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P-3

**Standing Committee on
Public Accounts**

Committee business

1st Session
43rd Parliament

Monday 14 November 2022

**Comité permanent des
comptes publics**

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1^{re} session
43^e législature

Lundi 14 novembre 2022

Chair: Tom Rakocevic
Clerk: Tanzima Khan

Président : Tom Rakocevic
Greffière : Tanzima Khan

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON PUBLIC ACCOUNTS

COMITÉ PERMANENT DES COMPTES PUBLICS

Monday 14 November 2022

Lundi 14 novembre 2022

The committee met at 0901 in room 151.

SUBCOMMITTEE REPORT

The Vice-Chair (Ms. Donna Skelly): Good morning, everyone. I would like to call the meeting of the Standing Committee on Public Accounts to order. Our first order of business on the agenda today is the reports from the subcommittee on committee business. May I please have one of the subcommittee members read the first report into the record? I recognize MPP McCarthy.

Mr. Todd J. McCarthy: Thank you, Chair. I believe the first report is the condominium oversight in Ontario? Is that right?

The Vice-Chair (Ms. Donna Skelly): The subcommittee on committee business. MPP McCarthy, you have the floor.

Mr. Todd J. McCarthy: Thank you. The first item, then, is that the following chapters of volume 3 of the 2019 report of the Auditor General be reviewed by the committee:

—Chapter 2: Court Operations;

—Chapter 3: Criminal Court System.

The Vice-Chair (Ms. Donna Skelly): Thank you, MPP McCarthy. Is there any debate or comment?

Interjection.

The Vice-Chair (Ms. Donna Skelly): MPP McCarthy, if you would read it as it is?

Mr. Todd J. McCarthy: As it is printed on the confidential document?

Interjection.

Mr. Todd J. McCarthy: All right. Just a moment. I'm not sure I have the entire text in front of me. If that could be provided to me?

The Vice-Chair (Ms. Donna Skelly): Read it in its entirety.

Mr. Todd J. McCarthy: Chair, I read number 1. I don't think I need to repeat it, so to continue beyond item 1:

(2) That the following section of the 2015 report of the Auditor General be reviewed by the committee:

—Section 4.02: Health and Human Resources.

(3) That the following section of the 2016 report of the Auditor General be reviewed by the committee:

—Section 3.01, Child and Youth Mental Health.

(4) That all witnesses be requested to appear before the committee in person, and should any witness make a request for a virtual appearance, the Clerk of the Committee will forward such request to the subcommittee on committee

business, who will decide on the matter and provide direction to the Clerk of the Committee.

The Vice-Chair (Ms. Donna Skelly): Thank you, MPP McCarthy. Is there any debate or comment?

Mr. Todd J. McCarthy: I'll just lead by saying these were reviewed by—

The Vice-Chair (Ms. Donna Skelly): I have to recognize you, MPP McCarthy.

Mr. Todd J. McCarthy: Thank you, Chair. These were reviewed, Chair, by the members of the subcommittee, and these are really consensus items, 1 through 4.

The Vice-Chair (Ms. Donna Skelly): Any further debate or comment? Are members ready to vote? All those in favour, please raise your hands. Any opposed? The report is now carried.

COMMITTEE BUSINESS

The Vice-Chair (Ms. Donna Skelly): We're going to move on to discussion items. We received correspondence from the Ministry of Health regarding their scheduled appearance before the committee on November 21, 2022, regarding the value-for-money audit, outpatient surgeries. The Clerk has distributed the request to you by mail and hard copies at your seat. The ministry is requesting a deferral of the hearing to the new year. I am requesting the committee's direction on whether you would like to accept the request to defer. Any comments? MPP Bell.

Ms. Jessica Bell: Could we hear an explanation as to why we would want a deferral?

The Vice-Chair (Ms. Donna Skelly): Any further comments? MPP Harris.

Mr. Mike Harris: I'm just reading over the note that was sent from the ministry and it does go into a little bit of detail talking about how the multi-year planning cycle is under way and there's a lot of effort being put into that at the moment. I think they're looking to have some of that finished up before they come and appear at committee. If you have a look at—oh, there it is right there. Perfect.

The Vice-Chair (Ms. Donna Skelly): MPP Bell, have you seen this?

Ms. Jessica Bell: Well, France isn't here. Usually, she leads on that—

The Vice-Chair (Ms. Donna Skelly): I believe you have it in front of you.

Ms. Jessica Bell: Yes. We found it.

Our request is that we wouldn't grant an extension and that we would have the Minister of Health in the time frame that was originally suggested.

The Vice-Chair (Ms. Donna Skelly): Any further debate or comments? MPP Collard.

M^{me} Lucille Collard: I understand that the request is for an extension or a deferral until the new year. Is it possible to get a more precise date, at least, so that the ministry can get on track with preparing for the appearance?

The Vice-Chair (Ms. Donna Skelly): Further debate? MPP McCarthy.

Mr. Todd J. McCarthy: From what we know of the House schedule into the new year, we know that we are returning on Tuesday, February 21. I believe we know that, based on the standing orders schedule. That's a Tuesday. The next public accounts committee meeting would be on Monday, February 27, so it wouldn't be earlier than that.

The Vice-Chair (Ms. Donna Skelly): Further comments?

M^{me} Lucille Collard: Can we target that date, then, and request that the ministry be ready for at least that date? It gives them three months to get up to par.

The Vice-Chair (Ms. Donna Skelly): Further comments?

Ms. Bonnie Lysyk: I just want to comment with respect to the request. The committee had scheduled them, as you can see, on November 14, and they were quite prepared to present on November 14. I just offer the comment that the longer you—and it's the committee's prerogative—move it into the future, the more work it will require from them to prepare for the committee, because times change, things change. So my understanding is that they were very prepared to come on November 14, but if it's the committee's desire to delay it, I have no comment on that.

The Vice-Chair (Ms. Donna Skelly): Further comment? MPP McCarthy.

Mr. Todd J. McCarthy: I believe the letter that we have from Alison Blair, on behalf of Dr. Catherine Zahn, the deputy minister—the ministry is respectfully requesting an extension for the November 21 appearance to a new-year timeline. So the new-year timeline brings us to February 27 or March 6—we're getting near the end of the first quarter, but it's certainly still a new year. I would think either February 27 or March 6 would be appropriate, as the request is a new-year timeline. So why don't we suggest one of those two dates? I think that would be respectful and satisfactory in terms of this request.

The Vice-Chair (Ms. Donna Skelly): Further debate? MPP Collard.

M^{me} Lucille Collard: Given the comments of the Auditor General—I didn't have that information before I made my suggestion; nonetheless, I still think we should have a date. Given that the ministry was ready and just not able to appear today—we still have a number of meetings before the end of this session, I understand. Could we inquire why the ministry couldn't be ready for one of the following meetings of the committee on public accounts before the end of this year?

The Vice-Chair (Ms. Donna Skelly): MPP McCarthy.

Mr. Todd J. McCarthy: The ministry, in requesting this, indicated in the letter, "Further, the Ministry of Health

recently underwent an internal reorganization. As the audit involved several different program areas, preparation time is needed." That, then, leads to the new-year timeline request. We have the 21st, 28th and 5th meetings of this committee before we rise for the year—my respectful submission, through you, Chair, would be that that would not be in accordance with this request. The new-year timeline is the request, so the dates that would be the earliest possible within our sitting schedule would be February 27 or March 6.

0910

The Vice-Chair (Ms. Donna Skelly): MPP McCarthy, I believe MPP Collard was just simply asking for confirmation between now and the end of this session, to confirm a future date. Am I correct, MPP Collard? Yes.

MPP Harris, did you want to speak to that?

Mr. Mike Harris: I was just going to say that to be able to expedite this part of the conversation a little bit, why don't we bring those dates back—the committee can bring those dates back to the ministry and we can see if maybe one of those days in the early new year would work, when we reconvene the Legislature after Christmas. If that's okay with the committee, then we can do that. I would also say that if this needs a vote that we go ahead and we vote on that now.

The Vice-Chair (Ms. Donna Skelly): Thank you, MPP Harris.

We have one more comment. MPP Bell.

Ms. Jessica Bell: Looking at the letter, it indicates that the Ministry of Health was meant to appear in April 2022, so it has already been delayed by six months, and now there's a proposal to delay it by—December, January, February—another three months. We've already heard from the Auditor General that the minister is prepared to present to us. I see no reason why we would want to wait.

The Vice-Chair (Ms. Donna Skelly): MPP Anand.

Mr. Deepak Anand: Again, just going by the reading: It's not a point-of-time report. It clearly talks about how they have gone through internal reorganization, so things changed, and they need to prepare subject to the changes.

In my opinion, Madam Chair, the best thing would be to agree to a date now, and then ask the ministry. If anything, we can always bring it back. Whatever MPP McCarthy is saying—March 6, or February 27—let's agree to it and then ask the ministry. I think that would be better.

The Vice-Chair (Ms. Donna Skelly): Is there further debate or comments? Otherwise, I have something I'd like to put forward.

Mr. Todd J. McCarthy: Chair, if I may?

The Vice-Chair (Ms. Donna Skelly): Yes, MPP McCarthy?

Mr. Todd J. McCarthy: I certainly would move at this point to propose that the Ministry of Health present to this committee on either February 27 or March 6, and that we propose those dates and request that by the time of our next meeting on November 21, we confirm those dates after we've heard back from the ministry in terms of availability for one or the other of those proposed dates.

The Vice-Chair (Ms. Donna Skelly): So, if I could summarize, MPP McCarthy is proposing that we suggest to the Ministry of Health that they appear on February 27 or March 6, and that we have confirmation by our next meeting?

Mr. Todd J. McCarthy: Yes. That is the proposed motion, and that this be communicated forthwith to the ministry, with an expected answer on the choice of those two dates by our next meeting on November 21.

The Vice-Chair (Ms. Donna Skelly): Forthwith, yes. Whilst we're here: MPP Collard?

M^{me} Lucille Collard: I agree with the proposal put forward by MPP McCarthy. I would just like to add an addition: that the Ministry of Health—given the importance of the subject we're talking about, the outpatient surgery audit—also will be providing an explanation as to why they couldn't do it before the end of this year, given the importance of the topic.

The Vice-Chair (Ms. Donna Skelly): MPP McCarthy, will you agree to that addendum?

Mr. Todd J. McCarthy: I understand the request, Madam Chair; I just don't think there's any need for that. I suppose that could be a question put on February 27 or March 6, when the time comes, but I don't think there's any need. What I'm trying to do is get this scheduled on one of those two dates, and to have the ministry choose which one on or before November 21, without further explanation, at least at this point.

The Vice-Chair (Ms. Donna Skelly): Further comments before we vote on the original proposal by MPP McCarthy? Okay. Seeing none—

Interjections.

Ms. Jessica Bell: I see no reason why we should extend a hearing that was meant to be scheduled April 2022 to February 2023, when the ministry is prepared—

The Vice-Chair (Ms. Donna Skelly): Thank you, MPP Bell. I should put this to a vote, then. All those in favour of the—we just need an actual motion, so we'll recess for five minutes—

Mr. Todd J. McCarthy: I can work with the Clerk on that.

As a matter of procedure, would the Clerk be communicating—if the motion is passed, of course, Chair—to the ministry forthwith as I indicated after today so that we have an answer back on which of the two dates we're going to hear from the ministry by next week?

The Vice-Chair (Ms. Donna Skelly): The answer to that is yes.

We'll take a recess for five minutes.

The committee recessed from 0915 to 0921.

The Vice-Chair (Ms. Donna Skelly): I call the meeting back to order. MPP McCarthy has moved that the Ministry of Health and Ontario Health be invited to appear before the committee for the hearings on the value-for-money audit, outpatient surgeries, on February 27, 2023.

Interjection.

The Vice-Chair (Ms. Donna Skelly): I was just informed that it's actually up to Mr. McCarthy to move this. So maybe,

Mr. McCarthy, if you would please read what's in front of you?

Mr. Todd J. McCarthy: Thank you, Chair. I move, formally, that the Ministry of Health and Ontario Health be invited to appear before the committee for the hearings on the value-for-money audit, outpatient surgeries, on February 27, 2023, or March 6, 2023, and that the ministry confirm its appearance for one of these dates on or before November 21, 2022.

Mr. Will Bouma: Forthwith.

The Vice-Chair (Ms. Donna Skelly): Forthwith.

All those in favour, please raise your hands. All those opposed? The motion is carried.

We'll move on to mixed seating. During its meeting, the subcommittee discussed adopting a practice of mixed-party seating in this committee to foster a stronger, non-partisan relationship and collaborative work, which is important to public accounts committees.

Do the subcommittee members want to elaborate a little more? Would anyone like to speak to this? MPP McCarthy.

Mr. Todd J. McCarthy: Thank you, Chair. I am new to this committee, but I'm honoured to be here among all of you. I recognize that this committee is unique, in the sense that although we have a majority government in Ontario's 43rd provincial Parliament for the PC Party of Ontario, members of this committee include members from all parties in the House. The Chair, of course, is a member of the official opposition, and the unique nature of the committee is such that we came to a consensus at the subcommittee that the seating configuration doesn't have to reflect the seating in the chamber and that we sit amongst each other, regardless of party, on a random basis. Although we would get comfortable with our usual seat at this committee, but however we position ourselves, it's not one side government, the other side opposition.

The Vice-Chair (Ms. Donna Skelly): Further debate or comments? MPP Bell?

Ms. Jessica Bell: We're all for it

The Vice-Chair (Ms. Donna Skelly): Further debate? Further comments? Does the committee agree to mixed-party seating? Agreed? Agreed.

We should then provide the Clerk on how this should be set up. Would anyone like to speak to that?

Interjection.

The Vice-Chair (Ms. Donna Skelly): If I could recognize MPP McCarthy.

Mr. Todd J. McCarthy: Thank you, Chair. I did serve on a school board, which feels a lot like this. My apologies; people assume, having been a trial lawyer, that I know exactly what to do with this type of meeting, Chair, but I apologize for a few bumps in the road today.

The configuration that we had for today and at our previous training session or orientation session, to my knowledge, was that none of us had any input other than I sat where my name was. I'm content with the Clerk assigning the seating and putting our name tags, as long as it's interspersed. I think it can be random. I don't think we have any particular preference, but the idea would be that we

would be interspersed randomly, and then those would be our regular seats, with our names assigned. So I'm not sure, Chair, who did assign the seating initially, but whoever did so did it wisely, except it's now invited to be on a non-partisan basis, or a mixed basis.

The Vice-Chair (Ms. Donna Skelly): Thank you, MPP McCarthy. I'm going to take a stab at it, but I think it's alphabetical order.

MPP Anand?

Mr. Deepak Anand: No, I'm good.

The Vice-Chair (Ms. Donna Skelly): No? Any further debate or comments? Okay. At that point, I'll pass it to the Clerk.

The Clerk of the Committee (Ms. Tanzima Khan): Just for some clarification, what I'll just do, moving forward, is I'll just do it alphabetically, mixed parties, and then if you feel like you want to move, you're more than welcome to pick up your name plate and move somewhere else. It should probably be more spread out on both sides, then, too.

The Vice-Chair (Ms. Donna Skelly): Thank you. Any further debate or comments? No? Does the committee agree

to the Clerk's proposal? Agreed. I see no one saying that they object. We shall move on to time rotations for committee hearings.

I would like to inform the members of this committee that the subcommittee, at their meeting on October 18, 2022, decided to maintain the same time rotation that was agreed to in the previous Parliament: For hearings, witnesses will be given 20 minutes collectively to make opening remarks, and then we will do repeating rotations of questions, with 20 minutes for the government side, 20 minutes for the official opposition and three minutes for the independent member. That rotation will be repeated until either the committee decides they have no questions left or the meeting time has come to an end.

Interjection.

The Vice-Chair (Ms. Donna Skelly): That's just information.

We will now move into closed session to begin report-writing. This committee will recess for five minutes to allow the Clerk to ensure we are properly in closed session.

The committee recessed at 0927 and later continued in closed session.

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