



ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Lesser Slave Lake*

AR88197

Re: Application of Safety Codes for Residences under the Persons with Developmental Disabilities (PDD) Program

To Whom It May Concern:

Earlier this year, in response to concerns raised by the PDD community and stakeholders about the PDD Safety Standards Regulation, an eight-member external consultation team comprised of disability and broader community representatives led the development and implementation of a consultation on how to support the safety and inclusion of persons with developmental disabilities. The consultation took place from February to July of this year, and heard from over 2,000 individuals, family members, service providers, and advocates for persons with developmental disabilities about what safety and inclusion mean for them.

During this consultation, our government repealed the PDD Safety Standards Regulation. As a result, Municipal Affairs placed a pause-period on inspections of accommodations of individuals receiving services from the PDD program. Municipal Affairs also issued a temporary exemption of their residences from care standards under the *Safety Codes Act* until December 30, 2016. The exemption also applied to the August 2015 Approved Guideline (STANDATA) for residences of adults with developmental disabilities. The pause-period on inspections and temporary exemption allowed for the continued work of the consultation team and government on the appropriate assessment of these accommodations in place of the repealed regulation.

On October 26, 2016, Human Services released the PDD Safety Standards Consultation Team's final report, "Supporting Safe and Inclusive Lives." This report is guiding the Government of Alberta's actions to enable Albertans with developmental disabilities to live safely, inclusively, and with dignity at home and in their communities.

The PDD Safety Standards Consultation Team recommended principles that reflect a respectful, inclusive approach to the interpretation and application of safety codes. This includes that the starting point of any safety code assessment of housing where adults with developmental disabilities live will be from a residential standard, regardless of how services are funded, as is the case with any other home.

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With these principles in mind, the August 2015 STANDATA is withdrawn and no longer in force or effect. Through a Ministerial Exemption Order, the Exemption Regulation under the *Safety Codes Act* has been amended effective December 30, 2016, to ensure that a residential standard is applied to the homes of adults with developmental disabilities. Municipal Affairs is, therefore, advising that no further inspections should take place in these homes unless there is a request, an incident, or complaint, as with any other home.

The Ministerial Exemption Order continues to support safety for persons receiving PDD services in their homes. The building and fire code safety requirements that normally apply to residences will continue to apply to homes where individuals with developmental disabilities live. For example, smoke alarms will be required, as is the case in all homes.

The Ministerial Exemption Order does not apply to PDD services or other buildings that fall under the *Supportive Living Accommodation Licensing Act*. The Ministerial Exemption Order also does not apply to homes where the person is detained as part of a service plan for their own protection or public safety. In these cases, the risk to life safety is unacceptable, and the building and fire codes apply in full, including sprinklers. PDD service providers under Human Services will continue to assess and identify detention situations to the municipality or authority responsible to enforce the *Safety Codes Act*. Detention situations make up a very small percentage of these accommodations and can be managed on a case-by-case basis with Municipal Affairs and Health.

Our government recognizes that it will take collective action to support safety and inclusion. This includes Human Services, Municipal Affairs, Health, and Advanced Education. Most importantly, it means listening to and working with Albertans who are receiving supports and services from the PDD program and their family members or guardians.

We know that nobody knows about these issues facing persons with developmental disabilities better than those who face them every day. That's why we are pleased to have the opportunity to move forward with solutions proposed by the disability community. We want to build on the goodwill and spirit of collaboration from the PDD Safety Standards public consultation this past year. We will continue to pursue open, meaningful communication between our government and the disability community that will build trust as we work to support the safety and inclusion of Albertans with disabilities.

Our government recognizes the importance of the home and wants to support individuals to live safe inclusive lives in their communities. With these principles in mind, we will work with municipalities and the community to ensure the health and safety of Albertans.

For additional guidance on this Ministerial Exemption Order, please contact Alberta Municipal Affairs at 1-866-421-6929.

Sincerely,



Hon. Danielle Larivee
Minister of Municipal Affairs



Hon. Irfan Sabir
Minister of Human Services

