

## Changes under the *Health Protection and Promotion Act* – Ontario Regulation 136/18 - *Personal Service Settings*

To operators of personal service settings (PSS),

The Ontario government recently introduced a new regulation under the *Health Protection and Promotion Act* (HPPA) – the Personal Service Settings Regulation (Regulation). The Regulation includes requirements for:

- Notice of intention to operate, provide additional services, and construct or renovate (that is not routine maintenance);
- Results of inspections to be posted;
- Obtaining information (name and contact information) from PSS clients and providing information to PSS clients;
- Prohibition of ear candling/coning and any services involving aquatic species including fish pedicures (note that the Act also prohibits the implantation of eye jewellery under the conjunctiva and scleral tattooing);
- Settings (for example, lighting and ventilation, potable hot and cold running water);
- Animals;
- Equipment (for example, maintaining equipment in good repair and in a sanitary condition);
- Products (for example, storage and dispensing in a manner that prevents contamination);
- Employee hygiene;
- Operator training; and requirements for record-keeping.

### **What this means for you**

As of July 1, 2018, all PSS operators must be in compliance with the requirements set out in the Regulation.

A copy of the complete requirements of the Regulation can be found here:

Personal Service Setting Regulation:

<https://www.ontario.ca/laws/regulation/180136>

If a PSS operator or staff are found to be non-compliant with requirements of the Regulation, it may result in a conviction and/or fines (including tickets being issued) under the *Provincial Offences Act*.

### **Important provisions to note:**

#### **Notification to Medical Officers of Health**

You must provide written notice to your local Medical Officer of Health at least 14 days before beginning operations if you are:

- Intending to operate a new PSS
- Expanding the services offered at your PSS
- Reconstructing or renovating your existing PSS (beyond routine maintenance)

If your PSS is in operation before July 1, 2018, you will have **60 days** to provide written notice to your local Medical Officer of Health of the name, location, contact information and list of services provided by your PSS).

#### **Prohibited Services**

It is prohibited to sell, offer to sell, or provide at a PSS:

- Ear candling or coning; and
- Any personal service involving live aquatic species (e.g. fish pedicures)

Note that the Act also prohibits scleral tattooing or implantation of eye jewelry under the conjunctiva.

## Setting Requirements

The Regulation contains setting requirements for all PSS. A PSS that is operating before July 1, 2018, will have **one year** to comply with the setting requirements concerning:

- Floors/walls/ceilings/fixtures/furniture; lighting and ventilation; work surfaces; adequate storage; hand washing sinks; and reusable equipment sinks.

If you have any questions, please contact your local public health unit:

<http://www.alphaweb.org/?page=PHU>

