

1960

## c 173 Homemakers and Nurses Services Act

Ontario

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## CHAPTER 173

## The Homemakers and Nurses Services Act

## 1. In this Act,

Interpre-  
tation

- (a) "child" means a person under sixteen years of age;
- (b) "Director" means the Director of Homemakers and Nurses Services of the Department of Public Welfare;
- (c) "Minister" means the Minister of Public Welfare;
- (d) "municipal welfare administrator" means a person appointed as such under this Act;
- (e) "physician" means a duly qualified medical practitioner;
- (f) "regional welfare administrator" means a person employed as such by the Department of Public Welfare;
- (g) "regulations" means the regulations made under this Act. 1958, c. 37, 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 and others as to the manner in which their duties under this Act are to be performed. 1958, c. 37, s. 2.

3. The council of a municipality may, with the approval of the Minister, appoint a municipal welfare administrator for the purposes of this Act. 1958, c. 37, s. 3.

Appoint-  
ment of  
municipal  
welfare  
administra-  
tor

4. The Director, every regional welfare administrator and every municipal welfare administrator 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*. 1958, c. 37, s. 4.

Power to  
take  
affidavitsR.S.O. 1960,  
o. 59

Local  
administra-  
tion

**5.—(1)** The council of a city, town, village or township may employ homemakers or nurses, or both, for the purposes of this Act or may enter into agreement with any organization that is approved by the Minister under which the organization undertakes to furnish homemakers or nurses, or both, for the purposes of this Act.

County  
administra-  
tion

(2) Instead of the local municipalities that are within a county for municipal purposes furnishing services under this Act independently of one another, the council of the county may exercise the powers mentioned in subsection 1 and furnish such services in all such local municipalities, except that any such local municipality that has a population of more than 5,000 according to its last revised assessment roll may by agreement with the county furnish such services independently of the county. 1958, c. 37, s. 5.

Home-  
makers  
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 temporary absence, illness or convalescence 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 and who requires such services on a part-time or visitation basis in order that he may remain in his own home, where an adult is available to furnish any care that he may require when the homemaker is not on duty. 1958, c. 37, s. 6.

Nurses  
services

**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. 1958, c. 37, s. 7.

Application  
for services

**8.** Application for the services of a homemaker or a nurse under this Act shall be made, where the person applying for the services resides in a municipality, to the municipal welfare administrator of that municipality or, where the person applying for the services resides in territory without municipal organization, to the regional welfare administrator of that territory. 1958, c. 37, 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. <sup>Payment for services</sup>

(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, with the approval of the regional welfare administrator, be paid for in whole or in part by the municipality, in which case the percentage fixed by the regulations of the amount so paid shall be reimbursed to the municipality by the Province 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 in accordance with the regulations. 1958, c. 37, s. 9. <sup>Idem</sup>

**10.** The provincial contribution to the cost of furnishing services under this Act and the expenses of the administration of this Act and the regulations are payable out of the moneys appropriated therefor by the Legislature. 1958, c. 37, s. 10, *amended*. <sup>Moneys for purposes of Act</sup>

**11.** The Lieutenant Governor in Council may make regulations, <sup>Regulations</sup>

- (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) adding to or extending the conditions under which services may be furnished;
- (e) adding to or extending the classes of persons to whom services may be furnished;
- (f) fixing the percentage of the amount and prescribing the manner of computing the amount paid by a municipality that will be reimbursed by the Province under section 9;
- (g) prescribing residence qualifications for applicants or recipients;

- (*h*) defining "residence", "reside" and similar expressions and the expression "municipality to which an applicant for or a recipient of services belongs", and for requiring a municipality to which an applicant for or a recipient of services belongs to reimburse the municipality that has paid a part of the cost of the services and providing for such reimbursement;
  - (*i*) prescribing the conditions, terms and manner under which claims may be submitted by municipalities to the Province for reimbursement of moneys under section 9;
  - (*j*) prescribing maximum fees for services to which the Province may contribute;
  - (*k*) prescribing the maximum financial circumstances of applicants for or recipients of services to which the Province may contribute to the cost;
  - (*l*) providing for and requiring inspection of the records and accounts of municipalities that pertain to cases under this Act to which the Province may contribute to the cost;
  - (*m*) prescribing forms and providing for their use;
  - (*n*) respecting any matter deemed necessary or advisable for the effective carrying out of the provisions of this Act. 1958, c. 37, s. 11.
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