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Wednesday 25 November 2015

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Mercredi 25 novembre 2015

**Standing Committee on
Regulations and Private Bills**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Wednesday 25 November 2015

Mercredi 25 novembre 2015

The committee met at 0906 in committee room 1.

**STRENGTHENING AND IMPROVING
GOVERNMENT ACT, 2015
LOI DE 2015 SUR LE RENFORCEMENT
ET L'AMÉLIORATION
DE LA GESTION PUBLIQUE**

Consideration of the following bill:

Bill 85, An Act to strengthen and improve government by amending or repealing various Acts / Projet de loi 85, Loi visant à renforcer et à améliorer la gestion publique en modifiant ou en abrogeant diverses lois.

The Chair (Ms. Indira Naidoo-Harris): Good morning, everyone. The Standing Committee on Regulations and Private Bills will now come to order. The purpose of today's meeting is clause-by-clause consideration of Bill 85, An Act to strengthen and improve government by amending or repealing various Acts.

Vanessa Yolles, I'm just going to point out, is our legislative counsel. She's just sitting over here and she is ready to assist us with our work if we have any questions.

A copy of the amendments should be on each of your tables in front of you. I think we're ready to get started. Are there any questions before we begin? Okay.

To make our way through the clause-by-clause effectively, I'm going to suggest that we stand down the three sections of the bill and deal with the schedules first. This is just in terms of being more efficient with our morning. Are we agreed on this?

Mr. Lorenzo Berardinetti: Agreed.

The Chair (Ms. Indira Naidoo-Harris): Agreed. Thank you.

I would also like to suggest that consecutive sections with no amendments be grouped together. Members may request, of course, to vote on each section individually, but if we understand that there are no amendments that have been drawn to our attention at this point, I'm going to group those sections together, again, for efficiency. Agreed? Okay.

Are we ready to begin then? Thank you very much.

We will proceed, then, with schedule 1 of the bill. As you can see, there are no amendments on sections 1 through 4 of schedule 1 to the bill. Do we have any

debate or comments on these sections? Shall sections 1 through 4 of schedule 1 carry? Carried.

Shall schedule 1 of the bill carry? Carried.

There are no amendments on sections 1 and 2 of schedule 2 to the bill. So that's sections 1 and 2 of schedule 2 to the bill. Do we have any debate or comments on these sections? Shall sections 1 and 2 of schedule 2 carry? Carried.

Shall schedule 2 of the bill carry? Carried.

As you can see, there are no amendments on sections 1 and 2 of schedule 3 to the bill. Do we have any debate or comments on these sections? Again, we are discussing sections 1 and 2 of schedule 3 to the bill. Okay. Shall sections 1 and 2 of schedule 3 carry? Carried.

Shall schedule 3 of the bill carry? Carried.

Moving on, there are no amendments on sections 1 through 12 of schedule 4 to the bill. Do we have any debate or comments on these sections? Shall sections 1 through 12 of schedule 4 carry? Carried.

Shall schedule 4 of the bill carry? Carried.

There are no amendments on sections 1 through 5 of schedule 5 to the bill. That's sections 1 through 5 of schedule 5 to the bill. Any debate or comment on these sections? Shall sections 1 through 5 of schedule 5 carry? Carried.

Shall schedule 5 of the bill carry? Carried.

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There are no amendments on sections 1 through 3 of schedule 6 to the bill. That's sections 1 through 3 of schedule 6 to the bill. Any debate or comments on these sections? Okay, we'll proceed. Shall sections 1 through 3 of schedule 6 carry? Carried.

Shall schedule 6 of the bill carry? Carried.

There are no amendments on sections 1 through 9 of schedule 7 to the bill. Any debate or comments on these sections? Shall sections 1 through 9 of schedule 7 carry? Carried.

We are now dealing with an amendment. We're at section 10 of schedule 7. Amendment number 1 is an NDP amendment. Mr. Singh, would you like to read it into the record?

Mr. Jagmeet Singh: Yes, please. Thank you very much, Madam Chair.

I move that subsection 10(6) of schedule 7 to the bill be struck out.

The Chair (Ms. Indira Naidoo-Harris): Is there any debate on this? Mr. Singh.

Mr. Jagmeet Singh: I should just provide some explanation. This motion works in tandem with motion 3. It's simply a technical motion in order to make our third motion work. The intent of this motion is essentially to ensure that we have a province-wide standard for patient transfers in the province of Ontario. This would keep the standards within the purview of the Ministry of Transportation, and it would ensure that we have the highest quality of patient transfers in our province.

The Chair (Ms. Indira Naidoo-Harris): Any further comments? MPP Berardinetti.

Mr. Lorenzo Berardinetti: We will be opposing this amendment because the government's bill, as written, will help ensure an easier transition for stretcher transportation operators moving from the existing system to the new one. If we were to support this amendment, it would remove this transitional provision, which we want to keep in there. So we'll be opposed to that motion.

The Chair (Ms. Indira Naidoo-Harris): MPP McGarry.

Mrs. Kathryn McGarry: Certainly, the government wants to regulate stretcher transportation services to protect passengers and ensure safety, and we have proposed a motion that's just a little bit further along, 2.1, that will cover some of these things under the commercial vehicle operator's registry. We'll oppose this only because we've got a motion that's going to cover all these pieces that's already in place.

The Chair (Ms. Indira Naidoo-Harris): Further comments or questions? MPP Vernile.

Ms. Daiene Vernile: Just to add further to what MPP McGarry has said, the proposal that we are going to be presenting addresses concerns that were raised by the Ombudsman. We are certainly going to be speaking to that.

The Chair (Ms. Indira Naidoo-Harris): All right. Further comments? Are we ready to vote on amendment 1, an NDP amendment pertaining to schedule 7, subsection 10(6) of the bill? All those in favour? Opposed? It's lost.

Amendment number 2 is a government amendment. Would a Liberal member like to read that into the record?

Mr. Lorenzo Berardinetti: I can do that.

The Chair (Ms. Indira Naidoo-Harris): MPP Berardinetti.

Mr. Lorenzo Berardinetti: I want to withdraw the motion. We're going to withdraw it, so we're not going to read it into the record.

The Chair (Ms. Indira Naidoo-Harris): MPP Berardinetti is suggesting that we withdraw this amendment. It's withdrawn.

Let's move now to amendment number 2.1. This is again a government amendment. Would one of the members here like to read it into the record?

Mr. Lorenzo Berardinetti: Motion 2.1?

The Chair (Ms. Indira Naidoo-Harris): MPP Berardinetti, motion 2.1.

Mr. Lorenzo Berardinetti: I move that section 10 of schedule 7 to the bill be amended by adding the following subsection:

“(7) Subsection 22(2) of the act is repealed and the following substituted:

“Fees

“(2) The registrar may set fees, subject to the approval of the minister, for the application for and for the renewal and replacement of CVOR certificates.”

The Chair (Ms. Indira Naidoo-Harris): Any debate or comments? MPP McGarry.

Mrs. Kathryn McGarry: This is really a housekeeping item. Since Bill 85 was drafted, a separate regulation was created, through the ongoing PRRT process, which will require applicants for a commercial vehicle operator's registration to now pay their fees up front rather than after the fact. In the previous process, the applicant would pay after. The fees were paid when it was completed, so those who weren't successful in getting the application usually ended up not paying.

It's really to address the lost revenue. The government amendment will ensure that this regulation is changed in Bill 85, where the applicant will pay the fees up front, before they apply for this particular amendment.

The Chair (Ms. Indira Naidoo-Harris): Thank you, MPP McGarry. Any further comments or debate? MPP Singh.

Mr. Jagmeet Singh: Just to understand that, I think, then, the only difference was replacing “application for” instead of “issuance of,” and the reason provided is to ensure that there's more revenue?

The Chair (Ms. Indira Naidoo-Harris): MPP McGarry.

Mrs. Kathryn McGarry: It is addressing the lost revenue from the administrative costs that are associated with administering the CVOR program.

But I also wanted to address that any regulation regarding stretcher ambulance services will be addressed by the commercial vehicle operators' registry, which already has those regulations in place. This is precisely why we wanted to replace the motion that the NDP introduced in motion 1 with this particular one, because those concerns are already addressed in this legislation.

From a ministry perspective, the regulation will improve business certainty and will create a level playing field for all service providers.

The Chair (Ms. Indira Naidoo-Harris): Any other further comments or debate? Are we ready to vote on amendment number 2.1? Okay, let's vote.

We're voting on amendment number 2.1, a government amendment pertaining to schedule 7, subsection 10(7) of the bill. All those in favour? All those opposed? That amendment is carried. All right.

Any further debate on section 10 of schedule 7 to the bill, as amended?

Ms. Daiene Vernile: Madam Chair, I would recommend bundling the next number of votes, if we can.

Interjection.

The Chair (Ms. Indira Naidoo-Harris): If I can just say, we've been doing that by bundling them already, but we do need to vote on section 10, as amended, of schedule 7.

Ms. Daiene Vernile: Thank you, Chair. Bundling is good.

The Chair (Ms. Indira Naidoo-Harris): Shall section 10, as amended, of schedule 7, carry? Shall section 10, as amended, of schedule 7, carry? Carried.

There are no amendments on sections 11 through 24 of schedule 7 to the bill. Do we have any debate or comments on these sections? Again, that's sections 11 through 24 of schedule 7 to the bill. Any debate or comments? Are we ready to vote?

Shall sections 11 through 24 of schedule 7 carry? Carried.

Section 25 of schedule 7—
Interjection.

The Chair (Ms. Indira Naidoo-Harris): Amendment number 3 in your package—sorry—is an NDP amendment. Mr. Singh, would you like to read it into the record?

Mr. Jagmeet Singh: I move that section 25 of schedule 7 to the bill be struck out and the following substituted:

“25. Part X.2 of the act is repealed and the following substituted:

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“Part X.2

“Medical transportation services

“Definition, part X.2

“191.5 In this part,

““medical transportation service” means a service that is designated by the minister and that offers transportation to the public, primarily for medical purposes, within, to or from a municipality, but does not include an ambulance service that is licensed under the Ambulance Act.

“Medical transportation services

“Provincial standards

“191.6(1) The minister shall establish standards for the operation of medical transportation services.

“Content

“(2) The standards established under subsection (1) shall address the following matters:

“1. Vehicle safety.

“2. Vehicle equipment safety.

“3. Staff qualifications.

“4. Infection control.

“5. Quality of service.

“6. Passenger distress.

“7. Any other matter that the minister considers necessary or advisable.

“Complaint procedure

“(3) The minister shall ensure that there are procedures for initiating complaints to the ministry regarding medical transportation services and for how the ministry deals with complaints.

“Penalty

“(4) Every person who contravenes a standard established under subsection (1) is guilty of an offence and on conviction is liable to a fine of not more than \$10,000.

“Regulations, medical transportation services

“191.7 The minister may make regulations designating types of services to be medical transportation services and types of vehicles that may be used to provide medical transportation services.”

The Chair (Ms. Indira Naidoo-Harris): Thank you so much, MPP Singh. I understand from the Clerk that since the earlier amendment that was proposed by the NDP was voted down, this amendment is now out of order.

MPP Singh?

Mr. Jagmeet Singh: That's correct. When I initially moved motion 1, I did indicate that they were linked. The failure of motion 1 would now render this motion unable to proceed in a full manner.

Just for the record, though, the purpose of this motion, again, was to provide a clear, standardized regulation with respect to standards for patient transfers in the province. I think it was an important motion to bring. But thank you very much, Madam Chair, for your ruling.

The Chair (Ms. Indira Naidoo-Harris): Thank you so much, MPP Singh. Okay, let's—MPP McGarry?

Mrs. Kathryn McGarry: I'm sorry. I just wanted to add just a comment, really, in relationship to MPP Singh. I wanted to reiterate that Bill 85 will bring stretcher transportation service operators under the existing CVOR regime. It already stipulates many of these specifications, so the amendment is redundant.

I just wanted to say that the government is concerned for patient safety and public safety. That's why we're moving forward to bring this under that CVOR regime.

The Chair (Ms. Indira Naidoo-Harris): Thank you for your comments, MPP McGarry. Are we ready to move on? MPP Walker.

Mr. Bill Walker: Just again, for the record, certainly I hear in my riding a fair bit about this and I think that's maybe why the member from the NDP was bringing this up—standardization and minimum standards that everyone is playing by. Because there certainly are, I think, concerns. Hopefully that will be addressed in this bill to ensure standardization, but most importantly, public safety.

The Chair (Ms. Indira Naidoo-Harris): All right, I think we're ready to move on. Are we ready to move on? Shall section 25 of schedule 7 carry? Carried.

There are no amendments on sections 26 through 28 of schedule 7 to the bill. Do we have any debate or comments on these sections? Shall sections 26 through 28 of schedule 7 carry? Carried.

Section 29 of schedule 7: We are now looking at amendment number 4 in your package. It is an NDP amendment. Mr. Singh, would you like to read it into the record?

Mr. Jagmeet Singh: Yes. Actually, I can make the following comments: Again, this motion was linked to

the previous motions, motions 1 and 3. Since 1 failed and 3 was unable to proceed, now 4 is in a similar position. It wouldn't be necessary, given the failure of 1 and 3.

Again, this was to establish what Mr. Walker was alluding to as well, that there is a need for standardization within the province for patient care, for public safety; and we proposed certain very clear standards for that. They were not passed. I also echo the concerns of Mr. Walker. Hopefully the government will, through regulation, address these concerns. I think the way in which it was presented, in a clear piece of legislation, would have been better, but at this point, I will withdraw motion 4.

The Chair (Ms. Indira Naidoo-Harris): In section 29 of schedule 7, amendment number 4 in our package has been withdrawn.

Shall section 29 of schedule 7 carry? Carried.

Shall schedule 7 carry?

Interjection.

The Chair (Ms. Indira Naidoo-Harris): Shall schedule 7, as amended, carry?

Thank you, everyone, for being patient.

Ms. Daiene Vernile: We know what you meant, Chair.

The Chair (Ms. Indira Naidoo-Harris): Things are changing.

We're now going to return to the sections of the bill that we've talked about earlier.

Going back, shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Shall the title of the bill carry? Carried.

Shall Bill 85 carry? Carried.

Interjection.

The Chair (Ms. Indira Naidoo-Harris): My apologies. Shall Bill 85, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Carried.

That concludes our business for today. Our meeting is adjourned.

The committee adjourned at 0926.

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