

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>

