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**Wednesday 19 March 2014**

**Journal  
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**Mercredi 19 mars 2014**

**Standing Committee on  
Public Accounts**

Committee business

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
PUBLIC ACCOUNTSCOMITÉ PERMANENT DES  
COMPTES PUBLICS

Wednesday 19 March 2014

Mercredi 19 mars 2014

*The committee met at 0902 in room 151.*

## COMMITTEE BUSINESS

**The Chair (Mr. Norm Miller):** Okay. I'd like to call the meeting to order. We're continuing with the motion that was put forward by Ms. Elliott. I think we were just in the discussion stage of that. Any further discussion on the motion that you all have before you to do with community care access centres? Ms. Jaczek.

**Ms. Helena Jaczek:** Thank you, Chair. I apologize; I missed some of the dialogue, obviously. I wasn't here Wednesday, two weeks ago. But in section 2, in relation to those private sector entities contracted to the CCACs, I just wanted to be clear that this would be within the purview of the Auditor General's legislated capacity.

**The Chair (Mr. Norm Miller):** That's a very good point. The auditor has looked into that a little bit, so she has more information that she could share with the committee, both on what other jurisdictions do and also from a legal opinion.

**Ms. Helena Jaczek:** The Ontario legislation. Thank you.

**The Chair (Mr. Norm Miller):** Go ahead, please, Auditor.

**Ms. Bonnie Lysyk:** Yes, hi. Actually, after the meeting, I ended up thinking I just wanted to get a legal opinion on it. Different acts are different.

With the act in Ontario, we would obviously be able to access the information of the CCACs, but we can't go directly into the third party provider. What we can do is, under CCACs' arrangements with the third party provider, there is a specification that they can get any information they need from that third party provider. So what we would do is we would ask them specifically what we need, to request that information we need from the third party provider. So the act in Ontario is limited a bit that way.

Other jurisdictions—when I worked in Manitoba, we had to follow the dollar. Basically, we could access third party providers very easily. But in the case here, we'd have to work through the CCACs to obtain information.

**Ms. Helena Jaczek:** Thank you. Okay, that clarifies that.

When you do request the CCACs to obtain information from the private sector entities, what precisely was the intent of this clause—I guess to Ms. Elliott? What sort of information would you want?

**Mr. Bill Mauro:** It's France's clause.

**Ms. Helena Jaczek:** Oh, this was amended—okay. It was an amendment by France—

**The Chair (Mr. Norm Miller):** Sorry. I believe that was a change the NDP had requested. Ms. Gélinas, do you want to speak to that?

**M<sup>me</sup> France Gélinas:** Absolutely. The conversation started in the sense that I think the number I used at the time is that if you go to a collective agreement for nurses in the CCACs, you will see that they make up to 50 bucks an hour. If you look in the collective agreement of nurses who work for contracted agencies, very few of them are unionized, but the ones who are, usually, the top of the chart is about \$35, which is 15 bucks difference.

What I wanted the auditor to look at is that, yes, but the money that leaves the CCACs to get us that one hour of nursing is way more than 35 bucks. So I wanted her to follow the money as to how much money leaves the CCACs to end up in an hour of care. This is how this came about. So she would look at—I don't know how—following the money as best she could to say: To get that hour of home care, how much did it cost in administrative fees? How much went to profit? How much went to whatever else that the contractor retains in order to give us that one hour of nursing care?

**Ms. Helena Jaczek:** Okay. So it was primarily really to look at the rate of the workers, the RNs, the PSWs—

**Mr. Gilles Bisson:** No, it's to follow the money.

**M<sup>me</sup> France Gélinas:** It's to follow the money because we already know how much they make. They are unionized. Their contracts are available to anybody who looks. If they are unionized, their contract is available. But what I want to know is, how much does it cost the taxpayer to get that one hour of care, because I don't think the collective agreement and what the nurse gets paid tell the whole story. The whole story is that in order to get that hour of care, there's a lot of money that is being spent.

**Ms. Helena Jaczek:** Okay. I understand where you're coming from.

**The Chair (Mr. Norm Miller):** Any further discussion on the motion? Ms. Gélinas.

**M<sup>me</sup> France Gélinas:** Mine is minute. It's in point 7 where we refer to nurses directly. I know that this is the example that I have been given, but there could have been others as well. There are nurses, but there are also therapists who are employed by CCACs. There are also

other health care providers. So, “A comparison review into the efficacy and cost-effectiveness of home care visits conducted by”—and then we have—“nurses directly employed ... and by those conducted by nurses employed by organizations contracted by the CCACs.” I would call them “health providers” rather than nurses because you may find that there are other health providers other than nurses.

**Mr. Gilles Bisson:** So health providers rather than nurses. That makes sense.

**M<sup>me</sup> France G elinas:** That’s what I would like.

**The Chair (Mr. Norm Miller):** So we would need to amend the motion to that effect—

**M<sup>me</sup> France G elinas:** Is this a friendly amendment? It’s just that I wasn’t clear the first time.

**The Chair (Mr. Norm Miller):** Ms. Elliott?

**Mrs. Christine Elliott:** That’s for number 7? I’m sorry.

**M<sup>me</sup> France G elinas:** That’s number 7.

**Mrs. Christine Elliott:** Is that happening, though? I understood it was just happening with nurses, but is it happening with other health care providers?

**M<sup>me</sup> France G elinas:** I can talk for my CCAC. It also has physiotherapists, occupational therapists and social workers who are directly employed and some who are contracted out. I assume my CCAC is no different than others.

**Mr. Gilles Bisson:** Not just yours, it’s mine, too, you know.

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

**Mrs. Christine Elliott:** That’s fine—

**The Chair (Mr. Norm Miller):** That’s fine. So do we need her to move that? Clerk?

**The Clerk of the Committee (Mr. William Short):** Yes. We just need to move that as an amendment.

**The Chair (Mr. Norm Miller):** So would you like to move that as an amendment then, Ms. G elinas?

**M<sup>me</sup> France G elinas:** I have to amend? Okay.

“A comparison review into the efficacy and cost-effectiveness of home care visits conducted by health providers directly employed by the CCAC, and by those conducted by health providers employed by organizations contracted by the CCACs.”

**The Chair (Mr. Norm Miller):** Okay.

**M<sup>me</sup> France G elinas:** I could keep “nurses” in brackets, if you want.

**The Clerk of the Committee (Mr. William Short):** Just keep “health providers.”

**The Chair (Mr. Norm Miller):** “Health providers”—okay. Any discussion on the amendment? Are we ready to vote on it, then? Very well. All those in favour of the amendment? Carried.

**The Chair (Mr. Norm Miller):** Motion, as amended, all—

*Interjections.*

**The Chair (Mr. Norm Miller):** Okay. We’ll have some more debate.

**Mr. Gilles Bisson:** Thank you, Chair. Just on “(3) Expenses of the regional CCACs and the Ontario Associ-

ation of Community Care Access Centres”—that doesn’t allow us to follow the money as far as expenses of those private providers. Right? The contractors?

I give the contractors X and they pay Y when it comes to wages for providing services. This does not allow you to look at what they’re expensing as far as what expenses they would charge against that money, does it?

**Mr. Phil McNeely:** Does number 5 not do that?

**Mr. Gilles Bisson:** No, it’s the CCACs operating costs, not the contractors’—or sorry, not those under contract.

It seems to me if we’re going to look at the cost, we need to look at the cost of those that deliver services directly, the CCACs and their practices, but we also need to look at what the service providers are doing.

My question to the auditor is, does number 3 pick up the expenses of the contractors?

**The Chair (Mr. Norm Miller):** Auditor.

**Ms. Bonnie Lysyk:** No. I think, to your point, we would likely need a reference in there to those private sector entities contracted to the CCACs.

**Mr. Gilles Bisson:** I so move the amendment.

**M<sup>me</sup> France G elinas:** I also move the amendment.

**The Chair (Mr. Norm Miller):** Ms. G elinas, you would need to move the amendment.

**Mr. Gilles Bisson:** Yes, she just did.

**The Chair (Mr. Norm Miller):** Okay, so—

**Mr. Toby Barrett:** Just going back to Phil’s point about number 5, “A review of the existing contracts,” does that not cover this?

**The Chair (Mr. Norm Miller):** Ms. Elliott.

**Mrs. Christine Elliott:** I would say it does cover it, and I think the auditor has already indicated the limitations that she has with respect to directly getting information from the community care providers themselves. I would suggest it’s covered by number 5.

**M<sup>me</sup> France G elinas:** How about I try? So the amendment—

**Mr. Gilles Bisson:** Chair?

**The Chair (Mr. Norm Miller):** Yes, go ahead.

**Mr. Gilles Bisson:** We just heard from the auditor who said, in fact, if we’re trying to follow the money, we would have to specify that in section 3. I think she was pretty clear.

**The Chair (Mr. Norm Miller):** Let’s give the auditor a second to think about it.

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

**Ms. Bonnie Lysyk:** I guess, to your question, I’m looking at number 2 and just thinking that number 3—with that reference to the private sector entities—would be very clear.

To Ms. Elliott’s point, number 5—I guess one could broadly read that, “A review of the existing contracts between CCACs and their community ... providers.” We could see what’s in their contracts and probably ask for expensed information based on that as well.

One is more specific. For number 5, I guess we’d use a broad brush to say, “We’ll look at the existing contracts and the expenses.”

For clarity, if you did want the expenses, it might be better to add it to number 3, just so we can follow it ourselves.

**The Chair (Mr. Norm Miller):** Ms. Gélinas.

**M<sup>me</sup> France Gélinas:** I expect that this audit is not going to be a walk in the park. I expect that there may be a little bit of pushback from some of those contracted entities to share that information. I find if we put it in a motion from the House, then it does give power so that if they refuse, then they're in contravention to what the House has asked. To me, I would much rather it be crystal clear in adding to point 3, "Expenses of the regional CCACs, the Ontario Association of Community Care Access Centres and those private sector entities contracted to the CCAC." It makes it crystal clear. It's a little bit repetitious, but when you're facing opposition, sometimes to have things clear makes things a little bit easier.

**The Chair (Mr. Norm Miller):** Okay. So you want to move an amendment.

**M<sup>me</sup> France Gélinas:** Correct.

**The Chair (Mr. Norm Miller):** Once again, if you don't mind repeating what you would like the amendment to be on point 3.

**M<sup>me</sup> France Gélinas:** Sure. Point 3 would now read, "Expenses of the regional CCACs, the Ontario Association of Community Care Access Centres and those private sector entities contracted to the CCAC."

**Mr. Gilles Bisson:** Essentially, you're just taking the bottom end of what's in point number 2 and adding it into point number 3, "and those private sector entities."

**The Chair (Mr. Norm Miller):** Yes, Mr. Mauro.

**Mr. Bill Mauro:** Well, number 3 still goes to number 2 for me. Two weeks ago when we were here, on our side, we were pretty sure that the auditor would not be able to do what was contained in the motion, which basically led to us kicking this around for an hour or an hour and a half. The auditor has come back this week and confirmed our feeling that you would not be able to get that information from the private sector entities. You've confirmed that today.

**M<sup>me</sup> France Gélinas:** No.

**Mr. Gilles Bisson:** No, no—

**Mr. Bill Mauro:** Excuse me. Thank you.

What you have said, though, is you can ask the CCACs to get that information. My question is both on number 2 and the amendment that's on the floor on number 3: Is the language in the motion—because it would seem to me that this needs to be amended, because the language seems to still be directing you to go do it, but we need to have language that's directing you to get the CCACs to go do it. It doesn't seem like it flows. It's

still in conformance with what Ms. Gélinas is trying to accomplish, but I don't think the wording is appropriate to effect that, because it's directing you; it's not directing you to direct the CCACs. That's my only point.

**Ms. Bonnie Lysyk:** I think it's fine the way it is worded. We would just go about a process in obtaining the information. It makes it clear what your expectation is of us, and then we'll see how we can get the information.

**Mr. Bill Mauro:** Okay, if you're comfortable with it—because it's clear that you can't do it, but you can ask them to do it. That's my only point. If you're comfortable that the wording fits that direction, then okay.

**The Chair (Mr. Norm Miller):** Very well. Are we ready to vote on the amendment? Amendment point number 3: All in favour? Carried.

The motion, as amended: Are we ready to vote on the motion as amended?

**M<sup>me</sup> France Gélinas:** I don't want to drag this out any longer than it needs to be, but remember two weeks ago when we talked about this, we talked about how we used to have a system in place where home care, basically, was delivered? People got the money, delivered the care, employed the employees etc., and the not-for-profit was non-existent. Then the CCACs were created, then competitive bidding came into play, then competitive bidding was stopped, and then we have what we have now. I thought we were going to go back and look at the last year when we did not have competitive bidding to see how things have evolved. This seems to have dropped off.

**The Chair (Mr. Norm Miller):** The auditor thinks that was winter roads. It was a different motion we were talking about.

**M<sup>me</sup> France Gélinas:** That's probably why it has dropped off. It applies so well to this, though.

*Laughter.*

**M<sup>me</sup> France Gélinas:** I'm so sorry I didn't bring it forward before.

**The Chair (Mr. Norm Miller):** Okay. Are we ready to vote on the motion, as amended? All in favour? Carried. Thank you.

We're now going to go into closed session to discuss some—

**M<sup>me</sup> France Gélinas:** Do I move my motion while we're still in open session?

**The Clerk of the Committee (Mr. William Short):** I'll hand it out, and it will be tabled, filed, but not—

**The Chair (Mr. Norm Miller):** We'll go into closed session now. Thank you.

*The committee continued in closed session at 0919.*





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