

1980

c 200 Homemakers and Nurses Services Act

Ontario

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CHAPTER 200

Homemakers and Nurses Services Act

1. In this Act,

Interpre-
tation

- (a) "band", "council of a band", "member of a band" and "reserve" have the same meaning as in the *Indian Act* (Canada); R.S.C. 1970,
c. 1-6
- (b) "child" means a person under sixteen years of age;
- (c) "Director" means a Director appointed for the purposes of this Act;
- (d) "Minister" means the Minister of Community and Social Services;
- (e) "municipal welfare administrator" means a person appointed as such under this Act;
- (f) "municipality" means a city, town, village, township or improvement district and, where any municipality forms part of a county for the purpose of administering assistance under the *General Welfare Assistance Act*, means the county and not that municipality; R.S.O. 1980,
c. 188
- (g) "physician" means a legally qualified medical practitioner;
- (h) "regional welfare administrator" means a person employed as such by the Ministry of Community and Social Services;
- (i) "regulations" means the regulations made under this Act;
- (j) "welfare administrator of a band" means a person appointed as such under this Act. R.S.O. 1970, c. 203, s. 1; 1972, c. 1, s. 19 (3); 1973, c. 143, s. 1.

2. The Director shall,

Duties of
Director

- (a) exercise general supervision over the administration of this Act and the regulations; and

- (b) advise regional welfare administrators, municipal welfare administrators, welfare administrators of bands, and others as to the manner in which their duties under this Act are to be performed. R.S.O. 1970, c. 203, s. 2.

Appoint-
ment of
municipal
welfare
adminis-
trator

3.—(1) The council of a municipality may, with the approval of the Minister, appoint a municipal welfare administrator for the purposes of this Act.

Appoint-
ment of
welfare
adminis-
trator of
band

(2) The council of a band may, with the approval of the Minister, appoint a member of the band as the welfare administrator of the band for the purposes of this Act. R.S.O. 1970, c. 203, s. 3.

Power to
take
affidavits

4. The Director, every regional welfare administrator, every municipal welfare administrator, and every welfare administrator of a band is, in the performance of his duties under this Act, a commissioner for taking affidavits within the meaning of the *Commissioners for taking Affidavits Act*. R.S.O. 1970, c. 203, s. 4.

R.S.O. 1980,
c. 75

Local
adminis-
tration

5. A municipality or the council of a band may employ homemakers or nurses, or both, for the purposes of this Act or may enter into an agreement with any person or organization for the furnishing of any services which may be provided under this Act for such persons as may be agreed upon. R.S.O. 1970, c. 203, s. 5.

Homemakers
services

6. The services of a homemaker may be furnished under this Act,

- (a) for households in which there is a child who might otherwise be cared for in other than his own home during the absence, illness, convalescence or incapacity of his mother or other person in whose charge he is, where an adult is available to furnish any care that the child may require when the homemaker is not on duty; or
- (b) for a person who is elderly, handicapped, ill or convalescent in order that he may remain in his own home; or
- (c) for households in which the standard of house-keeping requires improvement to avoid familial or financial difficulties which are likely to cause or contribute to dependency on public assistance. 1973, c. 143, s. 2.

7. The services of a nurse may be furnished under this Act on a visitation basis in the home of a person who is elderly, handicapped, ill or convalescent, where a physician certifies that such services are necessary to enable the person to remain in his own home or to make possible his return to his home from a hospital or other institution. R.S.O. 1970, c. 203, s. 7. ^{Nurses services}

8. Application for the services of a homemaker or a nurse under this Act shall, where the person applying for the services resides, ^{Application for services}

- (a) in a municipality, be made to the municipal welfare administrator;
- (b) on the reserve of a band, be made to the welfare administrator of the band; or
- (c) in territory without municipal organization, be made to the regional welfare administrator of that territory. R.S.O. 1970, c. 203, s. 8.

9.—(1) Where the services of a homemaker or nurse are furnished under this Act, the person who has applied therefor shall pay the fees for such services for so long as and to the extent that his financial circumstances permit as determined by the regulations. R.S.O. 1970, c. 203, s. 9 (1). ^{Payment for services}

(2) Where the person's financial circumstances as determined by the regulations do not permit him to pay in full the fees for such services, they may be paid in whole or in part by the municipality or council of the band, as the case may be, in which case an amount determined by the regulations shall be reimbursed to the municipality or council of the band by the Province of Ontario in accordance with the regulations or, where the applicant resides in territory without municipal organization, the services may, with the approval of the regional welfare administrator, be paid for by the Province of Ontario in accordance with the regulations. R.S.O. 1970, c. 203, s. 9 (2); 1973, c. 143, s. 3. ^{Idem}

10. The provincial contribution to the cost of furnishing services under this Act for the grants and subsidies payable under the regulations and the expenses of the administration of this Act and the regulations are payable out of the moneys appropriated therefor by the Legislature. R.S.O. 1970, c. 203, s. 10; 1973, c. 143, s. 4. ^{Moneys for purposes of Act}

Regulations

11. The Lieutenant Governor in Council may make regulations,

- (a) defining homemaking services and nursing services;
- (b) prescribing the qualifications of homemakers and nurses;
- (c) establishing courses of instruction for homemakers and providing for the granting of certificates to those who have satisfactorily completed the course of instruction;
- (d) providing for the payment of grants or subsidies and prescribing classes thereof, to persons, municipalities or other organizations or any class thereof towards the cost of courses of instruction for homemakers;
- (e) prescribing terms and conditions under which grants or subsidies or classes thereof shall be made under clause (d), the methods of determining the amounts of such grants or subsidies or classes thereof and providing for the manner in which such grants, subsidies or classes thereof shall be paid;
- (f) adding to or extending the conditions under which services may be furnished;
- (g) adding to or extending the classes of persons to whom services may be furnished;
- (h) prescribing the manner of computing the amount of reimbursement by the Province of Ontario to a municipality or the council of a band under section 9;
- (i) prescribing residence qualifications for applicants or recipients;
- (j) defining "residence", "reside" and similar expressions;
- (k) prescribing the conditions, terms and manner under which claims may be submitted by municipalities and councils of bands to the Province of Ontario for reimbursement of moneys under section 9;
- (l) prescribing maximum fees for services to which the Province of Ontario may contribute;

- (*m*) prescribing the maximum financial circumstances of applicants for or recipients of services to which the Province of Ontario may contribute to the cost;
- (*n*) providing for an requiring inspection of the records and accounts of municipalities and councils of bands that pertain to cases under this Act to which the Province of Ontario may contribute to the cost;
- (*o*) prescribing forms and providing for their use;
- (*p*) respecting any matter deemed necessary or advisable for the effective carrying out of the provisions of this Act. R.S.O. 1970, c. 203, s. 11; 1973, c. 143, s. 5.

