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For Immediate Release

Attn: Assignment Editor

**Ford government won't hear from more than 1,500 on sweeping health restructuring bill:
Coalition decries process as grossly undemocratic and objectionable**

Toronto -- The Ontario Health Coalition will appear before the Ontario Legislature's Standing Committee on Social Policy this morning in the public hearings into Bill 74. The Ford government's new health restructuring law, the Coalition reports, gives the Minister of Health and the government's appointees in the new Super Agency sweeping new powers to order, direct, coerce through funding powers, and otherwise force health service restructuring and privatization. The Coalition is concerned that local health care services will be put in jeopardy, that any remaining local control over health services is being taken away, that the legislation enables the government and the Super Agency to force the privatization of a massive array of health care services, and that the legislation has been stripped of all democratic protections. Health Coalition executive director Natalie Mehra issued the following statement this morning in response to the government's refusal to date to hold public hearings across Ontario and to consult with the people of the province who fund our health care system:

"The process by which this legislation was introduced and has been moved through our provincial parliament is reckless and profoundly undemocratic. Major policy changes regarding vital health care services impacting more than 18 million Ontarians require proper public consultation, meaningful feedback and honest debate. This legislation was forged in secret without any public consultation. The Health Minister has never admitted publicly to the sweeping new powers she has written into the legislation giving herself and the government's appointees in the Super Agency to order, direct, coerce and otherwise force the largest round of health services restructuring our province has ever witnessed. She has never admitted that there are more than five separate sections in the new law that grant the government and its appointees powers to force health service privatization. This legislation has been rushed through first and second reading in the Ontario Legislature at extraordinary speed so as to limit debate and reduce the time allowed for Ontarians to learn what the legislation means for them.

"Worse, Cabinet created the Super Agency and has even named most of its Board Members before the Legislation has even been passed in our provincial parliament. In so doing, they have made a mockery of our system of parliamentary democracy.

"The public was given, at most, one-and-a-half days of notice to apply for standing to present before the Standing Committee on the new legislation. Even with the scant notice, more than 1,500 Ontarians applied for standing. There are only two part-days of hearings in Toronto and no hearings elsewhere in the province in which there are 30 spaces to present to the Standing Committee. Approximately 1,500 people and organizations that applied for standing will not be heard. We object in the strongest possible terms to what can only be described as an attempt to circumvent public scrutiny and debate. Ontario's health care system is understood to be a *public* system. Ontario residents fund it, we have contributed more than a hundred years in our local communities to building our local health care services, and we rely on them from birth to death. This legislation takes away all last vestiges of local control over our health care services. The process with which is being railroaded through our provincial parliament is high-handed and grossly objectionable.

"In context, the usual process for major changes in public policy is that the government would issue a "White Paper", a discussion paper, and provide widespread public notice and distribution of the paper outlining key questions and

intentions for public input. This input would be gathered over a period of months and it would be used in the framing of the legislation. That has not happened. Once written, such major legislation usually takes months to go through the Ontario Legislature. Usually there is notice for public hearings and those hearings are held in every geographic region of the province. There is usually a reasonable time (a matter of weeks or months) for organizations and individuals to apply for standing, and there is usually enough time in the hearings to hear from most or all of those who apply for standing. This has not happened. Usually, the input from the hearings is considered by all political parties for a period of time and amendments are drafted to reflect the input. These amendments are duly voted on in the Standing Committee. All of this process allows time for thoughtful consideration, public discussion and debate, informed responses and meaningful democratic input. None of this has happened with Bill 74.

“It is not an overstatement to report that the undemocratic nature of this process is unprecedented. Here is a summary comparison with the previous two rounds health care restructuring legislation in Ontario:

- The Local Health System Integration Act (LHSIA 2006) was introduced in 2005. Notice of public hearings was given in November of that year with a deadline to apply for standing on January 13, 2006. Hearings were held in Toronto, London, Ottawa and Thunder Bay. These hearings were extremely limited and many organizations objected to this at the time. Nevertheless there was still a process with timelines that enabled Ontarians to have some input. The legislation was amended to improve the goals of the LHINs, to require open public Board Meetings, and other improvements in the public interest. Faulty as it was, that process was better than the current one.
- The Savings and Restructuring Act (1996) which launched hospital restructuring under the Harris Conservative government was introduced in November 1995. At the time, it was considered extremely undemocratic as it was a massive omnibus bill, it gave sweeping new powers to the Minister of Health to order the closures of local hospitals by fiat without going back to the Legislature for debate, and the bill was subject to “time allocation” by the majority Harris Conservative government to limit debate and move it through provincial parliament more quickly. (The same criticisms apply to the current legislation.) Even so, that legislation was referred to a Standing Committee where it was opened for 15 days of public hearings across the province. Those hearings allowed presenters 15 minutes to present. Today’s hearings allow 8 minutes. The undemocratic nature of the process for the Harris government’s restructuring bill (which was nonetheless clearly much better than the current process) was so controversial that it is the subject of university theses, public policy articles and studies and books that are available online still today. Even so, the powers in that legislation were nowhere near as far-reaching as the powers in the current health restructuring bill (Bill 74) that is being rushed through the Ontario Legislature now. Further, the Health Services Restructuring Commission was required to conduct its restructuring transparently, with public notice, published plans and reports, public meetings, public consultations, appeals, public access to documents, and a timeline. These provisions were deeply criticized at the time as woefully inadequate. However inadequate, none of those procedural protections are in the current health restructuring bill. In addition, the Harris-era restructuring was not permanent. There was a sunset clause in the legislation that ended the restructuring commission’s work. In Bill 74 the current government has given itself and its appointees in the Super Agency sweeping new powers to order, coerce and otherwise force restructuring in perpetuity.

“Forgoing due public process is a recipe for poor public policy and an affront to democracy. Each round of health care restructuring has lowered the bar regarding the amount of proper consultation and public input in policy making that impact Ontarian’s health and health care system. Even so, what the Ford government is doing today sets a new low. It is a terrible precedent and an appalling abuse of power. We insist that this government reconsider its approach and hold proper public consultations with due notice and hear from the people in every geographic region of Ontario on their plans.”

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