

St. Stephen's
Community House

November 16, 2016

Honourable Monte McNaughton, Chair
Standing Committee on the Legislative Assembly
Ontario Legislature
c/o Trevor Day, Clerk of the Committee
By email: tday@ola.org

Re: Bill 41, *Patients First Act, 2016*

Hello, Mr. Chair and Members of the Committee,

I am Bill Sinclair, the Executive Director of St. Stephen's Community House and I am speaking today on behalf of The Neighbourhood Group and St. Stephen's Community House, two organizations providing community support services and mental health and addiction services directly to the public in downtown Toronto.

We are both community based, multi-service agencies that work in partnership with all three levels of government, United Way and the community to deliver a wide range of programs and services to vulnerable individuals and families. The Neighbourhood Group has existed for 105 years, and St. Stephen's for 52 years. Many of the community health services that are referenced in the Patients First Act are not only delivered by our organizations but were originally created and promoted by our organizations and others like us long before there was government funding to help vulnerable seniors and people living with disabilities. We are full partners in creating healthier communities.

As a result of our key role in community health, we are deeply concerned about **section 21** of the proposed Bill 41 - Patients First Act, 2016. Specifically, we believe this section of the Act as currently constructed is inappropriate and unethical by providing unrestricted powers to the LHIN to appoint a Supervisor that would replace the legal rights and responsibilities of the duly elected community Board of Directors of our organizations.

At St. Stephen's Community House, funding from the LHIN accounts for approximately 17% of its total annual revenue, yet this proposed legislation would allow for a LHIN-appointed supervisor to remove our Board of Directors and take full control over 100% of our revenue and assets. This is contrary to our status as a non-profit corporation under Provincial legislation or as a charity under Federal legislation. It would also be a major concern for our other funding partners such as other levels of government and United Way and could place our organization in default with these partners.

Further, from a very practical, community and client perspective, it is almost certain a LHIN-appointed Supervisor would also be unqualified to operate our non-LHIN-funded services – our licensed child care centres, Ontario Ministry of Advanced Education and Skills Development (MAESD)-funded employment services, Ontario Ministry of Children and Youth Services (MCYS)-funded youth justice services, our Federal Immigration, Refugees and Citizenship Canada (IRCC)-funded settlement services, and more.

The Ministry of Health and Long-Term Care's October 6, 2016 press release states that Bill 41 proposes to "increase access to care with better coordination and continuity." The Neighbourhood Group and St. Stephen's Community House strongly support these objectives, but we strongly maintain that in achieving these goals, this legislation is flawed and needs to be amended before 3rd reading to take into account specific changes to section 21 which currently threatens the future programs and services and the legal and charitable rights of our organizations.

We feel that Section 21 should be changed to only apply to the appointment of “Program Supervisors” – supervisors appointed to direct a LHIN-funded program where the LHIN can find no other solution to resolve a compliance issue. However, as previously mentioned, it is completely wrong for the LHIN to appoint an “Organization Supervisor” to replace a community elected Board of Directors for a multi-service and multi-funded organization.

Further, we recommend the following specific changes:

- Section 21.2 of Bill 41 must define more specifically, through guidelines or regulations, the conditions under which it would be in “the public interest” for a LHIN to appoint a Program Supervisor of a health service provider.
- Section 21.2 must include the requirement for Ministerial and Cabinet approval before the LHIN may appoint a Program Supervisor.
- Section 21.2 must include a mechanism for a community-governed nonprofit (“health service provider”) to request a review or to appeal the appointment of a Program Supervisor.
- Section 21.2 must define more specifically, through guidelines or regulations, the conditions under which, and the extent to which, a Program Supervisor may be empowered by the LHIN to direct or govern the health services of a service provider that has multiple funding sources. For instance, Bill 41 must specify that the LHIN-appointed “supervisor” is empowered to direct only those resources and programs that are LHIN-funded.

We also support specific changes to the act that would ensure that LHIN-funded programming is only directed within the non-profit sector and not to for-profit providers.

We encourage the Standing Committee to recognize the critical and on-going role played by Ontario’s nonprofit and charitable sector and ensure that legislation creates a supportive environment for nonprofits and charities to serve our communities.

Thank you for this opportunity to present to the committee.

Bill Sinclair
Executive Director
St. Stephen's Community House