

**Title: Wednesday, October 31, 2007 Community Services Committee**

Date: 07/10/31

Time: 1:30 p.m.

[Mr. Marz in the chair]

**The Chair:** Good afternoon, ladies and gentlemen. I'd like to call the meeting to order. I'd like to start by introducing myself. My name is Richard Marz, chair of the Standing Committee on Community Services. We'll go around the table to my right, to my deputy chair.

**Mrs. Mather:** Hello and good afternoon. I'm Weslyn Mather, MLA for Edmonton-Mill Woods.

**Mr. Lougheed:** Rob Lougheed, MLA, Strathcona.

**Rev. Abbott:** Tony Abbott, the MLA for Drayton Valley-Calmar.

**Mr. Johnston:** Good afternoon. Art Johnston, Calgary-Hays.

**Dr. Massolin:** Good afternoon. Philip Massolin, committee research co-ordinator, Legislative Assembly Office.

**Ms Sorensen:** Rhonda Sorensen, manager of communications, Legislative Assembly Office.

**Ms Roth von Szepesbela:** Katrin Roth von Szepesbela, legal research officer, Legislative Assembly Office.

**Ms Perret:** Denise Perret, Alberta Health and Wellness, legal counsel.

**Ms Gray:** Holly Gray, legal counsel for Alberta Health and Wellness.

**Ms Miller:** Fern Miller, Alberta Health and Wellness.

**Mr. Flaherty:** Jack Flaherty, MLA for St. Albert.

**Ms Dean:** Shannon Dean, Senior Parliamentary Counsel.

**Mrs. Dacyshyn:** Corinne Dacyshyn, committee clerk.

**The Chair:** Welcome, everyone. I'd like to just state that the meeting agenda was posted online for printing and viewing yesterday. I'd like to have a motion to approve the agenda.

**Rev. Abbott:** So moved.

**The Chair:** Reverend Abbott moves that. Any discussion? Those in favour? That's carried.

Approval of the October 11 minutes. They've been circulated. Is there any discussion or question? Mr. Johnston moves approval of the October 11 minutes. Those in favour? Opposed? That's carried.

The minutes of October 18 have also been circulated. Does anyone wish to move approval of those? Reverend Abbott moves approval. Those in favour? Opposed? That's carried.

Thanks to Mr. Backs for reminding us that it is Halloween today.

You'll note from the draft report on Bill 41 that there is a note from department officials. They've raised issues with respect to a motion passed by the committee on October 29, that the language of section 135.1 be amended so that "the Minister's powers pursuant to s. 135.1 be limited to new and emerging professional colleges." The

department would like to comment on that at this time, so I'll invite Ms Perret to do so.

**Ms Perret:** Thank you, Mr. Chair. With respect to section 135.1 I just want to point out that the discussion started with a comment that the minister had indicated that this was to apply primarily to small and emerging colleges. I'm afraid that my comments may have confused the matter because the minister's comment on small and emerging colleges is a comment on section 135.2, and the comments that I made were in response to that section which is entitled Support. The purpose of that section is to support those types of colleges as the primary purpose. It is not the policy intention behind section 135.1. In that case, the policy focus is to provide for patient safety and the quality of care.

The minister explained that to the committee when he was here. He said that this section is intended to provide for system-wide oversight and assurance to Albertans about the safety and the quality of the system, and the example that he provided is one we did discuss on Monday about the infection prevention and control survey that he requested from the regulatory bodies, from the colleges. The results of that survey showed a wide variation among colleges in how they approach their infection prevention and control practices and standards.

In response to that survey the minister indicated that he committed to put in place province-wide standards to ensure the highest level and the best practice level of infection prevention and control across all professions. He wasn't focused on just small professions. He was acting from what he believes is his commitment at an assurance level to ensure best practices across the colleges. His comments reflect the fact that the health workplace is a multidisciplinary environment. No one college prevails in setting a standard there, and there are a number of different employers as well. So it's not an intent to step on the toes of self-governance. What it's aiming to do is simply to protect patient safety on a system-wide basis.

Now, you'll also note that in section 135.1 subsection (2) talks about process. It talks about putting in place a procedure to be followed in developing, proposing, consulting on, and reviewing a matter before a directive becomes effective. Again, the minister spoke to that when he was at the committee. He indicated that he wouldn't be acting under 135.1 without this type of process, and I believe his words were that section 135.1 would never be a first resort; it would always be a last resort.

Just in closing, I wanted to clarify – and I appreciate the opportunity to do so – that the policy behind section 135.1 is a patient safety policy. It recognizes that there are a number of different actors in the health workplace, and all it does is give a role to one of those actors, the minister in this case, to be able to play his assurance role when needed, when those times arise, to ensure patient safety and quality of care.

Thank you.

**The Chair:** Reverend Abbott, do you have some comments?

**Rev. Abbott:** Yes. Thank you, Mr. Chairman. I would like to thank the department for those comments. I've also been looking over it since our last meeting, and I would like to move that we rescind the motion that was passed here, 135.1, that "the Committee proposes that the Minister's powers pursuant to s. 135.1 be limited to new and emerging professional colleges," in the light of the comments just made by the department.

**The Chair:** Okay. We have a motion by Reverend Abbott to rescind the previous motion. Any discussion on that?

**Dr. Pannu:** Mr. Chairman, that motion was I think made by me. Correct me if I'm wrong.

**The Chair:** I believe it was, yes.

**Dr. Pannu:** Right. So I think I should comment on it.

I appreciate the explanation given, Mr. Chairman, by department representatives, but the concerns expressed before this committee through public hearings, unless we deem all of those who made those comments as having completely misunderstood the language of the act, I think remain valid, and I think this motion that we passed addressed those concerns. I would have to speak against the motion to rescind, and I would therefore be voting against it.

**The Chair:** Any others? Mrs. Mather.

**Mrs. Mather:** Thank you. I really appreciate the department explanation this afternoon, and I think that the confusion last time was that we were concerned about the intention, which is more related to 135.2, the support factor. I think the intention is definitely that we have system-wide oversight and quality, so I support the motion to rescind the motion from October 29.

**The Chair:** Mr. Backs.

**Mr. Backs:** Thank you, Mr. Chairman. I appreciate the department's explanation here, and I think it helps clarify the intent of this. I'm sure that that would be put forward in any application of this provision. If that is, in fact, the case, I support this.

**The Chair:** Others? Are you ready for the question on the motion? Those in favour of the motion to rescind, raise your hands. Those opposed? The motion is carried.

**Dr. Pannu:** And my vote will be noted, Mr. Chairman?

**The Chair:** Okay.

There was another point that the department wanted to speak to on 135.2. Is that correct?

**Ms Perret:** Well, I believe the committee had tabled the issue about whether or not the term of appointment for the administrator should be limited to a specific period of time, and a period of one year had been used as an example. I indicated that I didn't have instructions on that, but I am able to advise the committee that the minister is in ongoing discussions with the colleges and has indicated that he will be raising that issue with them in those discussions. So he's willing to consider it, but I have no further instructions now.

*1:40*

**The Chair:** Okay. We do have a motion that was tabled from the last meeting to this meeting on that particular issue, and that motion was to restrict the appointment of an administrator to one year. That motion is to be dealt with today.

**Mr. Backs:** Mr. Chair, considering the direction given from the department, it may be more advisable to change that motion to such time as agreed upon by the minister and the department, rather than just one year.

**The Chair:** Okay.

**Mr. Backs:** Would there be a problem changing it that way?

**The Chair:** I'll have Shannon comment on that.

**Ms Dean:** I think that's allowed for in the bill right now. Is it in keeping with the intent for the motion to be phrased something like: the committee recommend to the minister to consider limiting the terms of appointment for administrators?

**Mr. Backs:** That would work. Something like that would be more appropriate, I think. Yeah.

**Rev. Abbott:** I was just going to comment, Mr. Chair, that I agree with that amendment in the sense that I think the spirit of the discussion was to say that it's not just an unlimited term but that we see an end to it, that there is an end that's agreed upon by the various stakeholders, and that once that's agreed to, we can set that as part of the policy.

**The Chair:** There should be someone amending that other than Mr. Backs because it's his original motion.

**Mr. Backs:** It could be a friendly amendment from myself to myself given new direction.

**Ms Dean:** I would suggest that Reverend Abbott move the amendment to the original motion.

**Rev. Abbott:** Okay. Sure. I'll move the friendly amendment.

**Mr. Backs:** Sure.

**The Chair:** Reverend Abbott moves an amendment, and that would read . . .

**Mrs. Dacyshyn:**

That the committee recommend that the minister consider limiting the term of appointment for administrators.

**The Chair:** Any discussion on that? Seeing none, those in favour? Opposed? Carried.

Okay. We will now go through the review and approval of the draft report on Bill 41. I'll have Dr. Phil Massolin lead us through the discussion on the draft report, which includes changes requested by the committee last meeting, October 29. That would be under tab 5, I believe.

**Dr. Massolin:** Okay. Thank you, Mr. Chair. I'd like to speak first about the draft report for Bill 41, and then we'll go into the report for Bill 31. Just to give you a sense of what's happening here, the format and the presentation for these two reports is very similar to the format used for the reports for the Government Services Committee. The intention here is to make those reports consistent.

The other thing I'd like to point out is that both of these reports, on 41 and 31, are rather short, but they do reflect the discussion from the last meeting that we had on Monday. I do want to emphasize that if committee members have any suggestions or additions or recommendations, we would listen to the direction on those points. Obviously, we already have some directions as to what we would change with respect to the sections just talked about, including 135.2.

Given that we've dealt with the two outstanding issues – and I'm referring specifically to page 5 of the report on Bill 41 – maybe I could turn it back to you, Mr. Chair, and ask through you for any feedback with respect to this report.

**The Chair:** Okay. Does anybody have any comments or questions or opinions on the report, the recommendations we made? It's fairly brief. I think it pretty much captures what discussions we had last week and just this morning.

**Rev. Abbott:** I would just be curious to know the department's comments in light of the changes made today, if this is kind of what the minister was looking for or if we're along the same lines or how we're going on that.

**Ms Perret:** Mr. Chair, we would have no further comments on the report at this point.

**Rev. Abbott:** Good to hear.

**The Chair:** Anyone else? Then I guess we're looking for a motion to approve the report on Bill 41. There are no changes proposed, so I guess a motion to entertain.

Shannon, did you have any comments?

**Ms Dean:** I believe Dr. Massolin referred to the two changes that we just approved right now.

**The Chair:** Yeah. That's already approved, so as approved to date. I'd be looking for a motion to approve the report with those changes that were made today.

**Mrs. Mather:** I'll move that  
the Standing Committee on Community Services approve the committee's report on Bill 41, encompassing the changes that we discussed this afternoon.

**The Chair:** Any discussion on the motion? Seeing none, those in favour? Opposed? That's carried.

Now we will ask Dr. Massolin to lead us through discussions on the draft of Bill 31. That's under tab 6 in your binder if it's set up like mine is.

**Dr. Massolin:** Thank you again, Mr. Chair. This report, as you have all seen, is very similar in general format. It has a couple of different elements to it, including the proposed amendments on page 5 under 3.0 and 3.1. Just one change in wording on page 5: under 3.1, Amendments to Bill 31, I propose that we add the word "proposed" before "amendments," so Proposed Amendments to Bill 31.

**Rev. Abbott:** Do you need a motion to that effect?

**Dr. Massolin:** I don't think so, no.

**The Chair:** Is there any opposition to that or any discussion on that proposal?

**Dr. Pannu:** This is just a change in the title up there, right?

**Dr. Massolin:** That's right. It would make it consistent with the rest of the document, just to indicate that these are proposals.

**Dr. Pannu:** Yes. I so move.

**The Chair:** Okay. Dr. Pannu moves that we accept that change. Those in favour? Opposed? Carried.

**Dr. Massolin:** Then if I could turn committee members' attention to page 11, just another change with respect to the second paragraph under Committee Recommendations, the last line: "addressed by the Ministry in conjunction with the health profession bodies." The proposed change would be to change that from "in conjunction with" to "in consultation with." I'm wondering if that is acceptable, Mr. Chair.

**The Chair:** So changing the word "conjunction" to "consultation."

**Dr. Pannu:** I so move.

**The Chair:** Dr. Pannu moves that we accept that. Any discussion? Those in favour? That's carried.

*1:50*

**Dr. Massolin:** Just another very minor one. We discovered a typo with respect to a name. It's on page 12, number 33: Giri – I hope I'm pronouncing this right – Puligandla. It should be l-a, not i-a. I just wanted to bring that to the committee's attention.

**The Chair:** What was that spelling again?

**Dr. Massolin:** Instead of i-a at the end it's l-a, so d-l-a.

**Dr. Pannu:** Bottom line on page 12.

**Dr. Massolin:** Yes. Number 33, the last line.

**The Chair:** Everyone agree to that?

**Hon. Members:** Agreed.

**Dr. Massolin:** I don't know, Mr. Chair, if there are any additional comments or recommendations, suggestions, additions that the committee members may have with respect to this report, but we're waiting for any direction, should there be any.

**Rev. Abbott:** Well, I guess I just want to say thank you to the committee and to the staff for sure. This was a lot of work, this bill. We did have a lot of presenters and a lot of suggestions, and I think we found a good balance here. So I just want to say thank you. I believe the bill has been greatly improved, and I hope the Legislature will see that when we bring this report forward and accept some of these recommendations because I think they're excellent, and they make the bill better.

**The Chair:** I was looking for someone to move that the Standing Committee on Community Services approve the committee's report on Bill 31.

**Rev. Abbott:** I'd like to move approval of the standing committee's proposed amendments to Bill 31.

**The Chair:** As distributed with the approved changes.

**Rev. Abbott:** Correct.

**The Chair:** Okay. Any discussion on that? Those in favour? Opposed? That's carried.

**Dr. Pannu:** I would like my vote to be noted, Mr. Chairman.

**The Chair:** So noted.

Does anyone have any other business to raise?

**Dr. Pannu:** Mr. Chairman, I guess this would be the last meeting of this committee on these two bills. We will be receiving, I guess, the minutes for last meeting later on. Just so that we don't forget, a reminder that we did pass a motion that was the very last motion on that day. This had to do with the motion asking that the statistics concerning community treatment orders be appended to the minutes. Just a reminder of that so that doesn't fall through the cracks. Thank you.

**The Chair:** Dealing with the minutes, I'd like to raise an issue that the minutes of October 29 and today are not completed. I was wondering if we could have a motion if the committee is in agreement. Since we won't have another meeting – we'd have to have another meeting just to approve the minutes – if those minutes could be just approved and reviewed by the chair on behalf of the committee after being circulated. Dr. Pannu, you move that? Okay. Any discussion? Those in favour of that? That's carried.

Also, I'd like to say that the committee must report to the Assembly on Bill 31, the Mental Health Amendment Act, 2007, and Bill 41, the Health Professions Statutes Amendment Act, 2007, on or before the first week of the fall 2007 sitting. I'd like to ask Rhonda Sorensen, our communications manager, to address the committee about news releases and other considerations respecting the public release of the reports after they have been tabled in the Assembly. Could you lead us through that, Rhonda?

**Ms Sorensen:** Thank you, Mr. Chair. I just wanted to draw the committee's memory back to when we tabled the communications report at the beginning of this process. There was a recommendation in there to release a final news release once the report has been tabled. I just wanted to ensure that the committee is still comfortable with that. The intent of the release would just be to draw closure to this process and let the media know what's been tabled. As a part of that what I'm hoping to do is direct media and the public to the report, which we're hoping to post on the website, and I wanted to ensure that the committee is comfortable with that as well.

**The Chair:** Any questions on that? Everybody agree to that? Okay. Louise, did you have something you wanted to raise?

**Mrs. Kamuchik:** No.

**The Chair:** Okay.

**Ms Sorensen:** Just further to that, Mr. Chair, if you're comfortable

with it, I will write the news release and forward it to yourself and the deputy chair for approval prior to release, and it won't be released until the report is tabled.

**The Chair:** Okay. Also, could we have agreement that for everybody that made presentations at the public hearing, those reports be made available on our website as well after they're tabled. Is that agreeable?

**Hon. Members:** Agreed.

**The Chair:** Okay. Is there anything else that we need? I will be tabling the report on both bills, Bill 31 and Bill 41, on Monday.

There's nothing else, then, except what Reverend Abbott has already done. I'd like to thank Alberta Health and Wellness officials for all the assistance you've given throughout the process and ask for agreement that the chair send a letter to the minister acknowledging their significant contributions as well. Is that agreeable?

**Hon. Members:** Agreed.

**The Chair:** I'd also like to thank the following staff from the Legislative Assembly Office for their hard work in guiding the committee through the new procedure: Shannon Dean, Parliamentary Counsel; Louise Kamuchik, Clerk Assistant and director of House services – thank you, Louise – Dr. Philip Massolin, committee research director, and the research team of Rhonda Sorensen, communications manager; *Hansard* staff – thank you very much – and last but not least the committee clerk, of course, Corinne Dacyshyn.

I'd like to thank all the committee members for your hard work and diligence in the whole course of pioneering a new process in the democracy of Alberta. Thank you very much.

**Mr. Lougheed:** We'd like to thank the chair for his guidance. Without him it couldn't be achieved.

**The Chair:** That's true.

**Mr. Lougheed:** Supported, of course, by the deputy chair.

**The Chair:** We won't be having another meeting. This will be it, so any tentative dates you had in your calendar for that, you can rebook with something else. I'm sure there's lots you'll have.

We just need a motion for adjournment. Mr. Johnston, final motion to adjourn. Those in favour? It's carried.

[The committee adjourned at 1:59 p.m.]