

1980

## c 280 Ministry of Health Act

Ontario

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CHAPTER 280

Ministry of Health Act

1. In this Act,

Interpre-  
tation

- (a) "Deputy Minister" means the Deputy Minister of Health;
- (b) "health facility" means a health facility as defined in the *Health Insurance Act*;
- (c) "Minister" means the Minister of Health;
- (d) "Ministry" means the Ministry of Health;
- (e) "physician" means a legally qualified medical practitioner lawfully entitled to practise medicine in the place in which such practice is carried on by him;
- (f) "practitioner" means a person other than a physician who is lawfully performing health services in the place where they are rendered;
- (g) "regulations" means the regulations made under this Act. 1972, c. 92, s. 1.

R.S.O. 1980,  
c. 197

2. The Ministry of Health is continued. 1972, c. 92, s. 2.

Ministry  
continued

3.—(1) The Minister shall preside over and have charge of the Ministry and all its functions.

Minister

(2) The Minister is responsible for the administration of this Act and any other Acts that are assigned to him by the provisions thereof or by the Lieutenant Governor in Council. 1972, c. 92, s. 3:

Administra-  
tion of Acts

(3) Where, under this or any other Act, power to make an agreement is granted to or vested in the Minister, he may, in writing, delegate that power to the Deputy Minister or to any officer or officers of the Ministry subject to such limitations, conditions and requirements as the Minister may set out in the delegation.

Delegation  
of authority

(4) Notwithstanding the *Executive Council Act*, an agreement made by a person empowered to do so under subsection (3) has the same effect as if made and signed by the Minister. 1975, c. 53, s. 1.

Effect of  
R.S.O. 1980,  
c. 147

Deputy  
Minister

4. The Deputy Minister shall perform such duties and functions as are assigned to him by the Lieutenant Governor in Council or the Minister. 1972, c. 92, s. 4.

Staff

R.S.O. 1980,  
c. 418

5. Such officers and other employees may be appointed under the *Public Service Act* as are required from time to time for the proper conduct of the business of the Ministry. 1972, c. 92, s. 5.

Duties and  
functions  
of Minister

6.—(1) It is the function of the Minister and he has power to carry out the following duties:

- (a) to advise the Government in respect of the health of the people of Ontario;
- (b) to oversee and promote the health and the physical and mental well-being of the people of Ontario;
- (c) to be responsible for the development, co-ordination and maintenance of comprehensive health services and a balanced and integrated system of hospitals, extended care facilities, nursing homes, laboratories, ambulances and other health facilities in Ontario;
- (d) to enter into agreements for the provision of health services and equipment required therefor and for the payment of remuneration for such health services on a basis other than fee for service;
- (e) to institute a system for payment of amounts payable under the *Health Insurance Act* in the form of payment by the Province of all or any part of the annual expenditures of hospitals and health facilities;
- (f) to establish and operate, alone or in co-operation with one or more persons or organizations, institutes and centres for the training of hospital and health service personnel;
- (g) to govern the care, treatment and services and facilities therefor provided by hospitals and health facilities and assess the revenues required to provide such care, treatment and services;
- (h) to control charges made to all patients by hospitals and health facilities;
- (i) to authorize and provide financial support, alone or in co-operation with one or more persons or organizations, on a periodic basis or otherwise, for the establish-

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ment and operation of corporations to supply centralized services and commodities to hospitals, extended care facilities, nursing homes, and health facilities and to others associated with health workers and the health field generally and enter into agreements necessary therefor, and enter into agreements with hospitals, extended care facilities, nursing homes, and other health facilities and other persons on such terms and conditions and for such periods as the Minister considers advisable to assist in financing all or any part of the cost of such centralized services and commodities or for any other purpose incidental to the foregoing;

- (j) to convene conferences and conduct seminars and educational programs respecting health matters.

(2) The Minister in exercising his powers and carrying out his <sup>Idem</sup> duties and functions under this Act,

- (a) shall inquire into and determine the hospital and health facilities, services and personnel required to meet the health needs of the people of Ontario;
- (b) shall promote and assist in the development of adequate health resources, both human and material, in Ontario;
- (c) may initiate, promote, conduct and maintain surveys, scientific and administrative research programs and planning studies into any matters relating to the health needs of Ontario and obtain statistics for purposes of the Ministry;
- (d) may collect such information and statistics respecting the state of health of members of the public, health resources, facilities and services and any other matters relating to the health needs or conditions affecting the public as are considered necessary or advisable, and publish any information so collected; and
- (e) may recommend to the Government the methods and programs by which the health needs of the people of Ontario can be met. 1972, c. 92, s. 6.

7. The Minister, with the approval of the Lieutenant Governor in Council, may on behalf of the Government of Ontario make agreements with municipalities or other <sup>Agreements for provision of health facilities, etc.</sup>

persons or corporations respecting the provision of hospitals and health facilities, and services and personnel thereof. 1972, c. 92, s. 7.

Ontario  
Council of  
Health

**8.**—(1) There shall be a senior advisory body to the Minister on health matters, known as the Ontario Council of Health, consisting of a full-time Chairman and such other persons numbering not fewer than sixteen, as are appointed by the Lieutenant Governor in Council.

Duties

(2) It is the duty of the Council to advise the Minister on health matters and needs of the people of Ontario and to perform such other duties as are referred to it by the Minister. 1972, c. 92, s. 8.

Appointment  
of advisory  
committees

**9.** The Lieutenant Governor in Council or the Minister may appoint committees to perform such advisory functions as are considered necessary or desirable in order to assist the Minister in the discharge of his duties. 1972, c. 92, s. 9.

Grants, loans  
and purchases

**10.**—(1) The Minister may, out of moneys appropriated by the Legislature therefor,

- (a) make grants to universities and any non-profit organizations for research and training of persons for the health sciences in such amounts and upon such terms and conditions as the regulations prescribe;
- (b) provide bursaries and loans for educational and training purposes in respect of health to such persons, in such amounts and upon such terms and conditions as the regulations prescribe;
- (c) make grants for developing health resources to such persons and organizations and upon such terms and conditions as the regulations prescribe;
- (d) make grants or loans to schools approved by the Minister for the education of nurses, technicians and other related health personnel for work in hospitals, extended care facilities, nursing homes, and health facilities, and such grants or loans may be paid either directly to the school if the school is a corporation or to the board of a hospital under whose supervision the school is operated, upon such terms and conditions as the regulations prescribe;
- (e) purchase any corporation, organization, establishment or undertaking related to or useful for the

Ontario Health Insurance Plan or the delivery of hospital, ambulance or other health services and any real and personal property connected therewith;

- (f) establish, maintain and operate facilities for the diagnosis, surveillance and treatment of tuberculosis and for the diagnosis and surveillance of other respiratory diseases;
- (g) provide payment to physicians and other persons for the administration of treatment to outpatients suffering from tuberculosis. 1972, c. 92, s. 10; 1975, c. 53, s. 2.

**11.** No land, building or other premises or place or any part thereof acquired or used for the purposes of a regional school of nursing, institute or training centre approved by the Minister for the education of registered nurses, registered nursing assistants, medical laboratory technicians, radiological technicians, ambulance personnel or any other health care personnel for which a grant or loan has been made by the Government shall be sold, leased, mortgaged or otherwise disposed of without the approval of the Minister. 1972, c. 92, s. 11.

**12.** Subject to the approval of the Lieutenant Governor in Council, the Minister may make regulations,

- (a) to prescribe and govern the standards for the facilities for providing care, treatment and services in hospitals and health facilities;
- (b) providing for the transportation of patients from one hospital or health facility to another hospital or health facility;
- (c) providing for the transportation of organs, biologicals and surgical and other health care supplies and equipment;
- (d) requiring and providing for the approval by the Minister of regional and district councils for planning health and hospital services and their structure, functions and duties;
- (e) prescribing the proportions of standard ward, semi-private and private accommodation that shall be provided in individual hospitals and health facilities;

- (f) respecting the grants, loans and bursaries mentioned in section 10, prescribing classes of such grants, loans and bursaries and the methods of determining the amounts of such grants, loans and bursaries and providing for the manner and times of payment and the suspension and withholding of any payments and for the making of deductions from such grants, loans and bursaries, and the manner and times of repayment of such loans;
- (g) designating facilities or classes of facilities that are health facilities for the purposes of this Act;
- (h) governing the establishment, maintenance, operation and use of and the treatment provided in facilities for the diagnosis, surveillance and treatment of tuberculosis, and governing the establishment, maintenance, operation and use of facilities for the diagnosis and surveillance of other respiratory diseases. 1972, c. 92, s. 12; 1975, c. 53, s. 3.

Annual  
report

**13.** The Minister after the close of each year shall submit to the Lieutenant Governor in Council an annual report upon the affairs of the Ministry and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. 1972, c. 92, s. 13.