

Legislative
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Bill 32

An Act to proclaim Black Mental Health Day and to raise awareness of related issues

Co-sponsors:

Ms B. Karpoche

MPP J. Andrew

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Private Members' Bill

1st Reading November 3, 2022

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill proclaims the first Monday in March in each year as Black Mental Health Day.

The *Anti-Racism Act, 2017* is amended to require the Ministry of Health, the Ministry of Long-Term Care, Ontario Health and any person receiving funding from the Government of Ontario to provide health care services to take all reasonable steps to ensure that information relating to the race of patients in Ontario is collected.

The *Ministry of Health and Long-Term Care Act* is amended. Currently, the Act lists the functions, duties and powers of the Minister. The Bill amends the list by adding the duty to ensure that health services are provided in a culturally appropriate manner.

An Act to proclaim Black Mental Health Day and to raise awareness of related issues

Preamble

Anti-Black racism persists in the Province of Ontario and in provincial government systems and services today. It results in inequitable treatment and unequal outcomes for Black Ontarians across all sectors, including the education, justice, employment, housing and child welfare sectors.

Racial inequalities, anti-Black racism, discrimination and the lasting effects of trauma have negative impacts on the mental health and physical well-being of Black Ontarians. The lack of concrete action to address anti-Black racism in public services like healthcare and education, and in the area of housing services, only increases the toll of anti-Black racism on Black Ontarians' mental health, regardless of income, education, or employment status.

By proclaiming the first Monday in March in each year as Black Mental Health Day in Ontario, the provincial government can show Black Ontarians that it recognizes the ongoing impact on mental health that results from staying silent on issues of anti-Black racism in public services. Black Mental Health Day will also raise awareness of the specific mental health needs of Black communities across Ontario.

Currently, there is no co-ordinated approach or requirement for the collection of race-based healthcare data, despite evidence of racial inequities in health outcomes in Ontario and calls, from the community and health care providers, for the province to collect such data to inform evidence-based policymaking and service provision.

Attempts to respond to the mental health needs of Black Ontarians have often failed to recognize the diversity that exists within Black communities, highlighting the importance of providing culturally appropriate services that respond to this diversity.

Far too often the health needs of Black individuals are left unaddressed by our healthcare system. Black Ontarians are faced with enduring race-based stereotypes that result in the denial of proper medical assessments, increased rates of misdiagnosis, under-treatment and failure to diagnose. The effects of anti-Black racism can result in mental health conditions or aggravate those conditions, including conditions such as depression and anxiety. Mental health issues have been found to increase both risk of physical illness and harm from physical illness that Black communities already experience at higher rates.

There is a need to deliver mental health services using anti-oppression frameworks that recognize the long-standing and enduring impact of anti-Black racism on Black Ontarians. Taking this important step will lead healthcare professionals to work collectively to ensure that Black Ontarians can access pathways to allow them to live healthy lives.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Black Mental Health Day

1 The first Monday in March in each year is proclaimed as Black Mental Health Day.

Anti-Racism Act, 2017

2 (1) **Subsection 6 (7) of the *Anti-Racism Act, 2017* is repealed.**

(2) The Act is amended by adding the following section:

Mandatory collection in the health sector

6.1 (1) The Ministry of Health, the Ministry of Long-Term Care, Ontario Health and any person who receives funding from the Government of Ontario to provide health care services shall take all reasonable steps to ensure that information relating to the race of patients in Ontario is collected.

Same

(2) Unless already provided for in the data standards and the regulations made under subsection 6 (5), the data standards are deemed to list any personal information necessary for the purposes of subsection (1) and the regulations are deemed to require the collection of such personal information.

Ministry of Health and Long-Term Care Act

3 Subsection 6 (1) of the *Ministry of Health and Long-Term Care Act* is amended by adding the following paragraph:

2.1 To ensure that health services are provided in a culturally appropriate manner.

Commencement

4 This Act comes into force on the day it receives Royal Assent.

Short title

5 The short title of this Act is the *Black Mental Health Day Act, 2022*.