

The Housing and Special-care Homes Care and Rates Regulations

Repealed

by chapter H-13 Reg 2 (effective October 1, 2000).

Formerly

Saskatchewan Regulations 132/81 (effective July 1, 1981)
as amended by Saskatchewan Regulations 147/82,
173/83, 106/84, 36/86, 23/87 and 101/92.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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SASKATCHEWAN REGULATION 132/81
under *The Housing and Special-care Homes Act*

Title

1 These regulations may be cited as *The Housing and Special-care Homes Care and Rates Regulations*.

Interpretation

2 In these regulations:

- (a) **“Act”** means *The Housing and Special-care Homes Act*,
- (b) **“care”** means care given to needy, aged, infirm or blind persons;
- (b.1) **“dependant”** means a spouse, a child of the resident who is financially supported by the resident and the resident’s spouse, or a dependent adult as defined in *The Dependent Adults Act*, who is financially supported by the resident and the resident’s spouse;
- (c) **Repealed.** 16 Oct 92 SR 101/92 s3.
- (c.1) **“home”** means a special-care home;
- (d) **“intensive personal care”** means assistance with personal hygiene, dressing and grooming of non-ambulatory guests and includes similar assistance;
- (e) **“limited nursing care”** includes care beyond the giving of personal care services which an operator undertakes to provide to guests who may be ambulant, semi-ambulant or non-ambulant, including bathing, enemas, minor treatments, administering medications, feeding, bed-positioning, ambulation and other simple activating procedures;
- (f) **“limited personal care”** means assistance with personal hygiene, dressing and grooming of ambulatory guests and includes similar assistance;
- (g) **“long-term care”** means care which, because of injury, illness or other disability, is required over a prolonged period and wherein all patient care is carried out under continuing medical supervision and all nursing care is carried out under continuing nursing supervision;
- (g.1) **“maximum resident charge”** means \$937 up to but not including February 1, 1993 and on and after that date the amount calculated in accordance with section 4 of these regulations;
- (g.2) **“minimum income”** means the total of the maximum payments of Old Age Security Pension and Guaranteed Income Supplement paid by Canada and the Saskatchewan Income Plan Allowance paid by Saskatchewan to a single person residing in a home;
- (g.3) **“minimum resident charge”** means \$726 up to but not including February 1, 1993 and on and after that date the amount calculated in accordance with section 5 of these regulations;

- (g.4) **“monthly income”** means one-twelfth of a resident’s income;
- (g.5) **“monthly resident charge”** means the amount an operator shall charge a resident for residence in a home per month calculated in accordance with section 3;
- (h) **“nursing care”** means limited nursing care or long-term care;
- (i) **“operator”** means an operator as defined in *The Housing and Special-care Home Regulations*, being Saskatchewan Regulations 34/66;
- (j) **“personal care”** means care which an operator undertakes to provide to guests beyond the giving of supervisory care but of a lesser degree than nursing care, and may include limited personal care or intensive personal care;
- (j.1) **“resident”** means a person who lives in a home for the purpose of receiving care;
- (j.2) **“respite care”** means temporary care, not exceeding 60 days in any six month period, provided in a home to a resident who does not normally reside in a home;
- (j.3) **“spouse”** means the spouse of a resident and includes a common law spouse if they have lived together for at least one year;
- (k) **“supervisory care”** means the provision of guidance or supervision in connection with the activities of daily living of a guest;
- (l) **Repealed.** 16 Oct 92 SR 101/92 s3.
- (l.1) **“resident’s income”** means the income of a resident as determined in accordance with section 2.1.

26 Jne 81 SR 132/81 s2; 16 Oct 92 SR 101/92 s3.

Income

2.1(1) Subject to subsections (2) and (3), a resident’s income is the sum of the annual reported income of the resident and of the resident’s spouse, divided by the total number of dependants of the resident and of the resident’s spouse, and includes moneys from any source whatsoever including employment, business, investments and real or personal property, but does not include:

- (a) Veteran’s Disability and dependants’ pension payments;
- (b) War Veterans Allowance;
- (c) Goods and Services Tax Credit;
- (d) Municipal Tax Rebates;
- (e) support or gifts from relatives;
- (f) Senior Citizen’s Heritage Grants;
- (g) Child Tax Credit;
- (h) lottery winnings;
- (i) inheritances.

(2) Subject to subsection (3), where the resident is under 18 years of age, the resident's income is the sum of the annual reported income of the resident's parents or guardians, divided by the total number of dependants of the parents or guardians, and includes moneys from any source whatsoever including employment, business, investments and real or personal property, but does not include any of the items set out in clauses 2.1(1)(a) to (i).

(3) When calculating income the following amounts may be deducted:

- (a) Registered Pension Plan contributions;
- (b) Registered Retirement Savings Plan contributions;
- (c) Saskatchewan Pension Plan contributions;
- (d) annual union, professional or like dues;
- (e) child care expenses as allowed under the *Income Tax Act* (Canada);
- (f) carrying charges as allowed under the *Income Tax Act* (Canada);
- (g) Social Benefits repayments.

16 Oct 92 SR 101/92 s4.

Resident charge

3(1) Special-care homes shall charge residents on a monthly basis and shall charge:

- (a) in the case of residents who are entitled to receive payment of financial assistance from programs administered by the Department of Indian Affairs and Northern Development or Indian Bands with respect to limited personal care, intensive personal care or limited nursing care services, the full cost of providing services, taking into consideration reasonable costs determined according to generally accepted accounting principles and based on a budget submitted by the Special-care home to the minister for his approval and approved by him;
- (b) in the case of residents receiving supervisory care, the full cost of providing these services taking into consideration reasonable costs determined according to generally accepted accounting principles;
- (c) subject to clause (a), in the case of residents requiring and receiving limited personal care, intensive personal care, limited nursing care, or long-term care, the monthly resident charge as determined by the minister in accordance with subsections (2) to (5).

(2) Subject to subsections (3) and (4), a resident's monthly resident charge shall be calculated by using the following formula:

$$RC = MINRC + (50\% \times RI)$$

where:

RC is the resident's monthly resident charge;

MINRC is the minimum resident charge; and

RI is the amount of the resident's monthly income that is greater than minimum income, as rounded to the nearest dollar.

- (3) A resident shall pay not less than the minimum resident charge and not more than the maximum resident charge.
- (4) If the minimum resident charge is increased as a result of a calculation made pursuant to section 5, the resident's monthly resident charge shall be recalculated using the new minimum resident charge.
- (5) The resident's monthly resident charge as recalculated in accordance with subsection (2) pursuant to subsection (4) shall apply on the first day of the month following the month in which the recalculation was made or ought to have been made.

26 Jne 81 SR 132/81 s3; 26 Nov 82 SR 147/82
s2; 28 Oct 83 SR 173/83 s2; 31 Aug 84 SR 106/
84 s2; 25 Apr 86 SR 36/86 s2; 1 May 87 SR 23/
87 s2; 16 Oct 92 SR 101/92 s5.

Maximum resident charge

- 4(1) On and after February 1, 1993, the maximum resident charge is equal to the amount calculated according to the following formula:

$$\text{MAXRC} = \$937 + (\$937 \times C)$$

where:

MAXRC is the maximum resident charge; and

C is equal to the change, effective January 1, 1993 and every three months after that date, in the total of the maximum payments of the Old Age Security Pension, the Guaranteed Income Supplement and the Saskatchewan Income Plan, as calculated and expressed as a percentage.

- (2) If, on or after February 1, 1993, the total of the maximum payments of the Old Age Security Pension, the Guaranteed Income Supplement or the Saskatchewan Income Plan increases, the maximum resident charge shall be calculated in accordance with the following formula:

$$\text{MAXRC} = \text{OMAXRC} + (\text{OMAXRC} \times C)$$

where:

MAXRC is the maximum resident charge;

OMAXRC is the maximum resident charge in existence when the Old Age Security Pension, the Guaranteed Income Supplement or Saskatchewan Income Plan increased; and

C is the change in the total of the maximum payments of the Old Age Security Pension, the Guaranteed Income Supplement and Saskatchewan Income Plan resulting from the increase, as calculated and expressed as a percentage.

- (3) For the purposes of this section, all changes in the maximum resident charge shall be rounded to the nearest dollar.
- (4) If there is a change to the maximum resident charges as a result of a calculation made pursuant to subsection (2), the new maximum resident charge is effective on the first day of the month following the month in which the change in the total of the maximum payments of the Old Age Security Pension, the Guaranteed Income Supplement and Saskatchewan Income Plan occurred.

16 Oct 92 SR 101/92 s6.

Minimum resident charge

5(1) On and after February 1, 1993, the minimum resident charge is equal to the amount calculated according to the following formula:

$$\text{MINRC} = \$726 + (\$726 \times C)$$

where:

MINRC is the minimum resident charge; and

C is equal to the change, effective January 1, 1993 and every three months after that date, in the total of the maximum payments of the Old Age Security Pension, the Guaranteed Income Supplement and the Saskatchewan Income Plan, as calculated and expressed as a percentage.

(2) If, on or after February 1, 1993, the total of the maximum payments of the Old Age Security Pension, the Guaranteed Income Supplement or the Saskatchewan Income Plan increases, the minimum resident charge shall be calculated in accordance with the following formula:

$$\text{MINRC} = \text{OMINRC} + (\text{OMINRC} \times C)$$

where:

MINRC is the minimum resident charge;

OMINRC is the minimum resident charge in existence when the Old Age Security Pension, The Guaranteed Income Supplement or Saskatchewan Income Plan increased; and

C is the change in the total of the maximum payments of the Old Age Security Pension, the Guaranteed Income Supplement and Saskatchewan Income Plan resulting from the increase, as calculated and expressed as a percentage.

(3) For the purposes of this section, all changes in the minimum resident charge shall be rounded to the nearest dollar.

(4) If there is a change to the minimum resident charges as a result of a calculation made pursuant to subsection (2), the new minimum resident charge is effective on the first day of the month following the month in which the change in the total of the maximum payments of the Old Age Security Pension, the Guaranteed Income Supplement or Saskatchewan Income Plan occurred.

16 Oct 92 SR 101/92 s6.

Respite care charge

6(1) The respite care charge that an operator shall charge a resident receiving respite care shall equal the amount obtained by:

(a) dividing the minimum resident charge by the total number of days in the month the resident received respite care; and

(b) multiplying the number obtained in clause (a) by the number of days the resident resided in the home and received respite care.

(2) Where respite care is received in different months, the calculation in subsection (1) shall be made for each month.

16 Oct 92 SR 101/92 s6.

Information

7(1) Every resident shall provide to the minister any necessary information which the minister may require for the purpose of calculating the resident's monthly resident charge.

(2) Any resident who fails to provide the minister with the necessary information referred to in subsection (1) shall be charged the maximum resident charge.

16 Oct 92 SR 101/92 s6.