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**Monday 30 September 2013**

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(Hansard)**

**Lundi 30 septembre 2013**

**Standing Committee on  
Social Policy**

Committee business

**Comité permanent de  
la politique sociale**

Travaux de comité

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL POLICYCOMITÉ PERMANENT DE  
LA POLITIQUE SOCIALE

Monday 30 September 2013

Lundi 30 septembre 2013

*The committee met at 1402 in committee room 1.*

## COMMITTEE BUSINESS

**The Chair (Mr. Ernie Hardeman):** I call the meeting of the committee on social policy for Monday, September 30, to order. We are here to do a study relating to the oversight, monitoring and regulation of non-accredited pharmaceutical companies.

Before we do that, I believe the meeting was scheduled to be an in camera meeting on report writing, but there are a couple of things that we needed to clean up. One was the resolutions that the committee put forward and the suggestions of how they should be written at the last meeting, and we'd like to have those presented.

The second thing—and I just bring this forward and ask the committee to consider it—relates to tomorrow's meeting for the Local Food Act, which was passed in a resolution at the last meeting. We're going to run into a bit of a problem as it's part of the programming motion that's in the House now. If the programming motion gets voted on today, then in fact our meeting tomorrow is out of order because it would be overridden by the first meeting of that programming motion. It says that the meeting will be next Tuesday.

**The Clerk of the Committee (Mr. William Short):** The following Tuesday.

**The Chair (Mr. Ernie Hardeman):** The first Tuesday following the week in which the programming motion was passed. If it doesn't pass today, it means that it will be debated tomorrow and we cannot discuss that in the committee while it's being debated in the Legislature. The problem with this, of course, arises as we have delegations coming in, so it will be a public presentation. In order to give them time to not come, we would need a motion from the committee today to cancel tomorrow's meeting and wait till next week. Regardless of whether the motion passes, next Tuesday would still be the day that this committee would hold it without the programming motion, and it's also the day that would be the right one for the programming motion. So it would solve all the problems if we don't hold the meeting tomorrow.

With that, if you have any discussion on that. Yes?

**M<sup>me</sup> France Gélinas:** No, I didn't have any discussion on that. My head is still spinning a little bit as to what we're doing and not doing. Do we have to decide right now or could we decide after we finish our work for today?

**The Chair (Mr. Ernie Hardeman):** We could decide that at any time. The sooner we decide it, the more time they will have to let people know who were scheduled to be here tomorrow not to come tomorrow. If we wait till late afternoon, some of the people won't find out. There are some appointments scheduled for tomorrow, but—

**M<sup>me</sup> France Gélinas:** Because tomorrow we were supposed to go to committee hearings on the good food bill—

**The Chair (Mr. Ernie Hardeman):** The Local Food Act, yes.

**M<sup>me</sup> France Gélinas:** The Local Food Act, sorry. Tell me again why we can't do that?

**The Chair (Mr. Ernie Hardeman):** Well, first of all, the Local Food Act is in the programming motion that's being debated in the Legislature as we speak. If the motion that's before the House right now passes, the motion we passed last week is irrelevant because the one upstairs overrides the motion of the committee. Now, if it doesn't pass today—because it's a motion that can continue debate. So if it's still being debated tomorrow, then we can't hold the meeting on the same topic in committee that the House is debating upstairs. So, in both cases, we can't have that hearing tomorrow.

Rather than waiting until tomorrow and having the committee and having the people sitting here ready to present and then say, "I'm sorry, but you can't present today because of the procedural thing," I'm suggesting that we have a motion to just cancel tomorrow's meeting so that the Clerk can let them now that it won't be till next Tuesday that they can come. Either way, next Tuesday we can have a meeting on it. If the motion passes, that's the day the motion suggests we're supposed to start the hearings.; if not, we can then just have the regular business scheduled that day of meeting.

**Ms. Helena Jaczek:** It seems pretty clear: We cannot have any deputations tomorrow—

**The Chair (Mr. Ernie Hardeman):** That's why I didn't ask the Clerk to prepare any formal—it's just a motion to—

**Ms. Helena Jaczek:** I will move that we cancel tomorrow's committee hearing.

**The Chair (Mr. Ernie Hardeman):** Okay. Any further questions or debate on it?

*Interjection.*

**The Chair (Mr. Ernie Hardeman):** It will have no impact on whether the motion passes or doesn't.

**M<sup>me</sup> France G elinas:** No, but neither one of us followed those procedures too closely; we may need a five-minute recess. Or can we deal with this after?

**The Chair (Mr. Ernie Hardeman):** You want a five-minute recess before you call the vote on this?

**M<sup>me</sup> France G elinas:** Yes.

**The Chair (Mr. Ernie Hardeman):** You can ask for a 20-minute recess or five minutes, whatever you like. Okay?

**Ms. Helena Jaczek:** Let's do it now, because—  
*Interjections.*

**The Chair (Mr. Ernie Hardeman):** We will recess the meeting until you get back with the comment.

*The committee recessed from 1407 to 1414.*

**The Chair (Mr. Ernie Hardeman):** I see that everyone has returned to the committee, so we'll call the committee back to order.

*Interjections.*

**The Chair (Mr. Ernie Hardeman):** If we could just hold it down over there so we can hear from this long-awaited report on—

**M<sup>me</sup> France G elinas:** Well, no. I just find it so disappointing that in order—if nothing was happening in the House, we would deal with the good food act tomorrow. It would go to clause-by-clause next Tuesday, and we would be done with it. But this motion to hurry things up actually slows things down. Those are some of the mysteries of this place. I'm not happy with it, but I guess have no say about it.

**The Chair (Mr. Ernie Hardeman):** I would point out, beyond what I said earlier, that even if we have the day of hearings and then that motion passes, the day we had is null and void. We have to do two days anyway, so really, this one isn't speeding it up and it isn't slowing it down. All we're looking to do is to cancel this one because it's going to be null and void before we're finished.

Any further discussion? If not, all those in favour of cancelling the day of hearings tomorrow? Opposed? The motion is carried. The Clerk will be able to advise the people who were going to present tomorrow not to show up. Some of them do have to come from a fair distance, so we want to make sure that when they get here, they can present.

The next item of business, of course, is the motions that were sent out that we instructed the Clerk to get ready for us. They're numbered 1, 2 and 3. If someone would make a motion on number 1, we can have discussions and make changes to it if you see fit.

Ms. G elinas will move motion number 1.

**M<sup>me</sup> France G elinas:** I move that the Standing Committee on Social Policy request Medbuy Corp. to provide the committee with a complete list of all Medbuy employees, their job titles and compensation, (salaries, bonuses, benefits and/or stipends) for the last two fiscal years.

*Interjections.*

**M<sup>me</sup> France G elinas:** It sounds pretty weird if I move it and amend it.

**The Chair (Mr. Ernie Hardeman):** Okay, then we'll need to, if we could, get the amendments from the motion that the rest of the committee has.

**M<sup>me</sup> France G elinas:** Do you want me to tell you the difference between the two?

**The Chair (Mr. Ernie Hardeman):** The Clerk suggested that we should make copies of the one you read so that everyone can see it before they have to vote on it.

**M<sup>me</sup> France G elinas:** Okay.

**The Chair (Mr. Ernie Hardeman):** Okay, we're going to have to recess for another five minutes, or maybe 10, depending on when the Clerk gets back with the copies.

*The committee recessed from 1417 to 1423.*

**The Chair (Mr. Ernie Hardeman):** I will call the committee back to order. I would just point out to the committee that since all three of the motions that you had were in fact all slight amendments to the original motions, the original motions were not put forward at all, so we will call these the original motions. So if anybody wants to make amendments, it would be amendments to these motions. But nothing more than just putting the motion is necessary for these.

With that, Ms. G elinas—

**M<sup>me</sup> France G elinas:** I realize that I moved it, but I—

**The Chair (Mr. Ernie Hardeman):** I would ask you just to read it again.

**M<sup>me</sup> France G elinas:** I move that the Standing Committee on Social Policy request Medbuy Corp. to provide the committee with a complete list of all Medbuy employees, their job title and compensation (salaries, bonuses, benefits and/or stipends) for the last two fiscal years.

But as I'm reading it, I'm thinking maybe "employees" could lead to interpretation, so I would say "employees, management and directors."

**The Chair (Mr. Ernie Hardeman):** "Employees, management"—

**M<sup>me</sup> France G elinas:** —"and directors".

**The Chair (Mr. Ernie Hardeman):** Okay. You've heard the amendment on the motion—yes?

**Mr. Bas Balkissoon:** Mr. Chair, just one question of the mover: When you put "(salaries, bonuses, benefits and/or stipends)", are we running the risk that Medbuy could combine all of that and put it as one figure, and we'll never figure out what it is?

**M<sup>me</sup> France G elinas:** "And stipends"? Take away the "or"?

**Mr. Bas Balkissoon:** No, no, it's to remove the brackets: "compensation," with details of each. Because if you put it in brackets, they could interpret it that you want it as one big number.

**M<sup>me</sup> France G elinas:** Okay.

**Ms. Cindy Forster:** Detailed compensation of each—of salaries, bonuses, benefits and stipends.

**Mr. Bas Balkissoon:** Accept that as a friendly—

**The Chair (Mr. Ernie Hardeman):** Yes, it's a friendly amendment. I don't think there's any problem.

My question is whether you're going to achieve what you want. I think it's important to recognize that the word "stipends" is a replacement for all others. When you get a stipend, it's just an amount of money. It has nothing to do with wages, nothing to do with benefits—it has nothing to do with anything. A stipend could be somebody on the board who is not considered an employee; they don't get paid, but they do get a stipend for being there.

**Ms. Helena Jaczek:** But we want to add management and members of the board of directors, correct?

**M<sup>me</sup> France Gélinas:** Yes, so that if, like Ornge, they get a \$2,000 stipend, I wouldn't mind knowing.

**The Chair (Mr. Ernie Hardeman):** Okay. No, that's fine. I just wanted to make sure we didn't overlook the fact.

Yes, Ms. Elliott.

**Mrs. Christine Elliott:** Could we maybe just break that down and say "and a breakdown of their compensation"?

**M<sup>me</sup> France Gélinas:** "And a detailed breakdown of their compensation".

**Mrs. Christine Elliott:** Does that make sense?

**M<sup>me</sup> France Gélinas:** Yes, it does.

**The Chair (Mr. Ernie Hardeman):** Did you want to then, if you could, read it again with those changes?

**M<sup>me</sup> France Gélinas:** I move that the Standing Committee on Social Policy request Medbuy Corp. to provide the committee with a complete list of all Medbuy employees, management and directors, their job title and a detailed breakdown of their compensation, including salaries, bonuses, benefits and/or stipends, for the last two financial years.

**The Chair (Mr. Ernie Hardeman):** Any further debate on the motion? I have a question that you might want to consider. When you make a list of all the employees by name, is that beyond the freedom-of-information act, that we're not entitled to that information?

**Ms. Helena Jaczek:** Well, why wouldn't we ask and see what happens?

**The Chair (Mr. Ernie Hardeman):** No, I'm just saying it might have to be done again. If you could just get the positions as opposed to people's names, then it would be public information.

**M<sup>me</sup> France Gélinas:** Well, if they gave to us names and positions, we can then choose to make it public with positions, taking the names off. But if the same person has the position of VP, assistant VP and deputy VP, I'd like to know that the same person has three jobs of \$100,000 each.

**The Chair (Mr. Ernie Hardeman):** Okay. Any further discussion? If not, all those in favour of the motion? Opposed, if any? That one is carried.

Motion 2, Ms. Gélinas.

**M<sup>me</sup> France Gélinas:** I move that the Standing Committee on Social Policy request Medbuy Corp. to provide the committee with detailed financial statements of the last two fiscal years. The statements must clearly show the amount transferred back to the member hospitals.

**The Chair (Mr. Ernie Hardeman):** You've heard this motion. Any discussion on this motion? Yes, Ms. Forster.

**Ms. Cindy Forster:** I think, just for clarity, if we said "to each of the member hospitals" as opposed to them giving us a lump sum of what they paid back to, perhaps, all four together—to show the amount transferred back to each of the member hospitals."

1430

**The Chair (Mr. Ernie Hardeman):** I don't have any problem with it. I believe it's covered with "member" and "hospitals" with an "s."

**M<sup>me</sup> France Gélinas:** Just in case.

**The Chair (Mr. Ernie Hardeman):** But "each" will make it clearer.

Any other comments? If not, all those in favour of this resolution? Opposed, if any? The motion's carried.

Number 3.

**M<sup>me</sup> France Gélinas:** I move that the Standing Committee on Social Policy request Peterborough Regional Health Centre, Lakeridge Health, Windsor Regional Hospital and London Health Sciences provide the committee with a detailed financial statement for the last two fiscal years highlighting the rebates that the hospital received from Medbuy Corp.

**The Chair (Mr. Ernie Hardeman):** Discussion? In the resolution, when you say "provide the committee with a detailed financial statement for the last two fiscal years," are we expecting the total hospital budget or just that portion that refers to buying medication? I just have a fear that we're talking—

**Mr. Bas Balkissoon:** Well, we're going to try and follow the money, so if it didn't go back to drug purchases, where did it go?

**The Chair (Mr. Ernie Hardeman):** No, no, I'm just saying that I expect the financial budget of the hospital would be a large document.

**Mr. Bas Balkissoon:** But that's the only way we'll follow where they put the money.

**The Chair (Mr. Ernie Hardeman):** Okay. As long as you understand that that's what we're doing.

**Ms. Cindy Forster:** And I think if you added the word "including" after "2012-13" where it's struck out, so it would be "with a detailed financial statement for the last two fiscal years, including highlighting the rebates that the hospital received from Medbuy Corp." It makes it clear you're looking for the financial statement plus the rebates.

**The Chair (Mr. Ernie Hardeman):** Well, I think when you say "a detailed financial statement," it says that you want the whole statement and then they must highlight that area that we're talking about. So I don't think we need to add any more than that. Okay?

Any further discussion? If not, all those in favour of the motion? Opposed, if any? The motion's carried.

That concludes the motions that we're asking to be dealt with.

**Ms. Helena Jaczek:** Mr. Chair, before we go into closed session, I would like to bring to everyone's atten-

tion a letter that I have to yourself from the Minister of Health and Long-Term Care—I think everyone has a copy—dated March 18, 2013.

**The Chair (Mr. Ernie Hardeman):** Everyone has a copy? It's been distributed to the committee.

**Ms. Helena Jaczek:** On looking at the motion that we passed last week in relation to the LHIN review, and looking at this letter, it appears that we need some further clarification of the terms of reference to include a review of the Local Health System Integration Act, the piece of legislation. In the motion that we passed, there's no reference to a review of the act itself. So I just wondered how we should proceed. I think there are some procedural issues here.

**The Chair (Mr. Ernie Hardeman):** Okay. With that, the Clerk would like to explain the reasons.

**The Clerk of the Committee (Mr. William Short):** The reason the NDP motion did not include that is because the motion would have been out of order. The only way that the committee can look at the Local Health System Integration Act is by motion from the House, similar to if a committee was to look at a piece of legislation, that piece of legislation needs to be referred to that standing committee. In this case, I understand that within four years there was to be a review, but it didn't state that the Standing Committee on Social Policy was to do that review; it was that a standing committee of the Legislative Assembly. So the House would have to refer this.

We did bring this up to the House leaders that last time this came around, that there would need to be a motion in the House for the committee to be able to look at that.

**Ms. Helena Jaczek:** So the minister needs to—who makes that motion to the House?

**The Clerk of the Committee (Mr. William Short):** The government House leader.

**Ms. Helena Jaczek:** The government House leader. So our government House leader needs to do that?

**The Chair (Mr. Ernie Hardeman):** Yes, the Minister of Health would ask the government House to put forward a motion to do that.

**Ms. Helena Jaczek:** Because I think the intention is to look at the legislation as well, so we should include that.

**The Chair (Mr. Ernie Hardeman):** Yes.

**Ms. Helena Jaczek:** Okay. Thank you. We'll take that back, then. I just wanted to clarify that.

**The Chair (Mr. Ernie Hardeman):** I think the suggestion would be that the government House leader, along with the House leaders, would decide to put it forward without debate, and unanimous consent would then be able to move it forward. Okay?

**Ms. Helena Jaczek:** Thank you.

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

With that, we'll go into closed session. Do we have a motion to go into closed session? Ms. McKenna? Ms. Elliott, okay.

*The committee continued in closed session at 1435.*



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