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**Official Report
of Debates
(Hansard)**

Tuesday 29 September 2009

**Journal
des débats
(Hansard)**

Mardi 29 septembre 2009

**Standing Committee on
Government Agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

Chair: Ernie Hardeman
Clerk: Douglas Arnott

Président : Ernie Hardeman
Greffier : Douglas Arnott

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 29 September 2009

Mardi 29 septembre 2009

The committee met at 0901 in room 228.

ELECTION OF CHAIR

The Clerk of the Committee (Mr. Douglas Arnott): Good morning, honourable members. Owing to a vacancy in the position of Chair of this committee, it is my duty to call upon you to elect a Chair. Are there any nominations, please?

Ms. Lisa MacLeod: I nominate MPP Ernie Hardeman from Oxford as Chair. He'd do a great job.

The Clerk of the Committee (Mr. Douglas Arnott): Are there any further nominations?

Mr. Michael A. Brown: I move nominations be closed.

The Clerk of the Committee (Mr. Douglas Arnott): There being no further nominations, the nominations are closed and Mr. Hardeman is duly elected Chair of the committee.

The Chair (Mr. Ernie Hardeman): Thank you very much. I do want to say I was surprised twice there. I always thought that when someone was nominated they were asked whether they would accept the nomination—and I was, of course, ready to accept it with gratitude, and that was never asked. The second one, I just want to say that that's likely the quickest and the easiest election I've ever gone through in my life, so thank you very much. We look forward to a very productive tenure here as Chair of the government agencies committee.

SUBCOMMITTEE REPORTS

The Chair (Mr. Ernie Hardeman): Our first order of business this morning would be the reports from subcommittees. We have a subcommittee meeting of September 17. It's here for adoption. Do we have a motion for adoption?

Ms. Lisa MacLeod: I move to adopt the subcommittee minutes of Thursday, September 17, and Thursday, September 24, 2009.

The Chair (Mr. Ernie Hardeman): Is there any discussion? If not, all those in favour? All those opposed? The motion is carried.

INTENDED APPOINTMENTS

DEBORAH COYNE

Review of intended appointment, selected by official opposition party: Deborah Coyne, intended appointee as member, Health Professions Appeal and Review Board/Health Services Appeal and Review Board.

The Chair (Mr. Ernie Hardeman): Our purpose for this morning's meeting, of course, is to first of all interview an appointment to a government agency. We only have one to interview today. Deborah Coyne is an intended appointee as a member of the Health Professions Appeal and Review Board and the Health Services Appeal and Review Board. Is Deborah here this morning? If you'd come forward.

As is the practice of the committee, there will be half an hour for this exercise. First of all, we will give you the opportunity for an opening statement. We will then proceed with questioning from all the parties of a 10-minute duration. We will start this morning with questioning from the third party, and then we will rotate for the 10-minute questioning. And just to remind you that the time you take—and take as much as you want—will be deducted from the government questioning.

With that, we will thank you again for coming to the government agencies committee, and we look forward to your presentation and the rest of the program. Thank you again, and the floor is yours.

Ms. Deborah Coyne: Thanks, Mr. Chairman. I did prepare something very short just to keep on track, so I'll read it into the record.

I welcome the opportunity to appear before the Standing Committee on Government Agencies in connection with my proposed cross-appointment as a part-time member to both the Health Services Appeal and Review Board and the Health Professions Appeal and Review Board. Both boards are quasi-judicial adjudicative tribunals charged with holding hearings and conducting reviews into a wide range of areas and under a wide array of legislation: from matters concerning the self-regulating health professions colleges, to decisions of OHIP respecting eligibility and payment, to orders of the medical officer of health or public health inspectors.

I first applied online for a position on one of the health boards in 2006, a few months after the general election, in which I ran unsuccessfully as a Liberal candidate. I had had to resign from my position as a member on the

Immigration and Refugee Board in order to be a candidate. In considering new employment possibilities after the election, I concluded that my approximately seven years on the IRB had provided me with a great deal of adjudicative experience that is very relevant to other boards and commissions.

I have honed my adjudicative and analytical skills over the years and have established a reputation as a fair, efficient and intelligent decision-maker with good judgment. My legal training and broad-ranging interests, together with my ability to synthesize complex issues and to think and write clearly, provide me with an excellent background for membership on HPARB and HSARB—it's a little easier than saying them all the time.

When I did not hear back about my application in 2006, I did not pursue it, and spent a couple of years as primarily a full-time single mother of two children. Earlier this year, I contacted the Public Appointments Secretariat and reapplied. I was then interviewed by the chair of both boards and two vice-chairs. Following this interview, I was offered a part-time cross-appointment to both boards, subject to your approval.

I have been committed to public service throughout my varied careers as a quasi-judicial board member, a public servant, a teacher, an activist, a political candidate, a lawyer and a writer. I am currently a member of both the Liberal Party of Canada and the Ontario Liberal Party, and donate to both. I am fully confident that my political views will in no way impact on my ability to conduct reviews and hearings on both boards in a fair and impartial manner. I am also confident that my political views were not relevant to the assessment of my skills and background leading to this proposed appointment.

I will conclude by saying, most emphatically, that I would never want to be employed on any basis other than merit alone.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. In questioning I said that we would start with the third party, but I guess that will not be possible at the present moment, so we'll start with the government side.

Mr. Michael A. Brown: Thank you, Mr. Hardeman, and congratulations on your very exciting election victory.

Ms. Coyne, I'm delighted that you've put your name forward for this board. I understand you've been interviewed by the chair and others and that you are an extremely qualified candidate, so the government is delighted that you've put your name forward for this position.

The Chair (Mr. Ernie Hardeman): Thank you.

Ms. Lisa MacLeod: My turn?

The Chair (Mr. Ernie Hardeman): Yes. To the opposition side, Ms. MacLeod.

Ms. Lisa MacLeod: Thank you, Mr. Chair. I appreciate the opportunity. Welcome to our committee, Ms. Coyne.

Just a couple of questions for you today: You mentioned that you had run for the Liberal Party of Canada in

2006. I guess that was one of the two ridings that you had scoped out in that election year. You previously considered running in Ottawa West-Nepean—

Ms. Deborah Coyne: That's right.

Ms. Lisa MacLeod:—against infrastructure minister John Baird.

Ms. Deborah Coyne: I considered going for the nomination—

Ms. Lisa MacLeod: You considered running for the nomination. You'd also considered running again in 2008?

Ms. Deborah Coyne: No, not 2008. I resigned in 2007 as a nominated candidate.

Ms. Lisa MacLeod: Okay, and what about if there's an election in the next year? Are you considering a run at federal office again?

Ms. Deborah Coyne: Not at this moment. That is not on my agenda.

Ms. Lisa MacLeod: Okay. You've alluded to the fact that you are a contributor and a member of each of the federal and Ontario wings of the Liberal Party, and that you had spent some time in the Immigration and Refugee Board and had decided to resign as a result of running for federal office for the Liberal Party of Canada.

Ms. Deborah Coyne: I had to resign. You know, it's odd: I would have preferred, and it would have been nice, to have gone back. I thought I was very good at that job, but you're not permitted to—a public servant is allowed to resign or step aside and go back to a job after political office, but you're not allowed to.

Ms. Lisa MacLeod: Right. And you suggest that you honed your adjudicative skills through your experience there. I'm just wondering: This is a health review board. Do you have any experience in the health care field whatsoever?

Ms. Deborah Coyne: I have a lot of general knowledge, but, no, I don't have anything specific, because my understanding is that there is a huge array of legislation and many different things that have to be reviewed. It puts a premium on having an intelligent ability to understand a lot of varied situations and to weigh legislative requirements against the particular circumstances in front of you, and that's the kind of background and experience that I have.

Ms. Lisa MacLeod: But you don't have any experience in health care law or health care policy development per se?

Ms. Deborah Coyne: Not specifically.

Ms. Lisa MacLeod: Do you think that would hinder your ability to act as a credible board member?

Ms. Deborah Coyne: Not at all.

Ms. Lisa MacLeod: And why not?

Ms. Deborah Coyne: Because it's a matter of reviewing and understanding the legislation. I mean, as a lawyer, you're certainly expected, when you go through training, to understand a whole range of fields and legislative requirements, and administrative law is, in and of itself, a kind of discipline which covers a whole range of things. You have to understand how regulations apply

and how hearings and reviews and so forth are conducted. The specifics are just something that you have to be intelligent enough to understand.

Ms. Lisa MacLeod: Are you aware of any of the former adjudications and recommendations contained in any committee reports?

Ms. Deborah Coyne: I understand there is a report on HPAR—I just noticed it in some material that Doug Arnott gave me. It's certainly something I'll be looking into, I guess, when I'm there, but I really thought that it was more appropriate to get appointed first and then get plunged into the details.

Ms. Lisa MacLeod: Kathleen Wynne is your MPP. Has she approached you to sit on a board?

Ms. Deborah Coyne: Not at all.

Ms. Lisa MacLeod: Any other MPP or member of the Premier's staff?

Ms. Deborah Coyne: Not at all.

Ms. Lisa MacLeod: Are you aware that you will receive \$391 a day to sit on this panel?

Ms. Deborah Coyne: I am now. When I looked at the website, it was still \$200.

Ms. Lisa MacLeod: Okay. You don't believe at all that your political connections, either past or present, will have any impact whatsoever on any of your adjudication abilities?

Ms. Deborah Coyne: Not at all.

Ms. Lisa MacLeod: Okay. Thank you very much, Mr. Chair.

The Chair (Mr. Ernie Hardeman): Thank you very much. Since we have not seen the arrival of the third party questioner, we'll conclude our hearing. Thank you

very much, Ms. Coyne, for being here this morning. We look forward to working with you in the future.

Ms. Deborah Coyne: Thank you, Mr. Chair.

The Chair (Mr. Ernie Hardeman): That does conclude all the hearings this morning. We can proceed with the concurrence on the appointment.

Mr. Michael A. Brown: Mr. Chair, I'll move concurrence.

The Chair (Mr. Ernie Hardeman): Okay.

Ms. Lisa MacLeod: Recorded vote, please.

Ayes

Albanese, Brown, Johnson, Naqvi.

Nays

MacLeod.

The Chair (Mr. Ernie Hardeman): I declare the motion carried.

That concludes the business of intended appointments. Any further business of the committee this morning? If not, that—

Mr. Michael A. Brown: I move adjournment.

Ms. Lisa MacLeod: I'll second that.

The Chair (Mr. Ernie Hardeman): We can move adjournment. But before we vote on the adjournment, we would ask the subcommittee to meet right after this committee to discuss the future scheduling of work for the committee.

With that, the motion is moved and passed. We stand adjourned. Thank you very much for your participation this morning.

The committee adjourned at 0914.

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