

Fact Sheet for Hospital Staff: OHIP Registration for Newborns of Uninsured Parents/Custodians

Purpose: This fact sheet describes the legal OHIP eligibility criteria for babies born in Ontario whose parent(s)/custodian(s) do not have OHIP. It has been developed as a guide for hospital staff who are responsible for issuing the *Ontario Health Coverage Infant Registration* form.

Overview: Babies born in Canada are citizens by birth. While a parent/custodian may not have OHIP for several reasons (e.g. new permanent resident in three-month wait period, no legal status, denied refugee claimant, overstayed visa, lost identification), their lack of health insurance does not affect a baby's eligibility for OHIP.

Babies born in Ontario qualify for OHIP at birth (using the *Ontario Health Coverage Infant Registration* form provided by hospitals) if their parent/custodian primarily lives in Ontario, regardless of their parent's immigration status. A baby can get a health card even if their parent/custodian does not have one.

Issuing the Ontario Health Coverage Infant Registration form: When a baby is born, it is **the responsibility of hospital staff** to give the *Ontario Health Coverage Infant Registration* form to the baby's parent/custodian. It is then **the parent/custodian's responsibility** to correctly complete the form. The form will ask the parent/custodian if the baby meets the three following eligibility criteria. As per the 2017 Infant Registration Program Manual, the hospital staff's job is to register information as provided by the child's parents/custodians without asking for corroborating evidence.

Newborns are eligible for OHIP if they meet the following three conditions*:

- 1. They are born in Ontario**
- 2. They will be living in Ontario for 153 days in a 12-month period**
- 3. Ontario is the primary place of residence of one parent/custodian**

The **primary place of residence** is defined in the law as the place where "a person has the greatest connection in terms of present and anticipated future living arrangements, the activities of daily living, family connections, financial connections and social connections."

* According to Ontario's *Health Insurance Act*

A parent/custodian does **not** need to have permanent resident immigration status in Canada for their baby to be eligible for OHIP, instead they need to **live primarily** in Ontario.

If necessary, use language interpretation services to ensure the parent/custodian understands the form.

Why is this important? Receiving a health card at birth is crucial for protecting the health of our youngest citizens. Not providing OHIP to eligible babies in a timely way can lead to delayed care, high costs for families and potentially adverse health outcomes for these children.

This resource was developed by the Health Network for Uninsured Clients & reviewed by Willowdale Community Legal Services. Updated March 2020.

Frequently Asked Questions

Can a newborn get an OHIP card if their parent/custodian does not have one?

Yes, a baby can get an OHIP card even if their parent/custodian does not have one. A baby's OHIP eligibility **does not** depend on their parent/custodian's eligibility.

Can a newborn get an OHIP card if their parent/custodian does not have legal status in Canada? Or if their parent/custodian has a visitor or student visa?

Yes, the legal status of a parent/custodian does not have any bearing on whether their newborn will qualify for OHIP.

As long as the newborn meets the following criteria, they qualify for OHIP. This includes:

1. newborn is born in Ontario,
2. they will be living in Ontario for 153 days in the following year, and
3. Ontario is the primary place of residence of one parent/custodian

Does “primary place of residence” mean the same thing as “permanent resident”?

No, primary place of residence and permanent resident are **not** the same. A parent/custodian does **not** need to have permanent resident status in Canada for their baby to be eligible for OHIP, instead they need to **primarily live** in Ontario.

For OHIP, a parent/custodian's **primary place of residence** is defined as “the place with which a person has the greatest connection in terms of present and anticipated future living arrangements, the activities of daily living, family connections, financial connections and social connections.” A **permanent resident** is someone who has been given **permanent resident status** by the Canadian government. For a newborn to qualify for OHIP, a parent/custodian must **primarily live** in Ontario.

An example of what to say when issuing the *Ontario Health Coverage Infant Registration form*:

I'm here to speak with you about your baby's health care coverage. Babies who are born in Ontario to a parent/custodian(s), who is a resident of Ontario and who will be staying in the province for 153 days in the following year qualify to receive OHIP. To be a resident means you are making Ontario home. For example: you live here, have a job here, have bank accounts here, have family or community ties here. It is your responsibility to ensure that all three of these things are true. Is this the case for you and your baby (review three conditions as needed)? If it is, please complete and sign this form. If you do not live in Ontario, or you will not be staying in Ontario for 153 of the next 365 days, then your baby does not qualify for OHIP. If you are not certain if your baby qualifies for OHIP under these three conditions, it is best for you to obtain legal advice (provide family with contact information for Legal Aid Ontario who can assist them to find a free community legal clinic closest to them: 1-800-668-8258).