

Designated
Officer

Applicable
Legislation

Occupational Health & Safety Act (O.H.S.A.)

- Sec. 2 (2) O.H.S.A. and regulations take precedence over other acts/regulations in matters of worker safety.
- 25 (2)(h) an employer shall take every precaution reasonable in the circumstance for the protection of the worker.

O.H.S.A.

- 25 (2) An employer shall,
- (a) provide information, instruction and supervision to a worker to protect the health or safety of the worker;
- (d) acquaint a worker or a person in the authority over a worker with any hazard in the work and in the handling, storage, use, disposal, and transport of any article, device, equipment or a biological, chemical or physical agent.

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Mandatory Blood Testing Act

- Came into force on August 10, 2007 and replaced Section 22.1 of the Health Protection and Promotion Act (Bill 105)
- **Mandatory Blood Testing Act O. Reg. 449/07 (2006)** permits a person who, as a result of being a victim of a crime, or while providing emergency health care services or first aid, or in the course of his/her duties (if in prescribed class) came into contact with the bodily fluids of another person, to apply to a medical officer of health to have the other individual's blood tested.
- Only applies to HIV, Hepatitis B, and Hepatitis C.

M.B.T.A.

- Prescribed Classes
- Persons employed in a correctional institution
- Police Officers
- Firefighters
- Paramedics
- Members of the College of Nurses
- Members of the College of Physicians and Surgeons of Ontario



M.B.T.A.

- A Form 1 (Physician Report) and Form 2 (Applicant Report) must be submitted together to the Medical Officer of Health, no more than 7 days after the date of the exposure
- Applications must be submitted to the Medical Officer of Health in the health unit where the respondent lives

M.B.T.A.

- Once the application has been screened to make sure it meets the requirements of the act, the Medical Officer of Health will attempt to contact the respondent and request that the respondent voluntarily provide a blood sample for testing.
- If the respondent does not provide a blood sample within two days of the Medical Officer of Health receiving the application, or if the respondent cannot be located in time, the application will be referred to the Consent and Capacity Board. The board will hold a hearing to decide whether to issue a mandatory order.

M.B.T.A.

- The hearing must be completed within seven days of receiving an application from a Medical Officer of Health, and a decision made within one day after the hearing ends.
- If a mandatory blood testing order is issued, the respondent has 7 days to comply
- If respondent fails to comply, a fine up to \$5,000 per day can be issued.

Section 21 Committees

- Appointed by Minister of Labour
- Assist or advise Minister on any matter arising out of the Occupational Health and Safety Act; and
- Used to set up guidance notes.

Fire

- All Fire Departments are required to implement the Communicable Disease Protocol for Emergency Workers after consultation with the local Medical Officer of Health.
- The selection of the Designated Officer(s) should be made in consultation with the workplace Joint Health and Safety Committee.

Fire

- Fire Departments should develop Operational Guidelines and/or Policy that outline how firefighters can contact Designated Officer(s) on nights, weekends and holidays



Police

- Policing Standards Manual
- Produced by Province of Ontario Ministry of the Solicitor General and Correctional Service
- Contains section relating to Communicable diseases standards.



Police

- The Chief of Police shall ensure that the police service follows the policy and procedures outlined in “Preventing and Assessing Occupational Exposures to Selected Communicable Diseases - An Information Manual for Designated Officers.”
- Communicable Diseases Standards:
Policing Standards Manual



Paramedic

- Currently have no related Section 21 Guidance note
- Paramedic Service Policy and Procedure Manuals speak to Preventing and Assessing Occupational Exposures
- Designated Officer training was established in the mid 90's through the MOH LTC



Objective

- **Review of the Ontario Public Health Standards (OPHS)**
- **Personal Health Information Protection Act (PHIPA) vs. Health Protection and Promotion Act (HPPA)**

OPHS Exposure of Emergency Service Workers to Infectious Diseases Protocol

- **OPHS – MOHLTC mandatory Protocols and Programs to be provided by boards of Health under the HPPA**
- **Protocols – Minimum expectation for PH programs and service which can enhanced**
- **Standard: Infectious Diseases Prevention and Control:**
- **Infectious Requirement #7: The board of health shall ensure that the medical officer of health or designate is available on a 24/7 basis to receive reports of and respond to infectious diseases of public health importance in accordance with the Health Protection and Promotion Act; the Mandatory Blood Testing Act; the Exposure of Emergency Service Workers to Infectious Diseases Protocol, 2008 (or as current); the Infectious Diseases Protocol, 2008 (or as current); the Institutional/Facility Outbreak Prevention and Control Protocol, 2008 (or as current); and the Public Health Emergency Preparedness Protocol, 2008 (or as current).**

Role of the Health Unit

- **To support DO's and Emergency Service Workers (ESW), the public health unit is required to:**
- **Have an on-call system for receiving and responding to reports of infectious diseases of public health importance 24/7.**
- **Actively seek out contacts of cases with infectious disease of public health importance.**
- **Inform the respective DO that an ESW may have been exposed to an infectious disease of public health importance.**
- **Informing DO's regarding any specific actions to be taken based on information provided.**

Health Protection and Promotion Act

- **The purpose of this Act is to provide for the organization and delivery of public health programs and services, the prevention of the spread of disease and the promotion and protection of the health of the people of Ontario. R.S.O. 1990, c. H.7, s. 2.**
- **Mandatory programs:**
- **Control of infectious diseases and reportable diseases, including provision of immunization services to children and adults.**
- **Health promotion, health protection and disease and injury prevention, including the prevention and control of cardiovascular disease, cancer, AIDS and other diseases.**
- **Health Units are mandated by the Ontario government under the Health Protection and Promotion Act (HPPA) to provide disease prevention, health**

HPPA

- **Public Health (MOH) plays a proactive role in disease surveillance. There are established policies and procedures for reporting cases of diseases of public health importance and notifying contacts under the Health Protection and Promotion Act (HPPA). Once reports are received on reportable diseases of public health importance, Public Health is responsible for case and contact management. Exposures identified by Public Health will be followed up by an Investigator (PHN/PHI).**

Personal Health Information Protection Act

- **Under the Personal Health Information Protection Act , 2004, c. 3 (PHIPA), the Medical Officer of Health (MOH) at each Health Unit is the health information custodians (HIC).**
- **Under PHIPA, HICs are responsible to ensure that personal health information is collected, used, stored and shared in a manner that protects the confidentiality of that information and the privacy of individuals with respect to that information, while facilitating the effective provision of health care. Public Health Units use informed consent and review PHIPA when interacting with residents.**

PHIPA

- **This obligation to protect the privacy of personal health information extends to persons who act as agents of the MOH.**
- **The MOH collects personal health information from clients and other authorized persons to promote and protect health, and to prevent disease.**

PHIPA vs. HPPA

- **Personal health information about a client may also be collected indirectly from third parties such as physicians or hospitals where there is legal authority in PHIPA or other legislation to do so. (HPPA)**
- **The main use of personal health information collected by PH is to deliver public health services and programs, and to plan, deliver and evaluate appropriate health care and services for individual in accordance with the HPPA or other public health legislation. When necessary, personal health information may be shared within PH Units (SH, VPD) to provide care and investigate and manage potential risks to others or to the population at large.**