

## SHOULD I REGISTER MY RESIDENCE?

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## A Message from the Assisted Living Registrar

British Columbia first began to regulate assisted living residences in 2004.

The purpose of this brochure is to help you assess whether you are operating an assisted living residence. Under the *Community Care and Assisted Living Act*, all publicly subsidized and private-pay assisted living operators in British Columbia must register their residences with Office of the Assisted Living Registrar. If your residence meets the definition of an assisted living residence in the Act, you must submit an application to register. Should you have to register your residence, you can download an application form from [www.health.gov.bc.ca/assisted/](http://www.health.gov.bc.ca/assisted/) or contact us. We also encourage you to visit our website for detailed, up-to-date information about the registration process.

We wish to thank the assisted living operators and community, government and health authority representatives who helped us develop the original version of this brochure.



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Assisted Living Registrar

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### Assisted Living: The Requirement for Registration

If your residence meets the definition of an assisted living residence as set out in the *Community Care and Assisted Living Act*, you must register it with the Office of the Assisted Living Registrar. The requirement to register applies equally to private-pay and publicly funded residences.

Once registered, you must meet the provincial Health and Safety Standards in delivering services in your residence and comply with the other requirements of the *Community Care and Assisted Living Act* and regulations, and the Registrar's policies. You must not operate an assisted living residence in B.C. that is not registered.

### Registered Assisted Living Residences in B.C.

The OALR maintains a register of publicly subsidized and private-pay assisted living residences. To see the up-to-date list of registered residences in your community, visit our website:  
[www.health.gov.bc.ca/assisted/locator/index.php](http://www.health.gov.bc.ca/assisted/locator/index.php)

### How Does Registration Work?

You must apply to register each residence you operate that meets the definition of assisted living residence in the *Community Care and Assisted Living Act*. The Registrar will review your application and, as part of the review, may visit your residence.

If your application is approved, you will receive a registration certificate that you must display in your residence.

The Registrar will provide at least 30 days' notice if she intends to decline your application. You then have an opportunity

to provide further information to the Registrar in support of your application.

If, upon reconsideration, the Registrar still declines your application, you can appeal the decision to the Community Care and Assisted Living Appeal Board.

### Length of Registration

Registrations expire on March 31 each year and must be renewed annually.

### When is Registration Required?

Under the *Community Care and Assisted Living Act*, an assisted living residence is defined as:

*a premises or part of a premises in which housing, hospitality, and at least one but not more than two prescribed services are provided by or through the operator to three or more adults who are not related by blood or marriage to the operator.*

- Your residence meets the definition of “assisted living residence” and must be registered if you:
- offer all three components of assisted living: housing, hospitality services, and one or two personal assistance services provided at the prescribed services level;
- provide the three components of assisted living to three or more adults to whom you are not related by blood or marriage; and
- provide the three components of assisted living directly or through contractual arrangements with other service providers — i.e., by or through the operator.<sup>1</sup>

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<sup>1</sup> Supportive housing meets the definition of assisted living and must be registered if you contract with a health authority to provide housing and hospitality services, and the health authority

### **When Is Registration *Not* Required?**

**Registration does *not* apply if residents are unable to make decisions on their own behalf.**

Assisted living is intended for people who are able to select and direct the personal assistance services they need. The *Community Care and Assisted Living Act* requires that operators not house people who are unable to make decisions on their own behalf. Exceptions are made for residents living with a spouse.

However, some residents who are palliative, convalescent or transitional (i.e., awaiting placement in a licensed community care facility) may also be unable to make decisions on their own behalf. When a resident requires 24-hour supervision and continuous professional care or their prescribed service needs exceed what the operator can safely provide, she or he must leave assisted living. Most often, the resident would move to a licensed community care facility. However, in some cases, the person may move to the home of a family member or other setting. Registered assisted living operators may provide professional care to such residents on a short-term basis.

**Registration does *not* apply to supportive housing.**

Supportive housing operators do not need to register their residences, as supportive housing is not regulated by the Assisted Living Registrar. Supportive housing refers to situations where an operator offers only two components of assisted living: housing and hospitality services.

If a supportive housing operator offers personal assistance, he or she may do so only at a support level, not at a prescribed services level — otherwise the operator would have to register the residence. To learn more about the difference between the support and prescribed services levels of personal assistance, see “Personal Assistance Services” on page 8 of this brochure.

Some supportive housing residents may purchase personal assistance independently of the operator or qualify to receive equivalent home support services from their local health authority. If an operator is not offering personal assistance services to all residents as a part of the occupancy agreement, the residence does not need to be registered.

In some cases, where a significant number of supportive housing residents qualify for home support services, a health authority may decide to assign a staff person to be on site some portion of each day to provide home support services to that group of residents (i.e., “cluster care”). This situation does not meet the definition of assisted living because, again, the operator is not offering personal assistance services to all residents as a part of the occupancy agreement.

However, it is considered to be assisted living when a health authority enters into a contractual arrangement with a supportive housing operator to provide housing and hospitality services and the health authority provides personal assistance and manages who is admitted to and leaves the residence. In this case, the operator is viewed as operating an assisted living residence and must register it as assisted living.

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provides personal assistance and case-manages who is admitted to and exits from the residence.

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### Registration does *not* apply to family care homes.

The *Community Care and Assisted Living Act* only applies to residences serving three or more adults to whom the operator is not related by blood or marriage. Operators of family care homes do not need to register their residences if they offer one or two prescribed services to:

- ▶ only one or two adults to whom they are not related; or
- ▶ any number of adults to whom they are related by blood or marriage.

### Registration does *not* apply if residents need ongoing, “hands-on” professional care.

Assisted living provides a non-professional staffing environment. The Assisted Living Registrar has adopted the Ministry of Health Services Personal Assistance Guidelines as a standard for the provision of personal assistance services in assisted living residences. If personal assistance tasks require delegation by a professional under these Guidelines, operators need to engage professional staff (e.g., a registered nurse).

Residents of assisted living are expected to receive professional care in the same way they would if they were living independently in the community. Residents obtain professional services by accessing health authority programs (home care nursing, physiotherapy, dietitian) or purchasing these services from a private agency.

Assisted living residents may from time to time encounter episodes of decreased physical or mental functioning (e.g., while recovering from an injury, an acute illness or complications from a chronic illness).

In such cases operators may provide professional care (“hands-on” or direct services provided by a registered nurse, licensed practical nurse, physiotherapist, occupational therapist or mental health professional) to residents on a short-term basis. Additional short-term professional care may be provided to residents who are receiving palliative care or awaiting transfer to a licensed community care facility.

### Personal Assistance Services

Assisted living is modelled on home support: operators provide the same types of services people would expect to receive from home support workers in their own home in the community. Six personal assistance service areas are set out as **prescribed services** in the Community Care and Assisted Living Act Regulation:

- ▶ **activities of daily living;**
- ▶ central storage of medication, distribution of **medication**, administering medication or monitoring the taking of medication;
- ▶ maintenance or management of resident **cash resources** or property;
- ▶ monitoring of food intake or **therapeutic diets;**
- ▶ **structured behavioural program;** and
- ▶ **intensive physical rehabilitation or psychosocial rehabilitation.**

You may wish to provide only scheduled personal assistance, e.g., bathing. Other assisted living residences may choose also to accommodate residents’ unscheduled personal assistance needs, e.g., toileting at night.

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In each personal assistance service area, you can choose to deliver services at either a less intensive **support level** or a more intensive **prescribed services level**. A service is at the prescribed level if it is provided daily to weekly on a regular and continuous basis: e.g., assistance with bathing once a week, nightly toileting or central storage of medications. Services at the support level do not trigger the requirement for registration: e.g., drawing a bath or handing a resident soap or shampoo.

An assisted living residence can provide any number of personal assistance services at the support services level. However, the *Community Care and Assisted Living Act* limits residences to providing one or two personal assistance services at the prescribed services level.

### Am I Providing Prescribed Services?

The *Personal Assistance Services Self-Assessment Worksheet* describes the services that are classified as support versus those that are prescribed. You can download the worksheet from our website or contact us to obtain a copy:

[www.health.gov.bc.ca/assisted/pdf/worksheets.pdf](http://www.health.gov.bc.ca/assisted/pdf/worksheets.pdf).

You can use the worksheet to record whether your residence is offering personal assistance services at a support services level, the prescribed services level or not at all.

### Housing Services

Building standards for assisted living are not specifically defined in regulation or policies. However, provincial Health and Safety Standards for assisted living residences require operators to ensure that their residences conform to the BC Building Code and all other applicable legislation, regulation, bylaws and codes.

An assisted living residence may be built to a Group C (residential) or Group B (care or detention) occupancy under the BC Building Code. Local building inspectors will specify code requirements based on the occupancy classification of the residence. Building design must address the housing needs of the target resident population (e.g., be wheelchair-accessible if you choose to house people in wheelchairs).

### Hospitality Services

By law, an assisted living residence must provide five hospitality services: meals, housekeeping, laundry, recreational opportunities and a 24-hour emergency response. Some operators may also provide additional hospitality services, such as escorts to doctor's appointments.

### A Note For Developers

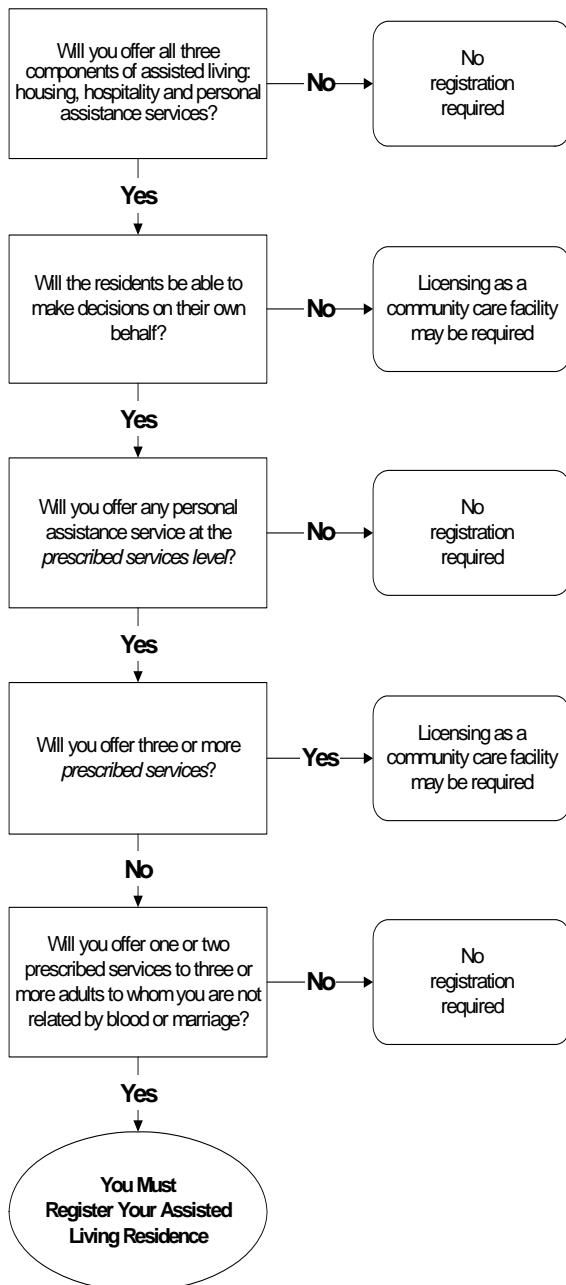
The Office of the Assisted Living Registrar does not have a role in deciding the need for new assisted living developments or where they will be located, or in allotting publicly subsidized assisted living units.

For more information on developing a property, converting an existing building or buying an existing assisted living register, please consult our website: [www.health.gov.bc.ca/assisted/ops\\_devs/developing.html](http://www.health.gov.bc.ca/assisted/ops_devs/developing.html)

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### Your Registration Decision Chart

The following decision chart will help you determine if you must register your residence. You can use it along with the *Personal Assistance Services Self-Assessment Worksheet*. Download the worksheet or contact us to obtain a copy: [www.health.gov.bc.ca/assisted/pdf/worksheet.pdf](http://www.health.gov.bc.ca/assisted/pdf/worksheet.pdf).



### Steps to Registration

If your residence, or a part of it, meets the definition of an assisted living residence in the *Community Care and Assisted Living Act*, you must register the residence before opening and beginning to operate. The registration process is set out below — you can also consult the Office of the Assisted Living Registrar’s website for more information about the registration process:

[www.health.gov.bc.ca/assisted/ops\\_devs/registering.html](http://www.health.gov.bc.ca/assisted/ops_devs/registering.html)

#### Step 1 – Get the application form and package

The Application for Registration Form must be completed and submitted **at least two months before opening your residence**.

You can download the form and package from our website:

[www.health.gov.bc.ca/assisted/ops\\_devs/registering.html](http://www.health.gov.bc.ca/assisted/ops_devs/registering.html)

You can also obtain the application package directly from our office:

Office of the Assisted Living Registrar  
#300-1275 West 6th Avenue  
Vancouver B.C. V6H 1A6

Toll-free: 1-866-714-3378

Phone: 604-714-3378

Fax: 604-733-5996

Email: [info@alregistrar.bc.ca](mailto:info@alregistrar.bc.ca)

#### Step 2 – Complete the self-assessment worksheet

The *Personal Assistance Services Self-Assessment Worksheet* helps operators assess the extent to which they are providing personal assistance in any of the six service areas and, if so, whether the services are at a level that triggers the registration requirement. The worksheet

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must be completed and submitted to the OALR along with the application form. Download the worksheet or contact us to obtain a copy:  
[www.health.gov.bc.ca/assisted/pdf/worksheets.pdf](http://www.health.gov.bc.ca/assisted/pdf/worksheets.pdf)

### Step 3 – Complete the application form

If you have questions about completing the application form or the *Personal Assistance Services Self-Assessment Worksheet*, please contact us.

### Step 4 – Compile supporting documents and required information

#### Supporting Documents

In addition to the completed application form, you must also provide copies of the following documents:

- the residence's business licence. If the local government does not require an operator of an assisted living residence to have a business licence — e.g., some municipalities do not require non-profit societies to have a business licence — the local government must confirm this by email or fax directly with the OALR.
- a Food Premises Permit (if the residence provides meals to seven or more residents).
- the FoodSafe certificate of the owner and each person involved in the preparation or serving of meals (if the residence provides meals to six or fewer residents).
- applicable environmental health permits or approvals for any spas and pools, personal service establishments, sewerage systems and water supply systems.

- change-of-use permit for change of use, conversion, renovation (if applicable) of an existing building.
- occupancy permit for new construction.
- registration certificates for registered nurses involved in delegation to unregulated care providers.
- licences of licensed practical nurses involved in professional oversight of home support workers.

#### Required Information

You must also provide the following information:

- particulars of any previous experience of the site manager and owner with licensed community care facilities, assisted living residences or supportive housing.
- the nature of the background checks conducted on staff, contractors and volunteers: e.g., criminal record checks, reference checks, etc.
- written confirmation from a registered dietitian or food service supervisor/diet technician that the applicant meets the Health and Safety Standards related to the meal service.
- the number of stories of the residence.
- whether residents' medications are being centrally stored, and if so, a letter from a pharmacist indicating s/he has reviewed the applicant's medication storage and distribution policies.
- a sample Personal Services Plan.

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- a letter from the local fire department indicating it has reviewed the residence's fire plan.
- a sample delegation of task, if a registered nurse is engaged in delegation to support workers.
- the residence's complaint resolution policy.
- the information the operator will provide to residents about the residence's complaints process, which must include how to contact Office of the Assisted Living Registrar.

### Step 5 – Enclose cheque(s) for the required fees

Enclose separate cheques for the non-refundable application fee (\$250) and the registration fee (\$12.50 or \$6.25 per unit). For more information on the fees, see "Application and Registration Fees" below.

### Step 6 – Submit the application form, supporting documents, required information and fees

Submit the application form *Personal Assistance Services Self-Assessment Worksheet*, supporting documents and required information, along with cheques for required fees, to:

Office of the Assisted Living Registrar  
#300-1275 West 6th Avenue  
Vancouver B.C. V6H 1A6

## Application and Registration Fees

### Application Fee

A one-time non-refundable application fee of \$250 must be included with the completed application form.

### Registration Fee

A registration fee of \$12.50 or \$6.25 per unit must be paid when the application is approved, and annually after that. To expedite processing of the registration, applicants should send a separate cheque for the registration fee along with the application.

Registration fees are prorated semi-annually. The registration year runs April 1 – March 31.

- For residences that begin operation between April 1 and September 30, the fee is \$12.50 per unit.
- For residences that begin operation between October 1 and March 31, the fee is prorated to \$6.25 per unit.

### Registrant Handbook

The *Registrant Handbook* sets out assisted living operators' obligations under the *Community Care and Assisted Living Act*, the Assisted Living Regulation and the Community Care and Assisted Living Regulation, the provincial Health and Safety Standards, and Office of the Assisted Living Registrar's policies and procedures. The OALR issues a complimentary copy of the handbook to the residence site manager after receiving the application for registration and the application fee.

The handbook is also available for purchase from the OALR — contact us for more information.