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**Official Report
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Tuesday 25 February 2014

**Journal
des débats
(Hansard)**

Mardi 25 février 2014

**Standing Committee on
Estimates**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
ESTIMATESCOMITÉ PERMANENT DES
BUDGETS DES DÉPENSES

Tuesday 25 February 2014

Mardi 25 février 2014

The committee met at 1555 in room 151.

COMMITTEE BUSINESS

The Chair (Mr. Michael Prue): I'd like to call the meeting to order.

Mr. Steve Clark: Do we have quorum?

The Chair (Mr. Michael Prue): You're asking?

Mr. Steve Clark: I'm asking: Do we have quorum?

The Chair (Mr. Michael Prue): No, we don't.

Mr. Steve Clark: So I guess we have to wait for quorum.

The Chair (Mr. Michael Prue): That's fair enough. I recess until quorum arrives.

The committee recessed from 1555 to 1556.

The Chair (Mr. Michael Prue): We'll call the meeting back to order. We now have quorum. We are here. We have three items on the agenda. The first item involves the letter from the Ministry of Health and Long-Term Care. At the last meeting it was agreed that we would call certain ministry staff to answer questions, and I see that the ministry staff is here. I trust you're ready.

Ms. Helen Angus: We are indeed.

The Chair (Mr. Michael Prue): You are indeed. Is there any statement you wish to make first, or will you just go straight into questions?

Ms. Helen Angus: I've circulated a written statement. If you like, I can walk through that, since you probably haven't had time to read that. It's your choice.

The Chair (Mr. Michael Prue): If you can walk us through it—

Ms. Helen Angus: I can.

The Chair (Mr. Michael Prue): —you can read it as you go.

Ms. Helen Angus: All right. Let's do that.

The Chair (Mr. Michael Prue): Just for the record, so that we have it down for Hansard—

Ms. Helen Angus: I will introduce myself.

The Chair (Mr. Michael Prue): Please.

Ms. Helen Angus: My name is Helen Angus and I'm the Interim Deputy Minister of Health and Long-Term Care. I am joined to my right by Alison Blair, who's the director of information management strategy and policy. I just want to thank the committee for the opportunity to discuss the motion from last fall that directed the ministry to release documents and correspondence pertaining to Ontario's community care access centres.

Before proceeding, I want to assure the members of the committee that we're fully committed to helping you in your deliberations and providing you with the documents that would be of interest to you.

What I'm hoping to be able to do, both in this presentation and the discussion, is to explain some of the complications we have encountered during this process, and to seek clarification and guidance on what's required and to request your approval for a narrowing of scope.

You should know that the ministry has already done a significant amount of work to gather the information requested by the committee. I can go through that in a little bit of detail.

As a first step, we identified 139 staff members who would be custodians of the documents that were included in the request. They conducted either manual searches of their electronic and paper files, and for those who had large volumes of files, we actually used an eDiscovery tool to search their emails. The staff members also conducted a manual search of document libraries and paper files.

This has already been referenced in the minister's letter to the committee Chair, but across the ministry the search yielded approximately 120,000 records containing responsive information, with the overall volume of pages to be in the millions.

Among these are audited financial statements for community care access centres, reconciliation records, payment notices, minister's letters, briefing notes, correspondence relating to settlements and other components of funding packages, such as approval forms, quality checklists and funding schedules.

We located the quarterly risk reports submitted by LHINs that contain some CCAC-specific information, as well as briefing, speaking and event notes, and slide decks that contain information regarding different program and policy matters involving the CCACs.

We also found guidelines, contracts for policy work, results-based planning templates and general correspondence.

In addition to the matter of volume, I would say that we have two challenges in delivering on the requirements that I'm hoping we can discuss today. The first is the databases, and the second relates to information that would relate to patients and their privacy.

There are databases that contain financial and client service information about community care access centres.

They are vast repositories of data, and one alone contains about three million records for each CCAC. They're written in code that requires some training to understand the data. Together, this represents about 28,000 records. We're suggesting that printing the raw data out of these databases is probably not going to be helpful to the work of the committee.

In addition, the databases are applications, so they require extraction into large spreadsheets, and many of these would be hundreds of pages per spreadsheet and would be difficult for us to collate, never mind understand, but we are suggesting that the standardized reports that come from those databases would be part of the responsive records to the request.

The second issue is patient privacy. There are a number of records that contain confidential personal health information. For these reasons, we're seeking the committee's approval to remove the databases in the raw form and redact personal health information from the search criteria.

I would say that even with the exclusion and redaction of these records, we think the ministry will still be able to provide the committee with a significant body of information related to the motion.

The documents that will be provided to the committee—I've talked about some of them already—will include correspondence, briefing notes, routine quarterly reports in a printable format, funding schedules and other documents. In addition, we will be providing financial reports, including some of those generated from the ministry's databases as part of our regular business process. Documents also include comparative reports of CCAC expenditures, audited financial statements and breakdowns of expenses by type of expenditure, which include, for example, client services, general administration and the other elements of the financial and other reporting we receive on CCAC activity.

Those are really my remarks, and I look forward to the discussion.

The Chair (Mr. Michael Prue): Excellent. Thank you very much. Do we have questions? Mr. Leone.

Mr. Rob Leone: Sure. Thank you, Mr. Chair. I want to thank Ms. Angus for making that presentation. It did provide a whole lot more clarity to what I think is being provided, in terms of an explanation.

Just to make sure that I understand what's going on here, you've identified our motion—according to your interpretation, the motion includes the information contained in databases that have information that, for us, we wouldn't be able to decipher anyway in its raw form. The reports of those records are part of the responsive records, so we'd still have some sort of analysis given as a result of the reports, and those reports do not contain personal information. Is that correct?

Ms. Helen Angus: You would have the reports from those databases. The reports—you're correct—wouldn't have personal information. There are other files in the responsive record, whether it's emails or other correspondence, that have personal information. We just want

to be clear whether you want the personal information and to make sure that we're doing as the committee suggested.

Mr. Rob Leone: So your suggestion would be to remove the databases from the request that we've made already—

Ms. Helen Angus: Correct.

Mr. Rob Leone: —and to remove personal medical records from that as well?

Ms. Helen Angus: Correct.

Mr. Rob Leone: Mr. Chair, if that requires a motion, I'm prepared to move that motion.

The Chair (Mr. Michael Prue): First of all, I'll see if there are any other questions. Are there other questions? Mr. Colle.

Mr. Mike Colle: Just one point of clarification: You mentioned in your letter that these databases are vast repositories of data. One alone contains three million records for each CCAC that are written in code and that require public training to understand the data. These represent approximately 28,000 records. The contradiction between the three million and the 28,000—

Ms. Helen Angus: There would be probably three million lines of data, but they're actually contained in 28,000 printable documents, even if you could print them. Alison here is the expert on the databases.

Mr. Mike Colle: Okay. That's fine.

The Chair (Mr. Michael Prue): Any further questions before I go to Mr. Leone for a motion? Any other questions?

Mr. Rob Leone: Just another question, though.

The Chair (Mr. Michael Prue): Another question from Mr. Leone.

Mr. Rob Leone: Approximately how many records, if we removed all that, would we be looking at in terms of—

Ms. Helen Angus: My math is less than brilliant, but 120,000 minus about 28,000. So we're looking at: About 90,000 records would still be responsive to the motion.

Mr. Rob Leone: Okay.

The Chair (Mr. Michael Prue): Mr. Leone?

Mr. Rob Leone: I haven't really written this, so hopefully people can understand. Mr. Chair, I move, pursuant to the discussion that we've had here, that we remove the databases and the information contained therein from our document disclosure request, and that we remove all personal medical records from the document disclosure request that we have previously made—if that's in order.

The Chair (Mr. Michael Prue): You said "medical." Are you including both personal health and financial records that might be contained in there?

Mr. Rob Leone: Are there financial records in terms of personal—

The Chair (Mr. Michael Prue): No, just personal—

Ms. Helen Angus: I don't believe there are, no. It would just be the health information.

The Chair (Mr. Michael Prue): Okay. Just so we're clear, does anybody need a written copy of that motion?

If you're all prepared, then: all those in favour of Mr. Leone's motion? That's carried.

All right. That's the end of item 2. Thank you so much for attending.

Ms. Helen Angus: Thank you very much. Have a good afternoon.

The Chair (Mr. Michael Prue): Item number 2 deals with documents received from the Ministry of Finance. These are the ONTC documents. This was held for Mr. Fedeli.

Mr. Steve Clark: Yes. He's in the House, so can we just have a recess while we extract him?

The Chair (Mr. Michael Prue): We can do that, or we can go on to item number 3 and hopefully he can be here by then.

Mr. Rob Leone: We'll move to number 3, if that's possible, Chair.

The Chair (Mr. Michael Prue): Okay. Then we will hold number 2 down, and perhaps if somebody—I know there are several observers here from the Conservative Party, if they could get a message to Mr. Fedeli to get him down here at some juncture.

Then I'll go on to number 3, which is a letter from the Ministry of Finance. This is to the standing committee concerning a document request. All the members have that before you. I'm in the hands of the committee.

Mr. Rob Leone: Chair?

The Chair (Mr. Michael Prue): Mr. Leone?

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Mr. Rob Leone: Mr. Chair, I'd like to move a motion.

The Chair (Mr. Michael Prue): Just hold on. You've already provided a copy, so we'll just have that handed out as you read it into the record.

The Clerk having returned, we will accept your motion. Please read it into the record.

Mr. Rob Leone: Mr. Chair, I move that the Chair, in consultation with the Clerk, be authorized to write to the Minister of Finance, Ministry of Finance, Cabinet Office and Office of the Budget and Treasury Board to inform the minister and ministry officials that documents requested by the committee on June 11, 2013, including "any documents dated 2013 containing consideration of user fees and/or revenue-generating fees, taxes or tolls" must be delivered to the committee by March 4, 2014. If the documents are not delivered to the committee by the deadline, the committee will meet on March 5, 2014, during its regularly scheduled meeting time to ask the House to intervene in the matter.

The Chair (Mr. Michael Prue): Everyone has heard a copy and everybody has a copy. Discussion? Mr. Leone?

Mr. Rob Leone: Mr. Chair, I raised the point last week and wanted to bring the matter with a properly worded motion that consists of some of the thoughts that I had at the time. I'm very concerned that we passed a motion on June 11, 2013—some eight months have since passed and we have not received documents related to the consideration of user fees and/or revenue-generating fees, taxes or tolls that we had requested. My concern is that

these documents do exist and they're not being provided to the committee. If that is, in fact, the case, then I think we're dealing with a pretty serious matter.

In order to do our job on the estimates committee, we have to have the information available to us in order to consider the estimates, and part of doing that requires us to have a sense of where the revenue is being generated. Certainly, we're also looking at the expenses and expenditures being made by the various departments that we're studying.

We did choose, in the course of our deliberations last year, to examine the finances of the Ministry of Finance, and we wanted to delve into, in greater detail, some of the information that we felt was lacking in last year's budget. That is why we've requested the Ministry of Finance to appear before the committee. In order to do the work that we had intended, we wanted to actually see where the revenue was going to be generated and if further consideration of user fees and revenue-generating fees, taxes or tolls were and are under consideration by this government.

To this date, Mr. Chair, I believe that the Legislature, having asked for this information on June 11, 2013, should by now have had an answer to those simple questions. We know that the consideration of revenue-generating fees, taxes and tolls has been a long-standing pursuit of the government, and we wanted to know in detail exactly what those fees are, which ones were considered, how much was the estimated value of the tools that were going to be used and so on and so forth. So it's vital to have that information available to us. I hope that the committee would agree to this motion, which simply says that the Chair write a letter to the Minister of Finance to essentially give him a hard deadline on receiving the material and an explanation thereof.

That is basically the point I wanted to make, Mr. Chair. I am hopeful that the committee will endorse this motion and authorize you to write the letter.

The Chair (Mr. Michael Prue): Any other discussion? Mr. Colle.

Mr. Mike Colle: I think it's a reasonable motion, because we have asked for it, and it seems that the ministry is ready to produce them. There just might be a couple of technicalities there of a minor nature—they're saying that they may not—but it's a very small percentage, supposedly, but they do have them ready. They would have them ready by March 4, it seems.

So I just want to leave a little bit of leeway out there. If there's something that they can't produce in paper document form, they should be able to come here and explain why, or in writing, they can't produce that remaining section. But most of it, they say, is available for the 4th. If we could just make a friendly amendment and say if there is anything outstanding, that they explain why they haven't produced these by March 4.

The Chair (Mr. Michael Prue): As I take it, your friendly amendment is to the effect that you are supporting the motion. However, you are asking that Mr. Leone include that should any documents be missing on March 4, that the ministry provide an explanation?

Mr. Mike Colle: Yes. In person or in writing, either way.

The Chair (Mr. Michael Prue): Mr. Leone, do you accept that as a friendly amendment? If not, I'm going to take it as an amendment.

Mr. Rob Leone: We need to talk, so maybe you can take it as an amendment.

The Chair (Mr. Michael Prue): All right. Then I would ask Mr. Colle to formally make that as an amendment. Do you need a minute or two to do this? We can recess.

Mr. Mike Colle: Yes. I want to make sure I've got the right wording.

The Chair (Mr. Michael Prue): All right. Then we will stand in recess for five minutes in order to allow Mr. Colle to prepare his amendment in writing.

The committee recessed from 1617 to 1637.

The Chair (Mr. Michael Prue): We'll call it back to order. Mr. Colle, if you would read this into the record?

Mr. Mike Colle: Yes. I move that Mr. Leone's motion be amended by striking out "And if the documents are not delivered to the committee by the deadline, the committee will meet on March 5, 2014, during its regularly scheduled meeting time to ask the House to intervene in the matter," and replacing it with, "And that if the documents are not delivered to the committee by the deadline, the Ministry of Finance be given an opportunity to provide an explanation to the committee with respect to any outstanding documents and that the committee will meet on March 5, 2014, during its regularly scheduled meeting time to ask the House to intervene in the matter." That's basically the amendment.

The Chair (Mr. Michael Prue): Okay. We have an amendment duly moved. Is there any debate on the amendment?

Mr. Steve Clark: Yes.

The Chair (Mr. Michael Prue): You want to debate it? Mr. Clark.

Mr. Steve Clark: I just don't like the words "be given an opportunity to provide." I think they must provide an explanation to the committee.

The Chair (Mr. Michael Prue): Are you making an amendment to the amendment to delete the words "be given an opportunity to" and insert the word "must"?

Mr. Steve Clark: I am.

Mr. Mike Colle: I'm fine with that.

The Chair (Mr. Michael Prue): Okay. So this is the amendment to the amendment we're now going to deal with; that is, deleting the words "be given an opportunity" and substituting the word "must." Everybody understand that? Any other debate on that? Seeing none,

all those in favour of the amendment to the amendment? Carried.

The amendment, as amended—that's Mr. Colle's: Is there any debate on his amendment? Seeing none, all those in favour? Opposed? That's carried.

On to the main motion, as amended: Any debate on the main motion, as amended? Seeing none, all those in favour? Opposed? That's carried. That's the end of that item. Thank you very much.

On to the last item, which is number 2 on the agenda, which we skipped over to allow Mr. Fedeli to be present. Mr. Fedeli had requested at an earlier meeting that the documents relating to the ONTC be made available, and we have a letter here, dated February 14, addressed to Mr. Katch Koch from Steve Orsini. We need to deal with that. Mr. Fedeli?

Mr. Victor Fedeli: Thank you, Chair. I'm very pleased to see that the three pages of documents that I have been asking for, for quite some time, are here today. I have reviewed both the redacted copy and the unredacted copy, in which we are allowed to see what was covered. I am satisfied, Chair, that the new redacted copy that has all of the Ontario Northland and MNDM references exposed, is here. I am satisfied that every single reference on the three pages that we're looking for is indeed here. I just want to verify, then, is this a public document now, or after we—

The Clerk of the Committee (Mr. Katch Koch): If the committee receives it, we'll exhibit it.

The Chair (Mr. Michael Prue): It is not, right this very minute, public, but it will be public, within a day, I guess.

Mr. Victor Fedeli: Then I am satisfied, Chair, that all of the material on this December 11 request for these three pages to be opened up—that everything I was looking for is indeed here. There are still other Ontario Northland documents we've been pushing for at other committees, including estimates, that I'll still push for, but in this letter, with these three pages, I am satisfied.

The Chair (Mr. Michael Prue): It seems like everybody is satisfied. If Mr. Fedeli is satisfied, the rest of the world is satisfied? Okay. We don't need to do anything with that.

There are no other items for the committee, so we're adjourned—

Mr. Victor Fedeli: This is indeed now a public document?

The Chair (Mr. Michael Prue): It is indeed a public document.

Mr. Victor Fedeli: Thank you.

The Chair (Mr. Michael Prue): We stand adjourned.

The committee adjourned at 1644.

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