

Commissariat aux
services en français
de l'Ontario



Office of the
French Language Services
Commissioner of Ontario

800, rue Bay, bureau 402
Toronto (Ontario) M5S 3A9

☎ 1 866 246-5262 / 416 847-1515
☎ 416 847-1520
ATS 416 640-0093
@ flsc-csf@csfontario.ca
🌐 csfontario.ca

800 Bay Street, Suite 402
Toronto (Ontario) M5S 3A9

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@ flsc-csf@flscontario.ca
🌐 flscontario.ca

Bill 74, *The People's Health Care Act*, 2019

Speaking Notes

François Boileau

French Language Services Commissioner

Toronto

April 1, 2019



Bill 74, *The People's Health Care Act, 2019 (PHCA)*, if adopted, will impact how health services are planned, coordinated, funded and provided and will have major implications for French-language health services. Bill 74 creates Ontario Health, a single agency to operate and oversee services throughout the province and eliminates the 14 Local Health Integration Networks.

Ontario Health will designate Ontario Health Teams at the local level. These teams will be responsible for coordinating and providing care to specific populations and geographic areas. These Teams will include, for example, hospitals, long-term care homes, community care agencies and community health centres. They will be clinically and fiscally accountable for delivering a coordinated continuum of care.

Several proposed initiatives may have a positive impact on accessing French language health services. First, the government will introduce new tools to improve how patients and their families navigate the health system. This is promising for Francophones who face access barriers. Secondly, the government wants to optimize the use of digital resources to increase access to specialists. This is also a promising initiative for Francophones living in smaller more isolated communities.

Minister of Health and Long-Term Care, the Honourable Christine Elliott, insisted on improving access to online health records. It is going to be critical to ensure that these tools are fully accessible in French. We know, from past experiences how difficult – and costly – administrative and program revisions are.

The Minister reiterated numerous times that this new system would let patients have a say in their health care journey. For Francophones, this ability to influence the provision of health care services in French will be established by maintaining the French Language Health Services Council and the French Language Health Planning Entities.

In its preamble, Bill 74 outlines the obligation to respect the requirements of the *French Language Services Act* but provides little language on how this will be done. We would like to see this part of the bill amended to clarify that this requirement applies to the planning, design, delivery and evaluation of the French-language health services. We propose a detailed wording to that effect in our first recommendation, which would require unanimous consent from this Committee.

What is not clear at this stage is the scope of responsibility of the Entities, and to whom they will be able to provide advice. Their voice must be equally heard at the local and at the provincial levels. Their role in the planning, design, delivery and evaluation stages is crucial. Section 44 of Bill 74 seems promising in terms of the relations between Entities and Ontario Health. But their role goes deeper as they need to be able to interact daily with the newly created Ontario Health Teams across the province. Our recommendation #6 propose a wording that would reiterate the importance of a solid regulation scheme to that effect.

While we agree that centralizing the planning and coordination of health services may be beneficial to issue stronger, more systemic directives with regards to French-language health services, it will be up to the senior management of Ontario Health to issue and implement such directives.

When Ontario Health Teams are established, and the integration of community health service providers within these teams takes place, the government will have to ensure that health services providers that are fully or partially designated under the French Language Services Act maintain the designation of these services. This obligation should be clearly specified in *Bill 74* so that no French-language services are eliminated. This is crucial. Our recommendations #4 and #5 addresses these important issues.

As in all transitions, the process of designating Ontario Health Teams and integrating service providers may also provide an opportunity to evaluate and vet the capacity of service providers to provide French language services. Through this process, health services providers that have some capacity to provide French language services should be supported in seeking their designation under the *FLS Act*. It might be an opportune time to test the new designation process under the *French Language Services Act* that I have recommended ever since the Minister of Francophone Affairs, the Honourable Caroline Mulroney, took office.

The proposed legislation creates mechanisms for collaboration between the new Ontario Health agency and the existing French Language Health Planning Entities. I applaud the fact that Bill 74, *The People's Health Care Act, 2019*, recognizes the important role that Entities can play in advising Ontario Health.

But before everything gels, much time will pass. Time can lead to uncertainty, and uncertainty to paralysis or worse. Therefore, we recommend a precise wording, in our recommendation #10, in Part V on Transfers. Our proposal calls for a clear regulation to set out the duties of the Agency, the integrated care delivery systems and health service providers for consulting with the French

language health planning entities. While the Bill confirms that their voices will be heard at the provincial level, we strongly recommend that provisions be added to confirm the role of Entities at the local level, as well as their ability to guide the integration and coordination of services by Ontario Health Teams.

As this reform unfolds, my office will continue to provide constructive advice and collaborate with the Ministry to ensure the best possible outcomes for the provision of improved French language health services in the province.