



Advant**Age**
Ontario

Advancing Senior Care

Response to the Regulatory Posting on Proposed Amendments to the Police Record Checks Reform Act, 2015, (PRCRA) under Bill 119

June 2026

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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 119, *Protecting Ontario Streets and Communities Act, 2026*. 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) sector continues to face many challenges with VSC processing. Based on recent Ministry of Long-Term Care survey data, average processing times are approximately 30 days, with timelines of up to 60 days not uncommon. In some OPP regions, we continue to hear from members that delays can exceed eight to 10 weeks in certain cases, with one home in March 2026 reporting VSC wait times of up to 10 weeks. These delays directly affect the sector's ability to onboard staff in a timely manner, contributing to ongoing workforce pressures. While we have started to hear that wait times are declining in some areas of the province due to internal policy changes, significant delays remain common across the province and require both immediate and long-term action.

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, often resulting in reliance on costly temporary agencies to fulfill staffing needs while this is underway if delays are significant and risking compliance penalties under the *FLTCA*. These delays directly impact staffing levels and regulatory compliance, particularly around the legislated four hours of care per resident per day requirement, affecting resident safety and quality of care in a sector already struggling with health human resource shortages.

By contrast, we understand that the *Public Hospitals Act* does not explicitly mandate VSCs, and that it is left to the hospital itself to determine if they wish to have that requirement. 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 the 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 under Bill 119 introduce relevant changes that allow designated police services to process checks across jurisdictions during periods of high demand with coordination from federal partners, including the RCMP and Public Safety Canada. The proposed changes are intended to expand processing capacity by enabling additional authorized bodies to conduct checks. While this is a positive step toward improving processing efficiency, the effectiveness will depend on a few factors.

First, while Bill 75 introduces service standards and enables timelines for processing VSCs, these have not yet been operationalized, and it remains unclear how these will be implemented and interact with the proposed changes under Bill 119. The introduction of an “authorized body” framework is intended to enable additional organizations to process checks; however, depending on how the framework is implemented, it may introduce new administrative processes or variability in access. In the LTC sector, timely hiring is critical. Without clear, streamlined criteria on how organizations may be designated, how checks are administered and routed across jurisdictions, expectations for timely processing, and consistent application across jurisdictions, there is a risk these changes may not lead to meaningful improvements in processing times, and could create uncertainty regarding how and where checks are conducted. To address these issues, the Ministry should establish simple and transparent criteria, clear roles and operational responsibilities, and implement interim measures to prevent disruptions while longer-term improvements are developed.

Second, we welcome the provision allowing coordination with other partners during periods of high backlog, as it creates an opportunity to prioritize sectors such as LTC, where timely VSCs are essential to address critical staffing shortages and meet FLTCA compliance requirements. However, to ensure this approach delivers sustained impact, the government should closely monitor whether backlogs are effectively reduced and assess the risk of recurring delays. Given LTC’s ongoing workforce pressures, high staff turnover, and VSC requirements for all staff, a more permanent solution, such as dedicated or fast-track processing streams for LTC applicants, should be considered to ensure consistent, timely access. Continuous monitoring and long-term system improvements will be essential to ensure the approach delivers practical and reliable

benefits where they are most needed. This should include ensuring that appropriate entities are designated as authorized bodies, and that capacity is meaningfully expanded in practice.

Third, a gap in this proposed legislation is the lack of clarity between the federal and provincial government as to who must obtain a VSC. It is essential that federal and provincial requirements for who must obtain a VSC are clearly aligned prior to implementation, to avoid ongoing confusion, inconsistencies, and access barriers for the LTC sector. As noted above, federal rules limit VSC eligibility to roles with authority over vulnerable people, which conflicts with broader LTC requirements outlined in the FLTCA. For example, under Section 6.3(3) of the *Criminal Records Act*, police may only verify whether an applicant is flagged in the pardoned sex offender database if the position meets the definition of having trust or authority over a vulnerable person. Some positions in long-term care, such as dietary aids, are not automatically considered to be in a position of trust or authority under federal law when alone with a vulnerable person. However, all long-term care roles involve routine presence in resident areas. Residents regularly seek direction, reassurance, or immediate assistance from any staff member nearby. As such, the nature of all work in long-term care consistently reflects routine, unsupervised presence in resident spaces, resident dependence on staff support, and ongoing trusted relationships between residents and staff. These conflicts in interpretation lead to refusals for common positions, added administrative burden, compliance risks, and calls for both short- and long-term reforms. As Bill 119 expands the ability to conduct checks across jurisdictions and through additional partners, addressing this interpretive gap will become even more critical to ensure consistent application and avoid further access barriers.

Fourth, given the urgency of this issue for LTC workforce capacity, we urge that the service standards established under Bill 75, *Keeping Criminals Behind Bars Act, 2026*, be brought into force and operationalized as soon as possible, now that they have received Royal Assent. While Bill 119 introduced measures intended to expand processing capacity through additional authorized bodies, these changes will not, on their own, ensure timely processing without clearly established and implemented service standards and timelines. In practice, the absence of enforceable timelines will continue to result in delays across the sector. We therefore recommend that both sets of reforms be advanced in a coordinated manner to deliver meaningful improvements in VSC processing.

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 in LTC.

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, OPP, and the RCMP would eliminate inconsistencies and refusals. This clarity would reduce administrative burden and ensure that homes can meet compliance requirements without unnecessary delays. This is particularly important given the proposed changes in Bill 119 to allow other partners to conduct police record checks across jurisdictions; without clear alignment, these changes risk increasing delays and compounding existing inconsistencies in how VSC requirements are interpreted and applied.

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* as part of *Bill 119, Protecting Ontario Streets and Communities Act, 2026*.

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.

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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