

Legislative
Assembly
of Ontario



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1ST SESSION, 44TH LEGISLATURE, ONTARIO
4 CHARLES III, 2025

Bill 84

An Act to amend the Mandatory Blood Testing Act, 2006

Ms L. Smith

Private Member's Bill

1st Reading December 1, 2025

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

Currently, the *Mandatory Blood Testing Act, 2006* allows a person to apply to a medical officer of health to have the blood of another person analysed. A new section 2.1 provides that if an application is made and the other person subsequently dies, the application shall be dealt with in accordance with such modifications to the Act as are set out in the regulations. New section 2.2 allows a person to make an application in respect of a person who is deceased at the time of the application. The Minister is authorized to make regulations respecting how such an application must be dealt with.

An Act to amend the Mandatory Blood Testing Act, 2006

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 The *Mandatory Blood Testing Act, 2006* is amended by adding the following sections:

Death of respondent

2.1 If an application is made under section 2 and the respondent dies after the application is made but before the application is dealt with under the Act, the application shall continue in accordance with sections 3 to 6, as may be modified by the regulations, and such other rules as may be prescribed.

Application re deceased person

2.2 A person may make an application under section 2 in respect of a person who is deceased at the time of the application and if such an application is made, sections 3 to 6 do not apply and instead the application shall be dealt with in accordance with the regulations.

2 (1) Subsection 7 (1) of the Act is amended by striking out “under section 3 or an order of the Board under section 5” and substituting “under this Act or an order of the Board under this Act”.

(2) Subsection 7 (2) of the Act is amended by striking out “under section 3 or pursuant to an order of the Board under section 5” in the portion before clause (a) and substituting “under this Act or pursuant to an order of the Board under this Act”.

3 Section 8 of the Act is amended by striking out “under section 3 or an order of the Board under section 5” and substituting “under this Act or an order of the Board under this Act”.

4 Subsection 11 (1) of the Act is amended by adding the following clauses:

- (m) governing circumstances where a respondent dies after an application is made under section 2, including, specifying such modifications to sections 3 to 6, and specifying such other rules, as are necessary or desirable to ensure the continuation of the application after the respondent’s death;
- (n) governing applications under section 2 in circumstances where the respondent is deceased at the time the application is made, including,
 - (i) specifying the steps that a medical officer of health is required to take after receiving an application,
 - (ii) specifying the steps that the Board is required to take after receiving a referral from a medical officer, including prescribing rules governing hearings and decisions by the Board,
 - (iii) specifying matters related to applications to a judge of the Superior Court and orders that the judge may make, and
 - (iv) prescribing or governing anything mentioned in clauses (f) to (k) in respect of the application.

Commencement

5 This Act comes into force on a day to be named by order of the Lieutenant Governor in Council.

Short title

6 The short title of this Act is the *Mandatory Blood Testing Amendment Act, 2025*.