:

**Maintains Existing Protections:**

- The FLTCA keeps existing protections for residents' rights that were working well under previous legislation.

**Strengthens Protections:**

- **Accountability and Enforcement:** The FLTCA introduces stricter enforcement measures to ensure residents' rights are upheld. This includes increased inspections and the ability to impose penalties on homes that violate resident rights.
- **Transparency:** The FLTCA promotes greater transparency by requiring homes to disclose more information about resident care and staffing levels.

**Focuses on Specific Rights:**

- **Staffing:** The FLTCA mandates minimum staffing levels to ensure residents receive proper care and attention.
- **Quality Care:** The FLTCA emphasizes resident-centered care, ensuring care plans are personalized and meet individual needs and preferences.
- **Improved Decision-Making:** The FLTCA strengthens residents' involvement in care decisions and empowers them to make choices about their lifestyle.

The Residents' Bill of Rights in Ontario outlines 29 specific rights grouped into five sections. Here's a detailed breakdown of each right:

**Section 1: Right to be treated with respect (5 rights)**

1. **Respect and dignity:** Residents have the right to be treated with courtesy and respect, recognizing their individuality regardless of background.

2. **Lifestyle and choices:** Residents can make choices about their daily routines and preferences as much as possible.
3. **Participation in decision-making:** Residents have the right to be involved in decisions about their care plan and preferences.
4. **Residents' council:** The home must facilitate a residents' council to advocate for residents' rights and interests.
5. **Sharing a room:** Residents can choose to share a room with another resident if they wish (subject to availability).

## Section 2: Right to freedom from abuse and neglect (2 rights)

1. **Freedom from abuse:** Residents have the right to live in a safe environment, free from all forms of abuse, including physical, verbal, psychological, sexual, and financial abuse.
2. **Freedom from neglect:** Residents have the right to receive all their basic needs, such as proper nutrition, hygiene, and medication, to ensure their well-being.

## Section 3: Right to an optimal quality of life (12 rights)

1. **Communication and visitation:** Residents have the right to communicate and visit with others privately without restriction.
2. **Friendships and relationships:** Residents can develop and maintain friendships and meaningful relationships with others.
3. **Intimacy:** Residents have the right to enjoy intimacy if they desire and are able, with their consent and privacy respected.
4. **Pursue interests:** Residents have the right to continue pursuing their hobbies and interests.
5. **Safe and clean environment:** Residents have the right to live in a clean, safe, and comfortable environment.
6. **Access to outdoors:** Residents have the right to access the outdoors (weather permitting) for fresh air and exercise.
7. **Personal possessions:** Residents can keep and use their personal belongings unless there's a safety risk.
8. **Manage finances:** Residents can manage their personal finances if they're mentally capable.
9. **Citizens' rights:** Residents retain their rights as citizens to vote and participate in other civic activities.
10. **Cultural practices:** Residents have the right to practice their cultural and religious beliefs.
11. **Appropriate clothing:** Residents have the right to dress in their own clothes.
12. **Choice of care provider:** Residents have the right to participate in choosing their healthcare providers whenever possible.

## Section 4: Right to quality care and self-determination (7 rights)

1. **Proper care and services:** Residents have the right to receive proper care and services that meet their individual needs and preferences.

2. **Know your caregivers:** Residents have the right to know who is providing their direct care and their qualifications.
3. **Privacy during care:** Residents have the right to privacy during care and while attending to personal needs.
4. **Informed consent:** Residents have the right to give informed consent for any medical treatment or care procedures after understanding the risks and benefits.
  - If a resident is unable to consent, a substitute decision-maker can be involved.
5. **Refusal of care:** Residents have the right to refuse care (except in emergencies) and be informed of the consequences of such refusal.
6. **Continuity of care:** Residents have the right to continue receiving care even if hospitalized temporarily.
7. **Advance care planning:** Residents have the right to discuss and document their wishes for future care (advance directives).

### **Additional Right (Section 5):**

- **Complaints process:** Residents have the right to access a fair and transparent complaints process if their rights are not being respected.

Remember, this is a summary. For the complete and official Residents' Bill of Rights, you can refer to the resources mentioned previously:

- Ontario Association of Residents' Councils: [Ontario Association of Residents' Councils](#)
- CLEO Legal Education Ontario: [CLEO Residents' Bill of Rights](#)