



AdvantAge  
Ontario

Advancing Senior Care

# Response to the Regulatory Posting on Proposed Amendments to the Police Record Checks Reform Act, 2015, (PRCRA) under Bill 75

December 2025

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## Introduction

As one of the largest seniors' care associations in Ontario, we appreciate the opportunity to share feedback on the regulatory posting regarding the Ministry of the Solicitor General's (the Ministry) proposed legislative amendments to the *Police Record Checks Reform Act, 2015*, (PRCRA) as part of Bill 75, *Keeping Criminals Behind Bars Act, 2025*. We will focus on the proposed changes related to vulnerable sector checks (VSCs).

This issue is of significant importance to us, as the long-term care (LTC) and seniors' care sector continues to face many challenges with VSC processing. In some OPP regions, delays exceed six to eight weeks. In December 2025, we heard from a member home with VSCs pending since August. Under provincial requirements in the *Fixing Long-Term Care Act, 2021* (FLTCA), homes are mandated to get VSCs for staff, volunteers, and certain governance roles in LTC homes. Homes cannot onboard staff unless they have this check done, forcing reliance on costly temporary agencies to fulfill staffing needs while this is underway and risking compliance penalties under the FLTCA. These delays directly impact staffing levels, regulatory compliance, and resident safety in a sector already struggling with health human resource shortages.

By contrast, we understand that the *Public Hospitals Act* does not explicitly mandate VSCs. As a result, during periods of delay, potential hires often accept positions in other sectors—such as hospitals—that do not explicitly require VSCs, further exacerbating workforce instability in LTC.

Federal requirements under the *Criminal Records Act* and RCMP Dissemination Policy also create challenges. Eligibility for VSCs is defined based on whether a position involves authority or trust over vulnerable persons—not merely contact. However, requirements under the FLTCA are broader. This interpretation has led to refusals to do VSCs for common LTC roles such as personal support workers and dietary staff, creating inconsistency and administrative burden for operators, and increasing risks for non-compliance. To address these issues, we have urged the MLTC to adopt both immediate measures and longer-term systemic reforms. Given this proposed legislation is meant to help this situation, we will comment on them, specifically in this submission.

## Commentary

### *Service Standards*

The proposed amendments to the *PRCRA* introduce two key changes relevant to the LTC and seniors' care sector. First, they require police services and other VSC providers to comply with service standards for processing record checks, supported by a new regulation-making authority. This creates an opportunity to prioritize sectors like LTC, where timely checks are critical to address severe staffing shortages and maintain compliance with the *FLTCA*. While introducing service standards is a welcome step, their effectiveness will depend on a few factors.

First, we urge the Ministry to confirm that the regulation-making authority is sufficiently broad to enable targeted standards for sectors serving vulnerable populations, such as LTC. This flexibility is essential to ensure service standards deliver practical benefits where they are most needed. Establishing priority processing for LTC applicants—through a fast-track system or dedicated OPP resources—would help stabilize staffing.

Second, given this is a pressing issue for our members from an HHR perspective, as outlined in our September 2023 submission on the legislative review of the *PRCRA*, we hope that the service standards come into force right away once the legislation has passed. If not, in the short term, we are asking that the pandemic-era flexibility that allowed homes up to three months post-hire to obtain VSCs be reinstated, as that would provide critical relief during backlog periods. We also recommend provisions for conditional hiring with safeguards, permitting onboarding under enhanced supervision and training until VSC completion. These measures would reduce candidate loss to sectors without mandatory checks and maintain compliance.

### *Five Year Non-Disclosure*

The amendments clarify that the five-year non-disclosure rule applies only to offences prosecuted exclusively by summary conviction. Hybrid offences—such as assault, fraud, and sexual exploitation—will remain visible on VSCs. We fully support this clarification as it strengthens safeguards for residents and supports risk management in hiring, reinforcing the importance of accurate and comprehensive screening in the seniors' care sector.

### *Longer-Term VSC Reforms Needed*

Longer-term reforms are equally important to ensure consistency and efficiency across Ontario. Developing a standardized provincial list of LTC positions requiring VSCs, jointly agreed upon by the MLTC and the OPP, would eliminate regional inconsistencies and refusals. This clarity would reduce administrative burden and ensure that homes can meet compliance requirements without unnecessary delays.

In addition, investing in digital modernization and expanding processing capacity will be critical to improving turnaround times and reducing backlogs. A centralized clearance system that

enables portability of checks across homes would further enhance efficiency and reduce duplication.

Finally, and most critically, harmonizing the FLTCA with the *Criminal Records Act*—by aligning provincial and federal requirements—will clarify eligibility criteria and address interpretation challenges that currently lead to inconsistent application across Ontario. Currently, the FLTCA requires VSCs for many roles, while the *Criminal Records Act* limits them to positions of authority or trust, and because federal law prevails, homes face refusals for provincially mandated checks—causing onboarding delays and compliance risks. These systemic changes, combined with immediate measures, will help stabilize staffing and strengthen safeguards for residents.

## Conclusion

We appreciate this opportunity to provide feedback on the regulatory posting to the Ministry of the Solicitor General’s proposed legislative amendments to the *Police Record Checks Reform Act 2015 (PRCRA)* as part of *Bill 75, Keeping Criminals Behind Bars Act*.

With thoughtful implementation and additional measures, these amendments can meaningfully improve the efficiency, consistency, and fairness of VSCs. However, the need for faster checks is urgent and should be prioritized. Addressing both short-term challenges—such as current backlogs and onboarding delays—and implementing long-term systemic reforms will be essential to stabilize staffing and strengthen compliance across Ontario’s LTC sector.

In addition to the current urgent need for faster processing time, we urge the Ministry to prioritize solutions that modernize processing systems, expand capacity, and create a standardized approach to eligibility for VSCs, while harmonizing provincial and federal requirements under the FLTCA and the *Criminal Records Act*. These steps will reduce administrative burden, improve equity, and ensure timely access to essential care staff.

AdvantAge Ontario remains committed to working collaboratively with the Ministry to clarify these recommendations and support successful implementation. We welcome continued engagement as regulations and operational guidance are developed to ensure these reforms deliver practical benefits for residents and the workforce.

## About Us

For more than 100 years, AdvantAge Ontario has been the voice of not-for-profit seniors' care in Ontario. We represent more than 530 providers of long-term care, seniors' housing, supportive housing, and community service agencies, including most municipal and non-profit long-term care homes. We are the only association representing the full continuum of seniors' care in the province.

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