



Legislative Assembly
of Ontario
Second Session, 38th Parliament

Assemblée législative
de l'Ontario
Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 23 October 2006

Lundi 23 octobre 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8. e-mail: webpubont@gov.on.ca

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8 courriel : webpubont@gov.on.ca

Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 23 October 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 23 octobre 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

DIWALI AND EID-UL-FITR

Mr. Frank Klees (Oak Ridges): I rise today to join in the celebration of two important Canadian religious holidays.

On Saturday, October 21, the festival of Diwali was celebrated by Hindu and Sikh Canadians, who first arrived in Canada more than a century ago. Diwali is a great festival of light that commemorates the victory of light over darkness and goodness over evil. For Hindus, Diwali also commemorates Lord Rama's return after 14 years in exile. For Sikhs, the festival of light commemorates the return of Guru Hargobind Sahib and others from prison. Diwali is celebrated by the lighting of candles and by fireworks, as occurred throughout our province over the weekend.

Today also marks the Canadian holiday of Eid-UL-Fitr, the festival that heralds the end of the Ramadan fast for Muslim Canadians. Eid-UL-Fitr celebrates not that the fast has ended, but the spiritual discipline, personal goodness and rededication to helping others in society that are the fruits of Ramadan. The entire Muslim-Canadian community comes together in worship of Allah to give thanks for his merciful benevolence, as occurred at the CNE today with the leader of the official opposition, John Tory, in attendance.

On behalf of John Tory and the Ontario PC caucus, I would like to extend my warmest best wishes to our Islamic, Hindu and Sikh communities during the celebration of these significant Canadian religious holidays, Eid Mubarak, Shubh Diwali and Bandi Chhor Divas Mubarak.

SLEEMAN BREWERIES

Mrs. Liz Sandals (Guelph-Wellington): Last week, I was pleased to join John Sleeman at the celebration to announce that the sale of Sleeman Breweries to Japan's Sapporo Breweries has been finalized. Mr. Sleeman will continue as chairman and CEO.

In 1851, John Sleeman's great-great-grandfather started the first Sleeman brewery in my riding of Guelph. By the turn of the century, John's grandfather was producing

Canada's first cream ale in a distinctive clear bottle. The original brewery ceased operations in 1933; unfortunately, the Sleeman sons had been caught smuggling their brew during Prohibition. However, John re-established the family brewery in 1985. Sleeman is an example of how a small brewery with a history of innovation and strong leadership, and great beer, can grow to become Canada's third-largest brewery.

The sale of Sleeman to Sapporo is a win-win-win deal. Sapporo gains a base to grow its Canadian market, Sleeman gains a major investor to continue to grow its business throughout North America, and my community is assured that the Sleeman plant will continue to operate in Guelph and provide employment stability for our local workforce.

Congratulations, and a tip of the glass to Sleeman and Sapporo.

MUSKOKA HERITAGE FOUNDATION

Mr. Norm Miller (Parry Sound-Muskoka): It is my pleasure to rise today to recognize the important work being done by the Muskoka Heritage Foundation. The foundation recognized a number of outstanding individuals who have made a difference to the built, cultural and natural heritage of Muskoka. Ian Turnbull was the deserving recipient of the Robert J. Boyer Award. In recent years, Ian has been a key volunteer in a number of projects, including The Wall Looks Back, a unique mural depicting the history of Port Carling; Grace and Speed, the Muskoka Boat and Heritage Centre in Gravenhurst; and the design group for the Wenonah II. Ian continues to give of his time and talent to the Muskoka Watershed Council and many other organizations and projects. The award is named after Bob Boyer, a local historian, past Muskoka MPP, author and publisher.

Horse logger Gerald Cook received a natural heritage stewardship award. He is recognized for the way he conducts his professional life, with a respect for the environment, leaving the forest in better shape than when he started. Other natural heritage award winners include Carol and Jim Hartill of Trethewey Falls; Asha and Sudi Devanesan, Three Mile Lake; and Carol Hulyas at Kabshe Lake. These award winners set a great example maintaining their properties to protect the environment and preserve Muskoka's natural beauty.

Winners in the built and cultural heritage stewardship awards include the Huntsville train station; Billie Bear Lakeside Community Club on Bella Lake; St. Thomas

Anglican Church in Bracebridge; and Lake Joseph Community Church.

Thanks to the Muskoka Heritage Foundation for the important work they do, and congratulations to this year's award winners.

SMALL BUSINESS

Ms. Cheri DiNovo (Parkdale–High Park): I rise in honour of Small Business Month in Ontario. Small business is the engine of our economy, providing most of the employment across our province. Small business also represents the dreams made reality of many entrepreneurs who risk everything to finance and then build their own employment.

Currently, particularly in Toronto, small business is labouring under a significant disadvantage. Commercial property taxes have increased far faster than revenues. The province's policy of downloading expenses to the city has meant that Toronto businesses have seen total annual increases of 6.5%. Many small business owners, particularly retailers in Toronto, are closing or moving to York, Peel, Durham or Halton, where assessments are significantly less. Small business retailers everywhere find it difficult to compete against big box stores.

We know we need reform to property taxes, and our Ombudsman has made recommendations to that end. We know that our neighbourhood small businesses need our assistance. Let us put aside our partisan differences and act on behalf of small business during this Small Business Month.

CHERYL PARROTT AND VANCE FANDREY

Mr. Richard Patten (Ottawa Centre): Cheryl Parrott and Vance Fandrey are very special residents of Hintonburg, which is an older community in my riding in Ottawa. They were honoured at a special community gathering recently. As a couple, they are committed to community building. They have had an outstanding impact on positive change in Hintonburg, where a cruel war between the lawful and the lawless has raged.

Drawing upon their common activist roots in Saskatchewan, this dynamic duo has demonstrated the meaning of caring for your community by mobilizing neighbours and motivating politicians to take back their community. Under their roll-up-your-sleeves, no-nonsense leadership, the Hintonburg Community Association, and later the Hintonburg business association, have cleaned up drug addicts' discarded syringes in parks and playgrounds, even those given out by the city's health department; closed down crack houses, even one under the guardianship of the Ontario government; and helped to shine the light of the media on street prostitution, drug trafficking and the slum landlords who host these illegal activities.

1340

As champions of safe communities, meticulous event organizers, and humble servants to the less fortunate, this

husband and wife team have been the heart and voice of Hintonburg for decades. I'm saddened to hear that they are retiring from their role as the unofficial parents of Hintonburg, but I'm also grateful to have sojourned with them.

One of the great personal benefits of serving as an MPP is to have had the good fortune of knowing and working with my friends Cheryl and Vance. As the representative for Ottawa Centre in the Legislature, I salute and honour them.

SEAT BELTS

Mr. John O'Toole (Durham): Members would know that this afternoon, we begin our hearings on Bill 148 to amend the seat belt legislation. As well, there are hearings on Wednesday.

I want to remind people that our leader, John Tory, extends our condolences to the families of those who were killed in the tragic accident on Saturday, October 14.

It's also important to recall that under Bill Davis, our government introduced seat belt legislation in the province of Ontario over 30 years ago, the first jurisdiction in North America to do so.

Clearly, our caucus supports the principle of one seat belt per passenger. However, we remain concerned over the broad leeway the bill gives to making regulations and enhancing exemptions.

I must stress that we are disappointed that this government has not acted more quickly. I would like to point out that on November 15, 2005, almost one year ago, Emile Therien, president of the Canada Safety Council, sent correspondence, which I have, to Premier McGuinty asking that his government enhance the one-seat-belt-per-passenger rule. The McGuinty government was made aware of this over a year ago, and it remains a concern.

I look forward to the input during the hearings this week, and I'm confident that this input will ensure the details of the bill will make Ontario roads safer for all of us.

EDUCATION

Mrs. Carol Mitchell (Huron–Bruce): As the summer drew to a close, parents and children alike began to think about the return of the school year and perhaps where their education might take them in the future.

As the school year officially kicked off, the riding of Huron–Bruce played host to the Minister of Education, Sandra Pupatello. The minister was on hand at St. Anne's Catholic secondary school in Clinton to make a special announcement regarding Ontario's future farmers. The specialist high-skills major initiative set up by the McGuinty government will see the establishment of special certificate programs in high schools. This initiative will include an agricultural program at St. Anne's that will help interested students become more adept at entering into the farming industry in the coming years.

A recent survey conducted by my office indicated that the number of farmers over the age of 46 in my riding is currently at 74%. This could lead to numerous problems if the number of new farmers coming into the industry does not meet the rapid growth of those retiring. This program will draw youth into the industry and ensure that there are enough people to work the land and produce safe, high-quality food. This program is being supported by agricultural businesses in my riding that all realize the extreme importance of a continued strong agricultural presence in Huron–Bruce. This is yet another way that the McGuinty government is establishing positive progress in the agricultural sector in the province of Ontario.

HIGHWAY IMPROVEMENTS

Mr. John Wilkinson (Perth–Middlesex): On August 31, I was pleased to announce alongside my colleague the Honourable Donna Cansfield, Minister of Transportation, that the McGuinty government is improving Highway 7 and 8 between Stratford and New Hamburg by launching a study to determine the best route to reduce traffic congestion and prepare for future growth in our area. Also announced were repairs, which will begin in 2007. This is great news for my constituents, businesses and farms that rely on, and need improved access to, the 400 series of highways.

As Barb McLean, warden of Perth county, notes, “We’re anxious to get the (study) going and see the completion of it. (Highway 7 and 8) is a very important part of Perth county with truckers moving our industrial products as well as our farm products.”

It will also help boost Perth East’s and Stratford’s economic advantage and help attract new businesses. As the mayor of Stratford, Dan Mathieson, remarked, the auto industry is based on just-in-time delivery, and auto-makers are cautious about establishing themselves in an area where traffic and road issues could impede a delivery from arriving on time. So this announcement will therefore remove this obstacle to new economic development.

I want to close by saying that it is a testament to the wonderful co-operation and the wonderful relationship that has been forged with our municipal partners. Accordingly, I’d like to thank the leadership of Perth county, Perth East and the city of Stratford for their ongoing support as we await the results of this study.

HUNGARIAN REVOLUTION

Mr. Dave Levac (Brant): Yo Naput. Today is the 50th anniversary of the Hungarian revolution. In the closing days of the Second World War, Red Army forces liberated Hungary from the Nazis. Unfortunately, under the Communist regime, liberation became subordination to the control of Moscow.

In 1956, Soviet Premier Khrushchev gave a secret speech which denounced Stalin and signalled that some of the satellite states might explore national paths, within

limits. However, the Soviet government did not allow the Hungarian Communist leadership to liberalize. In fact, a hardliner became the general secretary of the Hungarian Communist Party in 1956.

On October 23, Hungarians took to the streets in a peaceful demonstration to demand a declaration of independence from Soviet control. The march became violent when the Prime Minister of Hungary publicly called the demonstration “lies and rumours” and the crowd marched on the broadcasting station where he made that statement. The demonstrators were forced back with tear gas, which marked the beginning and escalation of violence that would end with Soviet tanks in the streets, thousands dead and 200,000 fleeing the country.

I married into a Hungarian family, and these freedom fighters deserve our praise today. We remember the Hungarian revolution as the first tear in the Iron Curtain. Although it was pushed back, its spirit lived on until the collapse of communism in 1989. The spirit of the Hungarian revolution will live on forever. Köszönöm szépen.

VISITORS

Mr. Bill Murdoch (Bruce–Grey–Owen Sound): On a point of order, Mr. Speaker: As you know, we have all these hard-working pages here. I have one from Bruce–Grey–Owen Sound, Chad Richards. He has his family here with him today, and I’d like to introduce them. They’re all over the House, some up here and some over here. We have Dan and Sherry Richards, his parents; Brady Richards, his younger brother; Bill and Carol Prues, his grandfather and grandmother; Bill and Shelley Prues, that’s an uncle; Steve and Wendy Mannerow; Jim and Wyonna Brick; and Gerald and Joan Wilhelm. They’re all uncles and aunts. I think he brought the whole municipality down with him. I’m glad that he’s here, and he has been doing a great job for us.

INTRODUCTION OF BILLS

REGULATION OF ZOOS ACT, 2006 LOI DE 2006 SUR LA RÉGLEMENTATION DES JARDINS ZOOLOGIQUES

Mr. Zimmer moved first reading of the following bill:
Bill 154, An Act to regulate zoos / Projet de loi 154, Loi réglementant les jardins zoologiques.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

Mr. David Zimmer (Willowdale): This bill, if passed, will regulate zoos in Ontario by setting out a licensing regime for zoos, by setting standards for zoos and by providing inspections to ensure that those standards are met in the operation of Ontario zoos.

The Speaker: On a point of order.

Mr. Zimmer: On a point of order, Mr. Speaker: I would like to introduce in the gallery to my right here the following, who have been very supportive of this private member's bill: Melissa Tkachyck, who is the campaign officer for the World Society for the Protection of Animals; Mr. Hugh Coghill, who is the chief inspector of the Ontario Society for the Prevention of Cruelty to Animals; and Mr. Rob Laidlaw, who is the director of communications for Zoocheck Canada.

MOTIONS

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, October 23, 2006, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1350 to 1355.

The Speaker: Mr. Bradley has moved government notice of motion number 209. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hoy, Pat	Phillips, Gerry
Balkissoon, Bas	Jeffrey, Linda	Racco, Mario G.
Bartolucci, Rick	Klees, Frank	Ramsay, David
Bentley, Christopher	Kular, Kuldeep	Runciman, Robert W.
Boutrogianni, Marie	Levac, Dave	Sandals, Liz
Bradley, James J.	Marsales, Judy	Scott, Laurie
Broten, Laurel C.	Mauro, Bill	Smith, Monique
Bryant, Michael	McNeely, Phil	Smitherman, George
Caplan, David	Meilleur, Madeleine	Sorbara, Gregory S.
Crozier, Bruce	Miller, Norm	Takhar, Harinder S.
Di Cocco, Caroline	Mitchell, Carol	Tory, John
Duguid, Brad	Mossop, Jennifer F.	Watson, Jim
Duncan, Dwight	Munro, Julia	Wilkinson, John
Dunlop, Garfield	O'Toole, John	Witmer, Elizabeth
Elliott, Christine	Parsons, Ernie	Wynne, Kathleen O.
Fonseca, Peter	Patten, Richard	Zimmer, David
Hardeman, Ernie	Peters, Steve	

Nays

DiNovo, Cheri	Martel, Shelley	Tabuns, Peter
Kormos, Peter	Murdoch, Bill	
Marchese, Rosario	Prue, Michael	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 50; the nays are 7.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

ACCESSIBILITY FOR THE DISABLED

ACCESSIBILITÉ POUR LES PERSONNES HANDICAPÉES

Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs): I rise in the House today to announce the next two steps that the McGuinty government is taking under the Accessibility for Ontarians with Disabilities Act to make Ontario more accessible to people with disabilities.

The members in this House took a strong stand on accessibility just over a year ago, when they voted this act into law in Ontario. I am pleased to be able to rise again in this House today and report on the progress that we're making as a result.

As the honourable members are aware, the act lays out a road map to make Ontario accessible to all people by the year 2025. Under the act, new mandatory accessibility standards are being developed which will bring down barriers that many people with disabilities face in their daily lives.

En octobre 2005, nous avons annoncé que les deux premières propositions de normes qui seraient élaborées concerneraient le transport et le service à la clientèle. Aujourd'hui, j'ai le plaisir d'annoncer que les membres du comité d'élaboration des normes d'accessibilité de services à la clientèle en sont parvenus à un accord en déposant une proposition de norme d'accessibilité relative au service à la clientèle. Celle-ci est affichée dès aujourd'hui sur le site Web de mon ministère afin que le public puisse en prendre connaissance et faire part de ses commentaires au cours des 60 prochains jours.

In addition, today we begin accepting applications for membership on a third standards development committee. As with the previous two committees, committee members will include representatives from disability communities, the broader public sector, the private sector and Ontario's ministries. Once assembled, this committee will begin work on a proposed standard for accessible information and communications.

1400

Access to information and communications opens up opportunities for everyone. People with disabilities often find themselves at a distinct disadvantage when they are unable to access information, be it in print or electronic formats. Our expectation is that once drafted, this new standard will address many of those barriers.

According to Statistics Canada, approximately 1.5 million people in Ontario live with disabilities today: That is more than 13% of Ontario's population. As our baby boom generation grows older, the number of people requiring a greater level of accessibility in order to participate fully in their community will also grow. Accessi-

bility is something we simply cannot continue to overlook.

Les nouvelles que je me réjouis d'avoir pu vous annoncer à l'instant signifient que nous sommes sur la bonne voie pour faire de l'Ontario une province pleinement accessible d'ici 2025. À mes yeux, un Ontario où règne l'accessibilité universelle est une province où tout le monde peut, sans distinction en raison d'un handicap, avoir accès aux mêmes choix et à la même qualité de biens et de services. C'est une province prête à accueillir des visiteuses et visiteurs du monde entier et à leur offrir un séjour agréable, rempli des activités les plus variées, grâce à un niveau d'accessibilité égal ou supérieur à celui de leur lieu d'origine.

L'Ontario se veut une province où tout le monde, sans exception, peut réaliser son plein potentiel.

Avec la loi exemplaire dont nous disposons désormais, et grâce à la coopération et au soutien des secteurs privé et public élargi, ainsi que celui des personnes handicapées, nous allons faire de cette vision une réalité.

The Speaker (Hon. Michael A. Brown): Responses?

Mrs. Julia Munro (York North): I'm pleased to be able to respond, on behalf of the official opposition, to this announcement. I think there are three things one needs to consider when looking at embarking on consultation. The first one is obviously the question of adequate consultation and inclusion.

I have some concerns with regard to this initiative when I look back at the question of changes to the Ontario Human Rights Commission. I have to ask: If this government is interested in increasing access for disabled Ontarians, then why is it decreasing their access to justice through its changes to the Ontario Human Rights Commission?

The government's human rights changes, Bill 107, have been panned by many disability rights groups. The Ontarians with Disabilities Act Alliance said this summer that "it makes no sense that the McGuinty government's seriously flawed Bill 107 strips from the commission the key powers." They say, "The government's plans significantly weaken the Human Rights Commission's ability to effectively challenge barriers."

If this government is interested in access, then why is it cutting off access to justice? Will the accessibility review they are announcing increase access? And since you did not consult adequately with disability groups over the human rights changes, why should we believe that you will consult over accessibility?

But I'd also like to offer the suggestion, too, that timeliness is an extremely important issue when you are looking at consultation. I notice in your remarks that you refer to the 60-day period for the public to submit its comments, but there is no timeline on your side for a response to those suggestions that you receive.

Thirdly, I think it's important to look very carefully at the results of consultation. How long does a report sit on a minister's desk? We certainly have many examples of the fact that people have been consulted by this government and wait and wait to hear some response from the individual ministry.

Finally, there's the question of what action you take when you receive this evidence of consultation. I'm reminded of two examples—although not in your ministry—that come to mind. The status of the artist and the question of assessment are certainly two examples where the government has been quick to announce consultation but very slow in acting on it.

Mr. Michael Prue (Beaches–East York): In response to the minister, New Democrats, and I think many, many people in our community, many people in our province, remain troubled by the timeline. This has been said from the date the bill was introduced. It's not going to come into effect fully until the year 2025—20 long years of people living with disabilities with no real hope of improvement while this government consults, while this government sets up task forces. We know what needs to be done.

We note with interest the 60-day time frame you have set up here for people to comment. You know, 60 days may be long enough; I'm not sure, because there's no rationale given within your speech or anywhere else as to why this timeline has been chosen. But what we want to know is, how are you going to resolve the very great issues that you yourself set out? How is this going to resolve the training gaps in customer service? We don't know how your legislation is going to resolve any of that. We don't know how it's going to resolve the barriers in business practices that exist in far too many companies across this province. We don't know how long it's going to take to build the knowledge to meet the needs of the whole range of disabled peoples and disabled issues within the province of Ontario.

The disabled, of course, need access. We all want them to have access, but they also need understanding and compassion. That is what I fail to see that your government has done in the whole broad range of issues that involve people who are disabled.

First of all, we know, and you know, that 23% of the self-identified disabled in this province live in poverty. That's one in four living in poverty. We haven't seen anything in this act or any of the actions taken by your government that is going to lift any of them out of that grinding and hopeless poverty that so many of them live in. We haven't seen you taking any action to end the clawbacks. If you are disabled and on ODSP and you have children, we haven't seen any meaningful action taken by your government to let the money stay with the children of disabled people. They already live in poverty, and then they are forced to see the only monies they get for their children taken away from them by your government. There's no action on that at all.

We're also dismayed to see that you have reduced the benefits for the food supplement. It has gone down by 50% just since you have been minister. Just in that short period of time—some 6%—they have seen their food supplement monies go down. So 23% of the poorest of the poor disabled people have not fared very well under your ministry.

Last but not least, of course we are reminded of Bill 107, where you have taken away the rights of disabled

people, who had a strong and vigilant voice before the Human Rights Commission. You've traded it all away. You've brought in your bill, which is going to take away their voice, and there is nothing to replace it to make sure they are adequately represented.

1410

Of course we stand here today and say we want the disabled to have more access, but have more access to what end? To be able to be part of this community is what they need, first and foremost. They need the monies to do it; they need the ODSP payments to be upgraded; they need the clawback to stop. They need all of those things, which will help to move them from poverty and actually give them a voice, because if there is one thing they need, the one thing that they can deal with most of all is to be removed from poverty and become fully functioning members of this society.

It's all well and good to do the rest of this, but please, you are leaving the 23% behind. You need to do something, and I'm hoping that in the next 60 days, in light of what you're going to get from people across this province, you'll also find it in your heart to do something about those who live in that abysmal poverty.

VISITORS

The Speaker (Hon. Michael A. Brown): I would like to draw members' attention to the Speaker's gallery, where, joining my wife, Lynn, are Richard and Barbara Edwards, significant people in the Kagawong artistic community.

ORAL QUESTIONS

ONTARIO PUBLIC SERVICE

Mr. John Tory (Leader of the Opposition): My question is for the Premier. Premier, on Thursday we asked a number of the ministers about the fact that the government of Ontario's e-mail addresses and telephone numbers were used as contact information for no fewer than five senior ministerial and Premier's office staffers who are working for the Liberal Party of Canada.

The Deputy Premier defended it, but a few hours later the Premier's spokesperson correctly said, "Government resources are for government business." I agree with him. He went on to imply that the time and resources involved, both financed by the taxpayers' money, were used only one weekend. No one ever answered their phone or e-mail any other time.

Can the Premier tell us what action he's taken on this to protect taxpayers and the integrity of the system?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The facts in these, of course, remain very important. I think it's important that we understand what those facts are. We're talking about individuals who volunteered their time on a weekend to act

as neutral officials. In fact, they had to sign a piece of paper saying that they weren't getting involved in the federal Liberal leadership campaign in order to attend and act as neutral officials at a delegate selection committee.

The leader of the official opposition knows that all of those e-mail addresses are obtainable online through the website. Those were in fact obtained online. They were made available on a federal Liberal Party website, which was clearly not something that they had consented to. It's certainly not something that I approved. Those names have been removed, and I think that ends the story.

Mr. Tory: I think the fact of the matter here is that the neutrality that is talked about and indeed the lack of political activity that's talked about in the Public Service Act is not neutrality within the Liberal Party of Canada or within the Liberal Party of Ontario; it's political activity generally. The fact that these people stayed neutral inside the Liberal leadership race is not the issue. The fact is that there was some opportunity that they were engaged in political activity during the time they were working in ministers' offices.

The Premier has confirmed to us that the e-mail addresses were obtained online. What we're after here is perhaps some way of looking into this so we can all know that that indeed is the fact. I don't know how the Premier knows that. The issue is not that the list was posted; it's that these addresses and phone numbers were disseminated as part of, apparently, political activity that took place, and the Premier has said again that it was confined to one weekend.

My question is this: Given the seriousness of the fact that it would appear as if the e-mail addresses were used for political purposes, I think many people would agree that an investigation of some kind is needed. I would ask whether the Premier would refer this matter to the conflict of interest commissioner.

Hon. Mr. McGuinty: No, I will make no such reference to the conflict commissioner. If there's something that the leader of the official opposition feels is worthy of further examination by any body, he is welcome to pursue that. But there's a difference between insinuation, speculation, innuendo, and fact. The facts again are that five individuals who had to declare themselves to be neutral attended a delegate selection meeting. There were delegate selection meetings held in pretty well every single riding across the province. They needed neutral people, so some of our people showed up and said, "We are prepared to do that." It then became apparent that their e-mails were recorded without their consent on a federal Liberal Party website, and the leader of the official opposition now speculates and infers much beyond what actually happened. People volunteered. They did not volunteer to give out their information; that was obtained. That has subsequently been removed from the federal Liberal Party website. Again, that's all that happened.

Mr. Tory: It's very interesting when the Premier says that we're welcome to pursue it. The statute is set up

such that the only people who can actually request an investigation of people in circumstances such as this are you, the Premier, or your ministers. So there is no way in which we can pursue this other than to come here and ask you questions. That's interesting in and of itself, given how you feel in other areas about people investigating their own complaints.

Our system of government is founded on respect for the rules, respect for the rule of law, but we see some real problems when it comes to the Premier's approach to those foundations. The Premier wanted to raise taxes; he ignored the law. The former Minister of Transportation finds himself reprimanded and the Integrity Commissioner says so; the Premier turns a blind eye. Now we have a case where it would appear the resources of the government were used to further the operations of the Liberal Party of Canada.

Why is the Premier refusing to take this seriously? Why won't he refer it to the conflict of interest commissioner to get to the bottom of what the facts are? Why won't you do it?

Hon. Mr. McGuinty: The leader of the official opposition said something in here which he has said before. He alleges, without any basis in fact, that public resources were used to campaign. That's what he is saying. Again, the facts here are very clear. If he has other facts, then he should bring those forward; otherwise, he is simply trafficking in fiction.

Here again is the truth: People who happen to work in this government volunteered their time, on their time, to act in a neutral capacity. They specifically had to sign a form saying that they would be neutral and would not be campaigning on behalf of federal leadership candidates. They participated in delegate selection meetings. The federal Liberal Party obtained their information, which is available online at the Ontario government website; they posted it on the federal Liberal Party's website. And from this, the leader of the official opposition would infer, would use innuendo, that somehow we are using government resources to participate in a federal leadership campaign. There is no evidence of that, none whatsoever.

HOSPITAL SERVICES

Mr. John Tory (Leader of the Opposition): I suppose if there's absolutely nothing wrong and all the facts are as they say, there would be no reason not to have somebody look into it. But anyway, my question is to the Premier.

On Thursday, I stood in this House and asked the Acting Premier whether or not he thought it was appropriate that at the Peel Memorial Hospital, which I visited on Wednesday—and I'll quote myself—"the average wait time to see a doctor in the emergency room was 12 hours.... There were 25 people in the emergency room who had been admitted to the hospital, but were lying on gurneys in the hallways ... because there were no beds available for them upstairs," and that it's not unusual, I was told, "for people to lie in the ER sometimes for four or five days, for babies who are there as pediatric emer-

gency cases to spend hours at a time ... waiting for a bed...."

I ask the Premier, is this a situation you find acceptable?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Health.

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): As I had the chance to say to the honourable member during question period on Thursday, there are a few points that I think are very, very important. Of course, there are challenges in the emergency room that lots of us find unacceptable—no doubt whatsoever. This has been a long-standing challenge with respect to emergency rooms in our province, and if we're very objective about this, we will acknowledge that two decision points of the previous government contributed very seriously to this, as a recent study that they often quote referred to.

Number one is that we do have particular shortages of doctors, and the reasons for that have been well identified in this place.

Additionally, that party, while in office, cut 22% of the acute care beds we have. We are working hard to rebuild that. We committed to the people of Ontario to build 1,600; in fact, we have 2,000 that are en route. Brampton is the beneficiary of 302 additional beds, and I had the privilege of being in that community on Friday to announce yet a further \$19 million in equipment money.

The point is, we're working very, very hard to increase the capacity to produce a better result for the people at Peel Memorial and elsewhere in Ontario.

1420

Mr. Tory: What's unfortunate is that the minister couldn't, while he was out in Brampton on Friday, announce some beds opening in the existing Peel Memorial Hospital to take the pressure off the emergency room, when he knows that there are beds available that could be opened and funded by his government now.

I'll just move to another front. I received an e-mail actually addressed to the Premier from Paul Katz of Thornhill. He recently took his wife to North York General Hospital late one evening. She's a cancer patient and she was ill, perhaps from the effects of chemotherapy, he said. The two of them sat in the emergency room for nine hours before seeing a doctor who could give a diagnosis, and then she was admitted to the hospital. So she waited nine hours to be admitted.

The experience of Mr. Katz and his wife certainly doesn't match up with the claims contained in the self-congratulatory, taxpayer-financed, multi-million dollar ad campaigns that say, "The doctor will see you now." My question is this: Will the Premier agree to withdraw these ads, and when are we going to see some real, meaningful action taken to alleviate this kind of situation in the emergency rooms? When are we going to see both things happen?

Hon. Mr. Smitherman: It seems to me that the honourable member would be well advised to just turn a little to his right or look back over his left shoulder and

speak to the health ministers who are contained within his caucus, because they made some decisions. He speaks about North York. North York Branson hospital and Northwestern hospital are but two examples of 20 in the province of Ontario where emergency rooms once existed and do no longer as a result of actions that were taken by that government.

We are, as I said in my earlier answer, a government that's working hard to increase capacity: some 2,000 additional acute care beds, as one example, coming on-line. I say again to my honourable friend—he stands in this place and he talks about spending more money. We have invested, this year, 650 million additional dollars in the operation of our hospitals. He promises to cut \$2.5 billion from health care. In his third shot at this, perhaps the honourable member will reconcile these two very big challenges. How much additional resource would the honourable member put on offer for Ontario's hospitals? How much, sir?

Mr. Tory: It's fascinating how the minister somehow pretends that he has not been the Minister of Health for three full years now, with full responsibility and full ability to address every one of these problems that we talk about; every single one. Every single one—

Interjections.

The Speaker (Hon. Michael A. Brown): Order. Final supplementary.

Mr. Tory: Day after day, we have this routine that I think even one of the government newsletters that follows the Parliament here described as a tiresome routine.

It gets worse that this. Mr. Katz, the same person who wrote about his wife—

Interjection.

The Speaker: The Minister of Economic Development and Trade: I won't warn you again.

Mr. Tory: Mr. Katz, the man who wrote the e-mail to the Premier and copied me and whose wife was having the problems with her cancer, developed some eye problems. After being referred to an ophthalmologist, he received notification of his appointment time to see an ophthalmologist: August 13, 2007. That's 10 months away; 294 more mornings that Mr. Katz will get up and pay the McGuinty health tax without getting the care that he requires. Mr. McGuinty's ad says, "The doctor will see you now," not 10 months from now. The Liberal platform said, "You deserve more than misleading TV advertisements paid for with your health care dollars." That's on page 4 of chapter 4. We agree.

Will the Premier agree that the ads should be withdrawn and that they should get on with doing something about these situations in the emergency rooms and doctor shortages.

Hon. Mr. Smitherman: The honourable member started to say at the beginning of his question that every single one of those issues could be addressed within the three-year time frame that he quoted, but the honourable member is sorely mistaken. He misunderstands how long it takes to produce a doctor. That's why we wonder why

he sat on his hands, so quiet in the backrooms, all those years while Ontario's physician supply was squandered by the inaction of that party. Why was he silent then?

This is an important question. To Mr. Katz I can say that, while we have not managed in three years to produce the sufficiency of doctors, that they caused a challenge, with respect to ophthalmology, we took off the spending caps. That means that that ophthalmologist is no longer closing their office on Thursday at noon, which was the circumstance under that party. Instead, we're paying them to see patients: 420,000 additional Ontarians with access to a family physician as a result of the work that we've done with Ontario doctors, through the agreement with the Ontario Medical Association.

I say one more time to the honourable member, who has on the record a commitment to cut health care spending by \$2.5 billion: How do you reconcile that commitment with all—

The Speaker: Thank you. New question.

VETERANS

Mr. Howard Hampton (Kenora–Rainy River): To the Premier: Gord Moore is the provincial president of the Royal Canadian Legion, Ontario command. He was here today to present a poppy to the Lieutenant Governor in preparation for Remembrance Day, but he's also here on another mission on behalf of Ontario's aging veterans who fought for Canada, but now many of them are in long-term-care homes across Ontario. He's in the gallery and he's here to fight for you to keep your government's promise of an ombudsman for long-term care. Seniors and their families need an independent voice, an ombudsman, to speak out for them when the long-term-care system lets them down.

Premier, will you keep your government's promise to Ontario's veterans like Gord Moore, who fought for this country and are now fighting for dignity for seniors in our long-term-care homes?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Health and Long-Term Care.

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): It's my privilege today to welcome the members from the Legion. We're also appreciative of the work that they do, and I've appreciated the opportunity of working with them.

We do have some disagreement with respect to the nomenclature. While I did commit to them to have an office associated with our bill, I said very directly at that time that I would not characterize it as an ombudsman; the decision had not been taken. What we believe strenuously and what we've built into this legislation is the idea of a very quick response on any matter where an individual indicates to us that service is not at a level that is appropriate. From there, through that 1-800 action line, is a very prompt response where the situation is triaged and where compliance officers are very directly sent to the

scene. We believe that aligning our resources there rather than in retrospect is the most appropriate way to preserve what, for all of us, is the important protection for those who are vulnerable in long-term-care homes.

We're looking forward to ongoing debate related to this legislation, to spending time at committee, and I want to thank everybody for their interest in this very important piece of legislation.

Mr. Hampton: These members of the Legion are not mistaken. They attended a meeting in your office on March 7, 2005, where you made the commitment that Ontario's long-term-care health system would have an ombudsman. Many government MPPs—Dave Levac, Kevin Flynn—wrote letters in support of the ombudsman. When your parliamentary assistant, Ms. Smith, called these officers of the Legion on October 6 to try to finesse your government's position away from an ombudsman, they were very clear: An ombudsman was promised, and you have failed to deliver.

My question is this: When are you going to keep the promise that was very specifically made to these Legion officers: that Ontario's long-term-care system would have an ombudsman—not a 1-800 number, not an adviser; an ombudsman?

Hon. Mr. Smitherman: I'll note from the honourable member's question that the facts that he asserts are not facts that he was in a position to assert. There is a difference of opinion around this, no doubt, but at the heart of it we agree fundamentally with the necessity of having a resource which is there and able to promptly respond to circumstances. I've already outlined that we've done it. In fact, we've built, over the last two years, our long-term-care system response on that basis. The 1-800 action line—the phone number is readily available in all long-term-care homes. To date, about 10,000 people have taken advantage of it. This has resulted in 2,500 compliance investigations.

The point is, we think that what is essential is that, at the first sign of neglect or care that is not of an adequate standard, all of the people in long-term care, whether they be residents, visiting family or whether they be health care providers themselves, be involved as sentinels in helping to make all of us aware of any circumstance that might not be appropriate. What I promise is that we have already created the capacity to respond promptly and to hold those long-term-care homes accountable.

Mr. Hampton: Minister, there is no mistake on the part of these leaders of the Ontario Legion. They say very clearly in their press release, "At a meeting in March 2005, the minister asked the Legion to be patient and wait for this legislation to be introduced. He indicated that his government would have a solution and create an ombudsman to oversee long-term-care homes and investigate complaints of care." You didn't talk about an adviser; you didn't talk about a 1-800 number.

1430

Minister, these Legion members are not going to go away. They see too many cases where incontinent veterans are left in diapers for long periods of time. They see

too many cases where veterans have died prematurely as a result of not receiving the care that they need and they deserve. Their website cites this poem by Rudyard Kipling: "By little towns, in a far land, we sleep, / and trust those things we won / to you to keep."

My question is this: Will you keep your promise—

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Mr. Smitherman: I say, with all due respect to the honourable member, that our government—all of the members of this place, of course—has a tremendous degree of respect for all of those who live in long-term-care homes, and no greater respect is known by any of us to any party greater than to those who have served our country in this fashion. That's why we think it's incumbent to make a long-term-care system which is immediately responsive to any raised concerns, not an ombudsman who can look in retrospect—six, eight, 10 or 12 months later—but rather a compliance resource which is lithe and is able to respond in a timely way.

We have placed this burden of responsibility on everybody. We have embedded in this legislation, if passed, whistle-blower protection that encourages the capacity on the part of all those sentinels inside long-term care to pick up the phone to raise concerns, with the assurance already in place of a system to respond very—

The Speaker: Thank you.

New question.

WATER QUALITY

Mr. Howard Hampton (Kenora–Rainy River): To the Premier: I think it's pretty clear that the McGuinty government yet again intends to break trust. Last week, when I spoke up for the people of Pikangikum First Nation, citizens of this province were being denied safe, clean drinking water, people who have no access to basic water and sewage systems, forcing most residents to use decrepit wooden outhouses and carry their drinking water to their homes by pail, instead of taking action, your government, the McGuinty government, did what it always does: pointed fingers, looked for excuses and tried to find someone else to blame. The reality is that none of that—pointing fingers, making excuses or trying to find someone else to blame—will help the people of Pikangikum First Nation.

My question is this: What is it going to take before the McGuinty government says that what is happening in Pikangikum is wrong and does something to help these first citizens of Ontario get clean, safe drinking water?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the minister responsible for aboriginal affairs.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): We had this discussion last week. If the member wants to continue this dialogue and this debate, that's fine, because the finger rightfully has to be pointed towards the federal government. The proof of that, sir, is that I have been to

that community twice, and never have the chief or the council or the elders, whom I've met with twice in their community, brought up the water situation. They discussed with me and engaged with our government on economic development initiatives; we're funding those and proud to do so. But they know that it's the federal government that is responsible for their water situation. They don't bring it up with us or with me, personally; they bring it up with the federal government. You and I should be working together and with the federal government and say, "Do your job on the First Nation communities of northern Ontario."

Mr. Hampton: You go there as the Minister of Natural Resources and they talk to you about natural resource issues. They wrote specifically to the Minister of Health and pointed out that this was a very serious issue. There is an epidemic of bad water in Ontario First Nations communities. One of the problems in Pikangikum is that homes are not connected to the water treatment plant. Unlike the McGuinty government, former Ontario governments did something. They made funding available so that homes could actually be hooked up to the water treatment plant, so people wouldn't have to carry their water in dirty old pails and wouldn't have to worry about pollution.

Do these First Nations have to come to Queen's Park and show you, once again, sick children and seniors before you do something? Or will the McGuinty government act now to bring clean, safe drinking water to Pikangikum and other First Nations?

Hon. Mr. Ramsay: I also go to those communities as their advocate, as the minister responsible for aboriginal affairs in the province of Ontario, and we discuss a range of issues that they want me to advocate for on their behalf to different agencies and ministries of this government and other governments. They know that the water situation is fully a responsibility of the federal government. They don't ask me to take that over; in fact, the grand chief hasn't asked me to take that over. They want the federal government to live up to its responsibilities to take care of drinking water on First Nation communities right across this country. The McGuinty government also wants that.

I am meeting with the minister in Ottawa this week to bring up this very issue again. We've been corresponding on it. I've met with him before and I'm going to meet with him again this week, because the federal government has to live up to that responsibility. That's what the First Nation communities of this country also want.

Mr. Hampton: The McGuinty government tries to hide behind jurisdiction. In January 1992, the Ontario government of the day made available \$48 million to hook up First Nation homes to their water treatment plant. Following that, in 1997, 1998, 1999, 2000, 2001 and 2002, more money was made available by provincial governments in this province to hook First Nations up to water treatment plants so that people wouldn't have to drink unsafe drinking water.

The chief wrote specifically to your government asking for help. The health unit has pointed out the prob-

lem. Are you going to help this First Nation, or is the McGuinty government going to watch seniors and children get sick and say, "Oh, it's all a matter of jurisdiction"? What are you going to do?

Hon. Mr. Ramsay: I'm working on behalf of this First Nation community and other First Nation communities right across northern Ontario by going to Ottawa and making sure that the federal government has their feet to the fire, that they live up to the responsibilities they're neglecting right now. They can no longer neglect this responsibility. They have to ensure that there's safe, clean drinking water on First Nation communities right across this province. I'm going to visit Jim Prentice this week and insist that they live up to this responsibility. We're finding that communities right across the north now no longer have the infrastructure support for safe drinking water in their communities. They've got to invest in that. That's what First Nation communities also want: They want the federal government to live up to their responsibility. We're going to fight on behalf of First Nation communities to make sure the federal government lives up to that responsibility.

HEALTH INSURANCE

Mr. John Tory (Leader of the Opposition): My question is for the Premier. During the 2003 election campaign, the Premier promised to bring in a new system of audits for doctor billings in the province. In April 2004, Justice Peter Cory was appointed to review the audit system, and then in April 2005, he reported with 118 recommendations as to how this audit system could be improved. The Minister of Health at the time promised swift implementation, and said that he wasn't going to sit on the report. He may not be sitting on it, but it could well be occupied now holding his door open, because we're here 18 months later and there's still nothing.

The whole world—business, the non-profit sector—is moving in the direction of greater accountability and transparency, but here we have less accountability. The government's moving in the opposite direction. Premier, when can we expect a response to this report?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Health.

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): Our government stands alongside Ontario's doctors. We believe fundamentally that they're honest and that they're reliable in the work they do.

This House, on a unanimous basis, passed a piece of legislation to hold us for the time period until the Cory report is implemented. That may have preceded your time here, I say respectfully. It was a unanimous consent motion that was negotiated with your party's deputy leader and with the House leader of the third party. That remains true. So it is inappropriate, as was alluded to in the article by the Toronto Star, to suggest that there is no accountability there for resources. Indeed, the OPP con-

tinues to have opportunities to utilize their fraud inspection capabilities; there's no alteration there. But with respect, the process that we—

The Speaker (Hon. Michael A. Brown): Response?

Hon. Mr. Smitherman: More in my supplementary opportunity, Mr. Speaker.

Mr. Tory: Justice Cory, of course, felt in his report that his recommendations were needed to guard the public interest, in the sense that many other measures are in place to do that. Dr. Yamashiro of the OMA section on pediatrics said that the reforms are needed, and Dr. Dindar, a neurologist and member of Ontario Doctors for Fair Audits, said that they were expecting the audit system this fall, and fall is rapidly passing us by.

Justice Cory put forward 118 recommendations in what was a very clear, comprehensive report. I don't know if that was inadequate or whether there's a problem with the report, but we have it in hand now, and notwithstanding whatever arrangements are in place temporarily, I think the need for a permanent solution is at hand, 18 months later. When will we see a comprehensive response?

1440

Hon. Mr. Smitherman: I'm pleased to inform the member and other members in the House that a larger bill will be presented this fall that will include the necessary amendments to bring to life the recommendations of Justice Cory.

I want to say to the honourable member that his comment with respect to "118" does make rather clear that this is a very substantially complex matter. We have sought—and some might say that we have erred too much on the side of caution—to be incredibly mindful of the necessity of our ongoing relationship with Ontario's doctors and with the Ontario Medical Association. I can assure you on this issue that the emotional response within the physician community is an extraordinary one.

Perhaps I could just quote one more doctor in closing. That was Dr. Samir Gupta, who wrote in today's Toronto Star, "I applaud the health minister for taking the appropriate and well-deserved time to reinvent a medical audit system that is just, transparent and humane." On that note, I can assure all members of the House that that's what's coming forward.

PROPERTY TAXATION

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Finance. Minister, Ontarians know that your so-called assessment freeze means that two years from now, they're likely to be whacked with several years of property tax increases all at once. Seniors on fixed incomes simply can't afford to be hit with years of increases in one shot.

Today, we've released our proposed ideas to fix the system. You have a copy; you've even told me you like it. But you're the government. What are you going to do to fix Ontario's broken property tax system today, not a year after the next election?

Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet): My friend from Beaches–East York got two out of three right. He got it right that I have the report; he got it right that I've read the report. Where he slipped a little bit is when he said I liked the report.

I want to have a serious moment to congratulate my friend for the work that he put into this report. I've had an opportunity to read it, and my folks have. I understand why, on the surface, the recommendations in the report would seem to be attractive. I want to simply say to my friend that he is wrong when he suggests that, at the end of the assessment freeze, we will see increasing property taxes. That is just not the case. The freeze on assessments was put into place in order to implement recommendations made by the Ombudsman. When that freeze is lifted, we will see a new cycle of assessments, but there's no relation between that and higher property taxes.

Mr. Prue: With the greatest of respect, the Ombudsman has only two outstanding issues left of his 22 issues. You've already adopted 20 of them. The two of them will not take 18 months to study. They should not take even 18 minutes to study.

I repeat: We've put forward some of our ideas to ensure that Ontarians are no longer forced to give up their homes because they can't afford endless double-digit property tax increases. But you haven't answered my question. My question to you is: When are you going to take direct action on this? We're not content that you take that action after the next election. You are the government now. What are you going to do to fix Ontario's broken property tax system today?

Hon. Mr. Sorbara: I simply want to remind my friend that he is a member of a party that was in government for five years and didn't address one single iota of political energy to a tax system which was entirely broken. But I want to say to him, in addition, just in order to get it straight and on the record, that the Ombudsman put forward 22 recommendations. Those recommendations are now being implemented by the Municipal Property Assessment Corp. The freeze is in place so that the corporation can actually bring about the changes in the process of assessing so that when the freeze is lifted, we'll have an assessment system that is much fairer and much more transparent to the property owners of the people of this province.

WATER QUALITY

Mrs. Carol Mitchell (Huron–Bruce): My question is for the Minister of the Environment. Minister, I am still in disbelief that the members of the NDP and the Conservative caucuses voted against clean, safe drinking water for all Ontarians when they voted against the implementation of the Clean Water Act last week. A vote against the Clean Water Act is a vote against clean water.

The members of the Conservative caucus sure have short memories. Have they forgotten about the seven people who died in Walkerton five years ago because of

the contamination of the municipal drinking water system? Have they forgotten about the hundreds of people in Walkerton who are still sick from the effects of drinking contaminated water?

In 2002, the Walkerton inquiry made numerous recommendations as to how to protect Ontario's drinking water. The former Conservative government, led by Ernie Eves, pledged to the citizens of Ontario that they would implement Justice O'Connor's recommendations. Minister, do you have any idea why the Conservative caucus—

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Laurel C. Broten (Minister of the Environment): I want to thank the member for Huron–Bruce and her entire community, who has advocated on behalf of delivering clean, safe drinking water to the people across our province, that community having learned from the tragedy in Walkerton.

I, too, was extremely disappointed last week to see partisan politics put ahead of the people of Ontario, to see the opposition parties turn their backs on people like Bruce Davidson, vice-chair of the Concerned Walkerton Citizens, who said: “The ongoing challenges to the province's drinking water problems demand a comprehensive approach. The introduction of the Clean Water Act represents a crucial first step in the holistic stewardship of Ontario's drinking water for generations to come.”

I'm proud to be part of a government that is meeting each and every one of Justice O'Connor's recommendations. We will not turn our backs on the people of any community, much less the people of Walkerton, and I'm ashamed of the opposition for doing that.

Mrs. Mitchell: I represent a rural riding, and I'm shocked by how the members of the Conservative caucus misrepresent the hard-working families of rural Ontario by aligning themselves with the Ontario Landowners Association.

At the Clean Water Act hearings, Mr. Randy Hillier said, “When there is contempt and disdain by government to the people, there is only one consequence of that: It builds hatred, and from hatred in society there is a far worse”—

Mr. Robert W. Runciman (Leeds–Grenville): On a point of order, Mr. Speaker: She clearly used a word that is unparliamentary. I ask you to have her withdraw.

The Speaker: The member may wish to reconsider that word. Withdraw?

Mrs. Mitchell: I would withdraw.

Mr. Hillier's comments do not reflect those of rural Ontarians. Yet the Conservative caucus continues to stand arm in arm with the association since the members of the Conservative caucus are too busy making deals with Randy Hillier and congratulating the members of the Ontario Landowners Association for the founding convention in the Legislature.

I just want to quote the MPP from Haldimand–Norfolk–Brant, on February 27, 2006: “They obviously hadn't had a chance to learn the truth about the Clean Water Act.” Minister—

The Speaker: Thank you, Minister?

Hon. Ms. Broten: I would say to the opposition members that I guess it's difficult to appreciate who you have taken sides with and who you have set yourself to. That was a direct quote that was stated by Mr. Randy Hillier at the hearings.

Perhaps we should take a look at others who are supporting the Clean Water Act. Here's a version of an editorial out of Ontario Farmer. Ron Bonnett says: “It is gratifying to see the provincial government respond positively to proposals put forth by the farming community on issues such as the Clean Water Act. It is proof”—

Interjections.

The Speaker: Order. I need to be able to hear the minister respond.

Interjections.

The Speaker: Order. Minister of Health Promotion, I won't warn you again.

Minister?

Hon. Ms. Broten: I know that the members opposite might not care what farmers have to say in this province, but I can tell you that before the introduction of the Clean Water Act, we were consulting with members from rural communities right across the province.

1450

Let me be absolutely clear: We do not expect rural communities and rural Ontarians to shoulder the burden of source protection measures on their own. That's why we put in place a stewardship fund in the Clean Water Act; that's why this province is paying \$120 million for the science of water protection; that's why we have an initial down payment of \$7 million to move forward with early implementation; that's why we're working hand in hand with leaders in the agricultural and farming communities across the province; and that's how we'll—

The Speaker: Thank you, Minister. New question.

RESPITE CARE

Mr. Frank Klees (Oak Ridges): To the Minister of Health: Against the backdrop of your taxpayer-paid propaganda campaign claiming waiting rooms are empty and wait-lists are dwindling, Mrs. Rosa Tavares of Richmond Hill wants to know why respite care for her husband has been cut off. It was cut off when they moved from Mississauga to York region.

Mr. Tavares is paralyzed from the waist down. He is in the terminal stages of MS. His wife, Rosa, is the only caregiver. York region CCAC claims there is no funding for respite care and that she would have to go to the March of Dimes. The March of Dimes tells her that there are 35 people on the waiting list ahead of them and that it could be six months to a year before care is available through them.

Minister, I'd like to know from you, is six months to a year acceptable for the Tavareses to wait for respite care, and if not, what is your advice to Mrs. Tavares?

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): I want to

compliment the honourable member on his new habit of bringing forward questions without a sufficiency of information to be able to address them appropriately.

Like always, I will be happy to take this up with the honourable member or through his staff, if they send that along to my office, to investigate the circumstances and to do our very best in the circumstances for the individuals whom he raises.

I would say to the honourable member two further things. Number one is that we have very significantly increased resourcing for community care access centres, acknowledging that in a population like ours, which is aging, there are many, many challenges and opportunities to do more. And on that point, it will be very interesting to find out from the honourable member how his party would intend to do more, seeing as they're proposing to cut health care by \$2.5 billion.

Mr. Klees: I will pass the information on to the minister, if a page would come and get it, please.

Minister, please listen to Mrs. Tavares. Here's what she has to say:

"I am desperate and at my wits' end trying to work full-time as the sole means of support for my family and severely disabled husband.

"My family and I did not move to Afghanistan. We moved from Mississauga, Ontario, to Richmond Hill, Ontario. My husband, paralyzed from the waist down, still needs the same level of care despite the 30-kilometre move.

"It is difficult to understand that people from one single province can be treated so vastly different from one region to another."

Minister, do you agree that Mr. Tavares's respite care should not have been cut off, and will you undertake to ensure that that care is reinstated for him and for his family?

Hon. Mr. Smitherman: I will undertake, as I already have, to look at the matter and to do our very best in the circumstances for the individual whom the honourable member brings the question around. It would be inappropriate for me to make a clinical decision as I stand here in the Ontario Legislature. That is not my responsibility. All across health care are deployed more than 250,000 individuals, most of them far better and more appropriately tasked to deal with that matter.

What's left undealt with is the honourable member's inability or unwillingness to rationalize these two things: the desire on the one hand, here in the House today, to see health care spending increase, and the commitment that his party has on the record and that they're proud of and that they beat their chests around—a \$2.5-billion cut to health care.

HEALTH INSURANCE

Mr. Peter Kormos (Niagara Centre): I have a question to the Premier. I too, sir, want to ask you about the Cory report, now in your possession for some 18 months.

Dr. Anthony Hsu of Welland took his own life after struggling with the MRC's draconian process. Before he

died, Dr. Hsu led the struggle in this province to make the provincial government establish a fair system, and his widow, Irene Hsu, continues that fight to this very day.

Premier, can you tell us today, can you assure us, that the legislation that was spoken of by your minister a few minutes ago will contain all of the Cory recommendations?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Health.

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): I can tell the honourable member that it was a very emotional circumstance in addressing the MRC process and the specific case that the member brought forward. That's why we decided that the most appropriate way to go forward, recognizing that it's an emotional issue and that it's dealing with a lot of public resources, was to ask an esteemed former Supreme Court justice to do a hard bit of work for us. He has done that and he has given us the recommendations. We're working on bringing those forward in legislation that will come this fall, and I can tell the honourable member that we're seeking to do so on all points, in keeping with the Cory report.

Just a further point on that: On one or two occasions, we've actually gone back to Mr. Cory and asked him to try to assist us in moving forward in a fashion that is entirely consistent with the report that he brought forward. This is most certainly our intent.

Mr. Kormos: Minister, Cory called the MRC system "debilitating—and in some cases devastating."

You promised to act on his report, but now doctors are saying that your government is delaying implementation and trying to water down the Cory recommendations.

Dr. David Bach, president of the Ontario Medical Association, says that it would be "foolhardy" to question Judge Cory's conclusions. He said, "Let there be no question—our members are very alert to this issue and our members remember very well the inquisition-like atmosphere that existed before."

Please assure this chamber here and now that the Cory recommendations will be enacted in their entirety in the legislation that you propose to put forward.

Hon. Mr. Smitherman: I believe, in my earlier answer, I said just that. It is our intention to move forward with legislation that builds very deliberately upon the recommendations presented to us by Mr. Cory; there is no doubt about that.

I would say that in the Toronto Star piece from Saturday, there were different doctors' voices. We defer at all times to the head of the Ontario Medical Association, but if we read that story, we will see that different voices from within the Ontario Medical Association have come forward.

On point, we have responded to the situation by getting rid of the MRC; by staying all prosecutions, if you will, that were under way, related to the MRC.

I offer this assurance to Ontario's doctors: Having moved forward in a fashion to eliminate the MRC, it is not our intention to recreate it. We'll be moving forward

in a fashion that is consistent with the Cory report, and we continue to rely on Mr. Cory for advice related to the appropriate way to do just that.

ELECTRICITY SUPPLY

Mr. David Oraziotti (Sault Ste. Marie): My question is for the Minister of Energy. Minister, last week I had the opportunity to be part of an exciting announcement in Sault Ste. Marie that will see our city's largest employer, Algoma Steel, invest \$135 million to build a 70-megawatt cogeneration plant. In addition, this project will create 200 new construction jobs and reduce greenhouse gas emissions by eliminating 400 tonnes of nitrous oxide. The Conservatives and the NDP did nothing to support this type of initiative. Our government's decision to offer incentives for cogeneration is great news for Algoma Steel and other businesses across Ontario.

Along with this project, six other cogeneration projects have recently been announced. Minister, how will these projects help to ensure electricity system reliability in Ontario?

Hon. Dwight Duncan (Minister of Energy): I'd like to thank the member for his question but more importantly for his outstanding work in making sure that this happened in Sault Ste. Marie. Projects like that are proof that this government, the McGuinty government, is doing things much differently than they used to be done on the energy file.

This was one of the most complex and involved electricity procurements in the province's history.

We're looking at all angles in the energy sector when it comes to planning for the future: generation, transmission, conservation, and energy efficiency.

We directed the OPA to build 1,000 megawatts of new-generation demand-management projects, including high-efficiency combined heat and power projects, because we saw an opportunity to help industry cut their electricity and their heating bills in one fell swoop.

The seven projects represent a capital investment of \$800 million in local communities and 414 megawatts of clean, clean power.

Mr. Oraziotti: I'm glad to hear that there'll be more opportunities for industry to participate in the coming months.

Algoma Steel has been pursuing a cogeneration project for well over a decade, but a report they released in 1995, after five years of NDP inaction, said that the economics didn't work. There's a surprise.

1500

Paul Finley, ASI's vice-president of business, commenting on the new strategy, said, "The long-term purchase agreement makes the economics of the project work.... It amounts to a guaranteed return on ... investment and eliminates" much "potential financial risk."

There are also organizations who are interested in the development of smaller cogeneration projects. Minister, what are we doing to help smaller cogeneration projects materialize in Ontario?

Hon. Mr. Duncan: The first combined heat and power RFP did see a good range of successful projects. The smallest project was a 2.3-megawatt district energy project in Oshawa, the largest being a 236-megawatt project in Thorold that the Minister of Tourism helped out with a lot as well.

As I said, there will be more opportunities for industries and companies to take part in a second combined heat and power RFP later this year. However, for smaller projects that feel the RFP process isn't the route to go, they can make a bid to the Ontario Power Authority to work on a clean energy standard offer program, which will appeal to those smaller projects that will have great community appeal.

The important point is that one government, in 15 years, has moved for cleaner, greener energy. That's the McGuinty Liberal government. We're undoing mismanagement by the NDP and Conservative—

The Speaker (Hon. Michael A. Brown): Thank you.

LAW REFORM COMMISSION

Mrs. Christine Elliott (Whitby–Ajax): My question is for the Attorney General. Can you please confirm in this House a media report that you've been working behind the scenes to reinstate the Ontario Law Reform Commission?

Hon. Michael Bryant (Attorney General): I can tell this House that, in the opening of the courts ceremony last January in a speech open to the public, attended by many members of the public and reported on at the time, Ontario announced that it was going to be pursuing steps to bring back the Ontario Law Reform Commission, which had been taken away by the previous government.

Mrs. Elliott: I can tell you that no one in the PC caucus, in any event, heard about the Attorney General's plan until it was reported this morning in the Toronto Star. I find it very disappointing that the Attorney General, who claims to have transparency and access to justice as an important part of his mandate, has decided to announce this really important change to our justice system a year later, without anything other than this media news report. These are the types of decisions that should be the subject of debate among members and the subject of consultation with the public. The fact that members were left in the dark as the media were informed of this decision and announcement is, quite frankly, irresponsible. At this point, all we have is very little information from this news report about how the commission is going to work and how it's going to be funded.

Mr. Attorney General, why did you decide to inform the media before you made an announcement to this Legislature? And why have you not allowed for the public consultation that you say is so important?

Hon. Mr. Bryant: I promise I will get the member a copy of that speech. I will send it over to her and any of her constituents who are interested in the resurrection of a law reform commission.

The member may know that it was the previous government, the Harris-Eves government, that in fact got rid of the law reform commission. The member may also be aware that the federal Minister of Finance, with which the member may have some familiarity, also got rid of the federal law commission. We understand that you're on the side of getting rid of an independent voice that will provide for the kind of analysis and prescription that will raise access to justice. You are against that. We on this side of the House support that. That's why we, in fact, are attempting to bring back a law reform commission that will be ideologically indestructible, such that should the member opposite ever get the chance to try and get rid of it, she won't be able to.

NUCLEAR WASTE

Mr. Peter Tabuns (Toronto–Danforth): My question is for the Minister of the Environment. Later today, I'll be giving a deputation to the Canadian Nuclear Safety Commission on Ontario's misguided proposal to build a deep geological nuclear waste dump at the Bruce nuclear power plant. The proposed site is less than one kilometre from the shores of Lake Huron. It puts at risk the water quality of the entire Lake Huron region and makes a mockery of source water protection. Yet, despite the clear threats that your nuclear waste dump poses to the environment and the quality of water in Lake Huron, there is no environmental assessment under Ontario's Environmental Assessment Act.

Minister, will you stand up for the environment, will you stand up for the Great Lakes and will you order an individual environmental assessment under the Ontario Environmental Assessment Act? Will you do that?

Hon. Laurel C. Broten (Minister of the Environment): The member opposite surely knows that the Canadian Nuclear Safety Commission is responsible for oversight and safety with respect to the nuclear power industry in Canada. The CNSC is responsible for issuing appropriate licences before any work would commence. As a result, the CNSC has set out conditions and scope of any EA required before the work would proceed.

But be absolutely clear, and I want the members across Ontario to understand, that our government would be part of any environmental assessment taking place, to ensure the health and well-being of Ontarians, because unlike the member opposite, we want to ensure we're delivering clean, safe drinking water. That's why we've supported the Clean Water Act. That's why we're moving forward with a plan for electricity that is clean, green, doubles renewables, doubles conservation and holds the line on nuclear. That's our plan for the future of the province. What's yours?

Mr. Tabuns: The environmental threat posed by this nuclear waste dump is now of concern on the other side of the border. Democratic Congressman Bart Stupak from Michigan has written to the nuclear safety commission expressing his concern about the risk and asking that alternatives to this radioactive dump be investigated.

An Ontario environmental assessment would look at those alternatives, Minister. You've refused to accept responsibility for this dump. Unlike other provinces, you've not applied our own Environmental Assessment Act, which is far more rigorous than the federal process. Your government is obsessed with generating nuclear waste. Why aren't you, as Minister of the Environment, taking action to ensure that a full Ontario environmental assessment is put in place to assess this proposal?

Hon. Ms. Broten: As the member opposite knows, the responsibility for the storage of nuclear waste lies with the federal government and under CNSC responsibility. Our responsibility, and my responsibility as Minister of the Environment, is to ensure that all steps taken in this province are done in a manner that ensures the health and well-being of all Ontarians.

Our government has a comprehensive plan to tackle climate change, to ensure clean air, to move forward on many fronts to ensure that we deliver a safe, clean, green, healthy future. We take that responsibility very seriously. We're moving forward to ensure that we generate electricity in a clean, green fashion and that we also protect drinking water in a way that has never been done before. Those who are experts in drinking water indicate Ontario was at the top of the class before and now we are in a class of our own. I'm proud of the success that we've had with respect to drinking water.

IMMIGRANTS' SKILLS

Mr. Bas Balkissoon (Scarborough–Rouge River): My question today is to the Minister of Citizenship and Immigration. Minister, Ontario has become the great province that it is today thanks to the many contributions of newcomers from all over the world. Ontario has a long tradition of welcoming immigrants. In return, newcomers have long contributed to the province's prosperity and cultural richness in numerous ways.

As you know, Ontario received over 140,000 newcomers last year. Many have chosen to settle in my riding. They come with global expertise and a desire to contribute to Ontario's society. I understand that Bill 124, the Fair Access to Regulated Professions Act, passed second reading on Thursday, October 19. Minister, can you elaborate on why this legislation is of great importance to Ontarians?

Hon. Mike Colle (Minister of Citizenship and Immigration): Thanks to the member of Scarborough–Rouge River for the question. Bill 124 is the bill that basically recognizes the fact that Ontario can no longer afford to allow the barriers that exist for many foreign-trained professionals who are highly qualified and who want to practise their profession as a doctor, engineer, pharmacist. Right now, the status quo is not welcoming enough. The regulatory bodies are not open enough to change and giving opportunities. With this bill, we're going to work with regulatory bodies, appoint a fairness commissioner and make it under regulatory compulsion that the rules of application and licensing have to be fair,

applicant-friendly and accountable and transparent, because right now we're losing out on too many talented people because of the restrictions and the old, archaic, bureaucratic system which is no longer acceptable in modern Ontario.

1510

Mr. Brad Duguid (Scarborough Centre): By way of supplementary to the same minister: The previous Tory government's track record in assisting newcomers was nothing less than abysmal.

Last week, to our shock, we learned of a Tory nomination candidate in Brampton West implying that voters born in Canada would or should be reluctant to support elected representatives who happen to be immigrants. I'm glad, and I'm sure newcomers across Ontario are glad, that the McGuinty government is going in exactly the opposite direction.

In addition to the \$130-million investment in support services for newcomers, can the minister advise how this new legislation proposes to help newcomers?

Hon. Mr. Colle: I'd like to thank the member from Scarborough Centre. The key thing here is that we're telling regulatory bodies, we're telling employers, and we're telling government agencies in Ontario not to look at where the person was born, not to look at the person's religion or the person's accent, but to look at what the qualifications of the person are, to look at the ability of the person. Those are the things we're trying to achieve by letting people understand that we must look beyond the appearance of a person and look at their global experience, as you mentioned, the international experience. Don't just give an excuse that that person is not qualified because they don't have Canadian experience. Look at the person's international experience.

In other words, the old ways of closing doors is hurting our economy, it's hurting our society, it's hurting hundreds of thousands of newcomers every year. That's why we're saying to just look at the person's ability, look at the person's willingness to work. Don't just pigeon-hole people according to where they came from, look at what they can do. That's what Bill 124 does.

PETITIONS

LONG-TERM CARE

Mr. John O'Toole (Durham): I'm pleased to present a petition on behalf of my constituents in the riding of Durham. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still

not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"Therefore we, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million," as promised by the McGuinty election platform, "which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years...."

I'm pleased to sign and endorse this, and present it to Chad on behalf of my constituents.

Ms. Shelley Martel (Nickel Belt): I have petitions that have been signed by residents in Shelburne and Orangeville and sent to me by SEIU Local 1. It reads as follows:

"Whereas, in June 2003, Dalton McGuinty said Ontario Liberals are committed to ensuring that nursing home residents receive more personal care each day and will reinstate minimum standards, and inspectors will be required to audit the staff-to-resident ratios; and

"Whereas Health and Long-Term Care Minister George Smitherman, in October 2004, said that the Ontario government will not set a specified number of care hours nursing home residents are to receive each day; and

"Whereas Ontario nursing home residents still receive the lowest number of care hours in the Western world; and

"Whereas studies have indicated nursing home residents should receive at least 4.1 hours of nursing care per day; and

"Whereas a coroner's jury in April 2005 recommended the Ontario government establish a minimum number of care hours nursing home residents must receive each day;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario immediately enact a minimum standard of 3.5 hours of nursing care for each nursing home resident per day."

I agree with the petitioners, and I have affixed my signature to this.

IMMIGRANTS' SKILLS

Mr. Jeff Leal (Peterborough): I have a petition to the Ontario Legislative Assembly dealing with access to trades and professions in Ontario.

"To the Legislative Assembly of Ontario:

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise

their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas action by Ontario’s trades and professions could remove many such barriers, but Ontario’s trades and professions have failed to recognize that such structural barriers exist, much less to take action to remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to require Ontario’s regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario’s employers, Ontario’s newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families.”

I agree with this petition and will affix my signature to it.

GASOLINE PRICES

Mr. Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly of Ontario which reads:

“Whereas gasoline prices have continued to increase at alarming rates in recent months”—and I can’t imagine what the 1.5-million barrel decrease in OPEC’s decision is going to do to those prices.

“Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to Ontario’s drivers while also impacting the Ontario economy in key sectors such as tourism and transportation; and

“Whereas the member from Superior North and the member from Essex, as well as the current ministers from St. Catharines, Eglinton–Lawrence and Sudbury have introduced legislation to freeze gas prices;

“Therefore be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario consider an immediate temporary gas price freeze and fair and transparent gasoline pricing by supporting the previous members’ bills while international gas prices stabilize”—Bill 10, Bill 18, Bill 80, Bill 32 and Bill 16.

I affix my signature in full support.

LONG-TERM CARE

Mr. Peter Kormos (Niagara Centre): I have a petition addressed to the Legislative Assembly of Ontario:

“Whereas, in June 2003, Dalton McGuinty said Ontario Liberals are committed to ensuring that nursing home residents receive more personal care each day and will reinstate minimum standards, and inspectors will be required to audit the staff-to-resident ratios; and

“Whereas Health and Long-Term Care Minister George Smitherman, in October 2004, said that the Ontario government will not set a specified number of care hours nursing home residents are to receive each day; and

“Whereas Ontario nursing home residents still receive the lowest number of care hours in the Western world; and

“Whereas studies have indicated nursing home residents should receive at least 4.1 hours of nursing care per day; and

“Whereas a coroner’s jury in April 2005 recommended the Ontario government establish a minimum number of care hours nursing home residents must receive each day;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario immediately enact a minimum standard of 3.5 hours of nursing care for each nursing home resident per day.”

I have signed my signature to this petition as well.

IMMIGRANTS’ SKILLS

Mr. John Wilkinson (Perth–Middlesex): “To the Legislative Assembly of Ontario:

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle” right here “in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas action by Ontario’s trades and professions could remove many such barriers, but Ontario’s trades and professions have failed to recognize that such structural barriers exist, much less to take action to remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to

require Ontario's regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario's employers, Ontario's newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families."

I gladly sign the petition and give it to page Sarah.

1520

HIGHWAY 26

Mr. Jim Wilson (Simcoe–Grey): "To the Legislative Assembly of Ontario:

"Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 1999; and

"Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

"Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe–Grey;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe–Grey."

Obviously, I agree with the petition and have signed it. Thank you.

LONG-TERM CARE

Ms. Shelley Martel (Nickel Belt): Here are petitions that have been signed by residents of Southampton and Port Elgin that have been sent to me by SEIU. They read as follows:

"Whereas, in June 2003, Dalton McGuinty said Ontario Liberals are committed to ensuring that nursing home residents receive more personal care each day and will reinstate minimum standards, and inspectors will be required to audit the staff-to-resident ratios; and

"Whereas Health and Long-Term Care Minister George Smitherman, in October 2004, said that the Ontario government will not set a specified number of care hours nursing home residents are to receive each day; and

"Whereas Ontario nursing home residents still receive the lowest number of care hours in the Western world; and

"Whereas studies have indicated nursing home residents should receive at least 4.1 hours of nursing care per day; and

"Whereas a coroner's jury in April 2005 recommended the Ontario government establish a minimum number of care hours nursing home residents must receive each day;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario immediately enact a minimum standard of 3.5 hours of nursing care for each nursing home resident per day."

I agree with the petitioners and have affixed my signature to this. Thank you.

FAIR ACCESS TO PROFESSIONS

Mr. Brad Duguid (Scarborough Centre): I have a petition signed by a number of residents from mainly the city of Toronto that reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is committed to establishing measures that will break down barriers for Ontario newcomers; and

"Whereas these measures will ensure that the 34 regulatory professions in Ontario have admissions and application practices that are fair, clear and open; and

"Whereas these measures will include the establishment of a fairness commissioner and an access centre for internationally trained individuals; and

"Whereas, through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals but also to the Ontario economy as a whole;

"We, the undersigned, respectfully petition the Legislature of Ontario as follows:

"That all members of the House support the Fair Access to Regulated Professions Act, 2006, Bill 124, and work to ensure its prompt passage in the Ontario Legislature."

I agree with the petition and am pleased to affix my signature to it.

ELECTRICITY SUPPLY

Mr. Norm Miller (Parry Sound–Muskoka): I have a petition regarding Hydro One line maintenance.

"To the Legislative Assembly of Ontario:

"Whereas Hydro One Networks Inc. provides hydro to many communities in the region of Parry Sound–Muskoka; and

"Whereas there have recently been several lengthy power outages in this region affecting both private residences, schools and businesses; and

"Whereas rural customers pay ... the highest distribution and delivery charges for electricity;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Energy and the Ontario Energy Board require Hydro One Networks Inc. to make improvements in line maintenance and forestry management in the region of Parry Sound–Muskoka to ensure reliable energy for its customers."

I support this petition.

IMMIGRANTS' SKILLS

Mr. Bob Delaney (Mississauga West): It's my pleasure to read a petition given to me earlier this afternoon at the home of Mr. Haroon Khan in Mississauga. I bring greetings of "Eid Mubarak" to him and to his many friends and family. It reads as follows:

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas action by Ontario's trades and professions could remove many such barriers, but Ontario's trades and professions have failed to recognize that such structural barriers exist, much less to take action to remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to require Ontario's regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario's employers, Ontario's newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families."

I fully support this petition. I'm pleased to affix my signature and to ask page Maddy to carry it for me.

HIGHWAY FUNDING

Mr. Jerry J. Ouellette (Oshawa): I have another petition to the Legislative Assembly of Ontario:

"Whereas the federal government collects over \$5.2 billion annually in tax revenues from the sale of gasoline products; and

"Whereas the federal government, in addition, collects over \$1.8 billion annually in GST revenue from the sale of gasoline products; and

"Whereas the previous federal Liberal government refused to commit additional funding for assisting road infrastructure in the province of Ontario;

"Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to" continue working "with the new federal Conservative government in achieving" a further expansion of the "federal-provincial program to assist in further develop-

ment of Ontario's interprovincial roads such as the Trans-Canada Highway and Highway 401."

I affix my signature in support.

IMMIGRANTS' SKILLS

Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas action by Ontario's trades and professions could remove many such barriers, but Ontario's trades and professions have failed to recognize that such structural barriers exist, much less to take action to remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to require Ontario's regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario's employers, Ontario's newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families."

I'll affix my signature to this and send it off with page Norah.

The Deputy Speaker (Mr. Bruce Crozier): The time for petitions has expired.

ROYAL ASSENT

The Deputy Speaker (Mr. Bruce Crozier): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Administrator of Ontario has been pleased to assent to certain bills in his office.

The Deputy Clerk (Ms. Deborah Deller): The following are the titles of the bills to which His Honour did assent:

Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2006 / Projet de loi 14, Loi visant à promouvoir l'accès à la justice en modifiant ou abrogeant diverses lois et en édictant la Loi de 2006 sur la législation.

Bill 43, An Act to protect existing and future sources of drinking water and to make complementary and other

amendments to other Acts / *Projet de loi 43, Loi visant à protéger les sources existantes et futures d'eau potable et à apporter des modifications complémentaires et autres à d'autres lois.*

Bill 51, An Act to amend the Planning Act and the Conservation Land Act and to make related amendments to other Acts / *Projet de loi 51, Loi modifiant la Loi sur l'aménagement du territoire et la Loi sur les terres protégées et apportant des modifications connexes à d'autres lois.*

Bill 89, An Act to amend the Child and Family Services Act and the Coroners Act to better protect the children of Ontario / *Projet de loi 89, Loi modifiant la Loi sur les services à l'enfance et à la famille et la Loi sur les coroners pour mieux protéger les enfants de l'Ontario.*

1530

ORDERS OF THE DAY

LONG-TERM CARE HOMES ACT, 2006 LOI DE 2006 SUR LES FOYERS DE SOINS DE LONGUE DURÉE

Resuming the debate adjourned on October 17, 2006, on the motion for second reading of Bill 140, An Act respecting long-term care homes / *Projet de loi 140, Loi concernant les foyers de soins de longue durée.*

The Deputy Speaker (Mr. Bruce Crozier): The Chair recognizes the member for Nickel Belt.

Ms. Shelley Martel (Nickel Belt): Thank you very much, Mr. Speaker. It's a pleasure for me to continue the debate.

Before I start, I'm just going to note that there are some folks in the gallery with us right now and others who will join us. They are: from SEIU, Service Employees International Union, Cathy Carroll, secretary treasurer, Local 1.0n, John Van Beek, Rabia Sayed, Winston Smith, Matt Galatis and Charlie Renaud; and from the Ontario Nurses' Association, Lawrence Walter and Shalom Schachter. I thank them for being here today.

When I last left off, I was in the process of talking about a resolution that was before this House on November 7, 2002, in the name of Mrs. McLeod, who was the former Liberal leader. I think the reason the resolution was before this House was because of the very shocking results of a study that had been done in 2001 by PricewaterhouseCoopers that showed that Ontario long-term-care residents were receiving the lowest standards of hands-on care in relation to a number of other jurisdictions that PricewaterhouseCoopers had studied.

Indeed, Mrs. McLeod came forward on that day and said, "That, in the opinion of this House, the Ernie Eves government should immediately establish minimum standards of care for nursing homes and homes for the aged, including the reintroduction of minimum hours of nursing care and the requirement for a minimum of at least one bath a week." It's worth noting that this came

because there had been a minimum standard of 2.25 hours of hands-on care per resident per day under the New Democratic Party government that was cancelled by the Conservatives in 1996. There also had been a requirement around baths per week that was also cancelled by the Conservatives. I think it was as a result of these things being cancelled that the standard of care for residents dropped so badly, and that was so clearly evident in the PricewaterhouseCoopers studies.

So Mrs. McLeod came forward with this resolution. She had the following to say: "I've chosen to use the opportunity to present this particular resolution because of a growing personal sense of outrage I have at the Harris-Eves government's, in my view, deliberate abandonment of our most vulnerable seniors."

She went on to say, "The minister says,"—that was the Conservative Minister of Health at the time—"We don't want numerical standards, because if you have a numerical standard, a minimum becomes a maximum." A minimum only becomes a maximum if the funding body, the government, only funds to the level of minimum care. If they provide more dollars, more care can be given; you don't get held to the minimums. But at least you need some basics, some basics for which this government can be held accountable."

Well, I agreed with Mrs. McLeod then about holding that government accountable, and I agree that we should be holding this Liberal government accountable for the election promise that it made with respect to minimum standards of care, which of course, as I said the last time and I'll repeat again right now, was to reinstate the minimum 2.25 hours of hands-on nursing care that had been cancelled under the Conservatives.

Who else had something to say, though, that morning? There were a number of other Liberals here, and they're in this present assembly. Here's the member for Hamilton Mountain, now the Minister of Intergovernmental Affairs and minister responsible for democratic renewal, who participated in the debate. She said, "I'm pleased to rise and support my colleague's resolution for minimum hours of nursing care and the requirement for a minimum of at least one bath per week. It's almost a shame that we need to make this resolution, that we've come to this in Ontario in 2002, isn't it?"

Well, she's absolutely right. It sure is a shame that it has come to this in 2006; that in a piece of legislation affecting long-term care, the government did not come forward with the specific promise it made during the election of 2003 to reinstate those minimum standards of care that had been done away with by the Conservatives.

Here's the member from Sarnia-Lambton, now the Minister of Culture. This is what she had to say, "I find that, in this day and age, to actually have to be in this House to ask for a resolution to establish minimum standards, is almost as if we're returning to the Dark Ages when it comes to our long-term-care standards...."

"Again, cutting minimum hours of standards for nursing care means that there is no accountability mechanism, so they don't have to answer as to why these

hours are not being provided.” I agreed with the member then and I agree with her now. It is like we’ve returned to the Dark Ages, when we have a Liberal government bill before us that does not reinstate minimum standards of hands-on care per resident per day. That is like returning to the Dark Ages. I thought the Liberals learned something in 2001 with the PricewaterhouseCoopers study, but I guess they haven’t.

Let me quote another participant in the debate: the member from Kingston and the Islands. He’s now the Minister of Municipal Affairs and Housing. In his particular comments he did reference the PricewaterhouseCoopers study, just like I did during that debate. He referenced that study, and he said the following:

“That’s really what this is all about. Even with the government’s new investment on the operating side, for which I applaud them, we will still rank dead last. The decision we have to make in this province is, with the generally high standard of living we have, where we’re rated one of the best countries in the world and we are the best province in the best country in the world, do we really think, in terms of the way we take care of our seniors, that it’s good enough to rank dead last when it comes to nursing services and personal care services we provide for our seniors in the homes? That’s what it’s all about.”

Mr. Gerretsen was absolutely right then, and that is absolutely the matter before us right now, because why is it, after a study has clearly demonstrated that Ontario seniors rank dead last in terms of the hands-on care they were receiving, this government in this legislation does not keep its election promise to reinstate minimum standards? We haven’t moved forward at all in that regard.

But it wasn’t just some of the Liberal members and PricewaterhouseCoopers who had something to say about minimum standards. I want to reference now a report that was made public in April 2005 by a coroner’s jury here in Ontario. That coroner’s jury investigated the very tragic deaths of two residents at the hand of another resident in a long-term-care home in this province. The home was called Casa Verde Health Centre here in Toronto. These two tragic deaths occurred on June 9, 2001. The jury began the inquest at the end of January 2005. They reviewed 85 exhibits. They heard from 43 witnesses over nine days of deliberation. They made 85 recommendations for change in this report, and those changes involved the Ministry of Health, the Ontario College of Family Physicians, the Office of the Chief Coroner, the College of Physicians and Surgeons etc.

I want to highlight three important recommendations among the many important recommendations that were made by the coroner’s jury. Three bear repeating here today in light of this discussion of the lack of minimum standards in this bill.

Recommendation number 28 from the coroner’s jury: “That the Ministry of Health and Long-Term Care retain PricewaterhouseCoopers or a similar consultant to update the January 2001 report of the study to review levels of

service and responses to need in a sample of Ontario long-term-care facilities and selected comparators, and to have an evidence-based study of the present situation determine the appropriate levels of staffing for Ontario long-term-care facilities, given the significant number of Ontario residents with cognitive impairment and complex care needs in all long-term-care facilities. This would include determining the appropriate amount of direct registered nursing care that is required, the indirect registered nursing care and the total hours per resident per day of all overall nursing and personal care services on average.” That was recommendation 28.

Recommendation 29 by the coroner’s jury: “That the Ministry of Health and Long-Term Care in the interim, pending the evidence-based study, should fund and set standards requiring long-term-care facilities to increase staffing levels to, on average, no less than 0.59 registered nursing hours per resident per day and 3.06 per resident per day overall nursing and personal care for the average Ontario case mix measure. The funding formula for the nursing and personal care envelope must be immediately adjusted to reflect this minimum standard.”

Again, in recommendation 30 by the coroner’s jury: “That the Ministry of Health and Long-Term Care, once the updated evidence-based study is received, should set out standards based on this information for all Ontario long-term-care facilities to ensure that Ontario long-term-care facility residents are given appropriate nursing and other staff hours. At a minimum, the staff hours must be comparable to all other similar jurisdictions and are sufficient to meet the needs of present and future Ontario long-term-care facility residents.”

1540

You would think that after the PricewaterhouseCoopers result, you would think that after the coroner’s jury recommendations, you would think that after the specific promise made by the Ontario Liberal Party in the election of 2003 that a reinstatement of minimum standards—indeed, a reinstatement of those standards to 3.06 hours of hands-on care per resident per day—would have found its way into this long-term care legislation. But it didn’t. That’s why this legislation is so aptly named by us as the “No minimum standards for seniors act,” because that is the reality. There are no minimum standards for seniors with respect to hands-on care now, there haven’t been for 10 years, and the government fails in this legislation to live up to the promise that it made to reinstate some standards.

What are the consequences? I think one of the consequences is that the situation now is either the same as it was in 2001 or worse—worse—for residents in long-term-care homes in this province.

The Ontario Association of Non-Profit Homes and Services for Seniors put out a release, March 9, 2006, that said the following: “Residents now receive just over two hours of nursing and personal care over a 24-hour period. OANHSS believes that this level is unacceptable and should be closer to at least three hours.” Don’t forget that OANHSS operates about 26,000 long-term-care beds

in the province of Ontario, so they know what's happening in long-term care.

They also said the following: "More personal support workers are needed. Currently, these front-line staff each care for about 10 residents, and they are stretched to the limit trying to meet residents' basic needs."

Point number three: "Homes are not able to provide anywhere near the level of rehabilitation and restorative care that residents need."

Point number four: "Only a small fraction of residents currently receive professional mental health services, even though 65 per cent have Alzheimer disease or some other form of dementia."

That, from one of the advocate organizations in the sector that is responsible for about 26,000 homes, is the standard of care in the province now. That's less than what it was in 1995, when there was a standard in place under the NDP.

That's probably why ONA, for example—the Ontario Nurses' Association—put out a release on October 3 with respect to the government's "No minimum standards for seniors act" and said the following: "The Ontario Nurses' Association ... says new legislation for long-term-care facilities is missing key elements that are essential to safer long-term-care environments: minimum staffing standards, improved working conditions and adequate transparency and accountability regarding how public funds are being spent.

"Many of the residents in long-term care are in need of complex nursing care," says ONA President Linda Haslam-Stroud. "Some facilities have just one registered nurse responsible for the care of 200 or more residents, and not enough staff to provide this care. These residents require the broader skill set that registered nurses bring, and without legislating minimum staffing requirements, care is not going to improve."

She ended by saying, "Legislating minimum staffing standards would also improve working conditions in nursing homes."

The SEIU, which also represents a number of workers in long-term-care homes across the province, has done some really excellent work over the past number of weeks comparing the number of hands-on-care hours that are being received in a number of homes where their workers are represented. I just want to read into the record some of those homes that they focused on and the level of care hours, because you will see that the overwhelming majority of those residents are receiving less hands-on-care hours now than they would have in 1995, over 11 years ago. Something is wrong with this picture.

At Extencare in Peterborough, residents received 2.48 hours of hands-on care; Grace Villa in Hamilton, 2.20 hours of hands-on care per day; Blenheim Community Village, retirement residence REIT, 2.13 hours of hands-on care; Extencare in St. Catharines, 2.33 hours of hands-on care per day; Extencare Kirkland Lake, 2.18 hours; Extencare Falconbridge, in my part of world, 2.12 hours of hands-on care per resident per day; Leisureworld in North Bay, 2.28 hours of hands-on care

per day; New Orchard Lodge in Ottawa, 2.58 hours of hands-on care; Maynard Nursing Home in Toronto, 2.58 hours of hands-on care; Uxbridge Health Centre in Uxbridge, 2.23 hours of hands-on care; Caressant Care in Marmora, two hours of hands-on care; Caressant Care in St. Thomas, 2.04 hours of hand-on care per day.

Eight of these homes have less than the 2.25 hours of hands-on care that was in place in 1995; four others have just above the 1995 standards. This is 11 years later. All of them fall far short of the coroner's jury recommendation of 3.06, so it is really clear that we need a minimum standard of care. We are in a worse position in many homes in the province than we were 11 years ago. In a province as wealthy as Ontario, this should not be the case, and it shouldn't be the case when you think about the promise that was specifically made by these Liberals in the last election to reinstate a minimum standard of care. At that time, they said they would reinstate the 2.25 hours, and even that hasn't made its way into the legislation.

Let me look at another election promise, because Mrs. McLeod was right: If you're going to have standards, then you also have to have funding from the province to back it up. Here's the second promise that was made by the Liberals to the frail and elderly and their families in the last election. If you go to the Liberal election leaflet again, you see that it clearly says, "Invest in better nursing home care, providing an additional \$6,000 in care for every resident." So where are the Liberals with respect to this very specific commitment of \$6,000 for additional care for every resident in every long-term-care home in the province?

Let me go back to OANHSS, which represents about 25,000 or 26,000 long-term-care beds in the province.

They said this on the day of the Liberal budget:

"The Ontario budget did not deliver the increased funding needed to make any significant improvements in long-term care.

"We're disappointed and, quite frankly, very frustrated," said Donna Rubin, CEO of the Ontario Association of Non-Profit Homes and Services for Seniors... "With the province recording higher-than-anticipated tax revenues, we expected the government to make good on its commitment to revolutionize long-term care."

"While the budget identifies \$155 million for long-term care, the bulk of this is to maintain existing programs. There appears to be little new funding to improve direct care and services for the 75,500 residents currently living in long-term-care homes.

"The fact remains that funding to provide the level of care needed by residents remains woefully inadequate," said Rubin.

"Over the last three budgets, the Liberal government has raised the amount of annual funding going directly to care by about \$2,000 per resident. This compares to a promised increase of \$6,000—a promise made by the Liberals during the last provincial election.

"The Liberals told us that seniors' issues, and long-term care in particular, were priorities. Why then wasn't this an important item in the budget?" Rubin asked."

That is a very important and very good question to ask, because it is very clear that in the fourth year of their mandate, the Liberals have a long, long, long way to go to meet the election promise of \$6,000 of enhanced funding per resident in each long-term-care home.

Just as Mrs. McLeod said, if the funding was there, the standards could be met. The Liberals promised the funding; they should deliver. The Liberals promised the standards; they should deliver. And that should be delivered in this particular bill.

I want to focus on another provision that's missing from the bill that we believe is key to ensuring the quality of life for residents in long-term-care homes and for giving families confidence that there is someone, an independent body that is looking at matters involving long-term care in an oversight provision and someone who can deal with systemic problems in long-term care—because we know those exist—and that is the creation of the position of ombudsman.

I want to go to the report that was done by the member from Nipissing, the parliamentary assistant, because she certainly did talk about an ombudsman, among a number of things, in the course of the report that she released in March 2004.

She said the following:

“We see a need for a third party to advocate on behalf of seniors and long-term-care homes.” I agree. “We see merit in the advocacy work being conducted by the Advocacy Centre for the Elderly and suggest they could play a more province-wide watchdog role on” long-term-care homes.

“There was also interest expressed by some in having a separate long-term-care ombudsman”—well, there certainly was—“or a new superintendent of long-term care. This would ideally be an independent and spirited Ontarian who would advocate for” long-term-care “residents and their families. This position could have the power to investigate when all other avenues have been exhausted. They could also advise the minister directly on trends and issues in provincial inspection and compliance. The appointment of a superintendent for a two-year term to restore the public's confidence in the safety of all of our homes would be welcomed by many.”

1550

It would certainly be welcomed by the Royal Canadian Legion, Ontario command. That is what they expressed to Ms. Smith when they met with her on a number of occasions. That's what they directly expressed to the Minister of Health in his office on March 7, 2005, when they met with him to discuss the government's long-term-care legislation and what they would like to see.

You see, in the fall of 2004, the Royal Canadian Legion, Ontario command, began writing to a number of members asking individual MPPs to support the position of an ombudsman for long-term care. Here's a letter from the chief government whip, Mr. Levac, the MPP for Brant, dated November 7, 2005, addressed to Gord Moore. It says the following:

“I have every intention of supporting your position regarding the implementation of a seniors' ombudsman to advocate for long-term-care-home residents and to resolve consumer complaints about home care provided within Ontario communities. You have my commitment to support my government's establishment of this position as soon as possible. In addition, I have taken the liberty of forwarding your concerns to the Honourable George Smitherman, Minister of Health and Long-Term Care, as well as to the Honourable Jim Bradley, minister responsible for seniors. Please let me know if I can be of further assistance.”

Well, they need some further assistance, I say to the chief government whip, because the promised ombudsman position—the one the minister promised verbally to the legion in a meeting in his office on May 7, 2005—hasn't materialized in this bill. They need your support and the support of others of your colleagues, like Mr. Flynn, who also wrote in support of an ombudsman, to tell the minister that it's about time we saw that position reflected in this legislation. You see, the legion and others, frankly, don't believe that an internal position set up by the minister is going to cut it. Let me read from a letter that they wrote to Dalton McGuinty, February 17, 2006:

“Our experience as advocates for veterans has led us to conclude that some cases are never resolved through existing channels. And although we support resolutions of problems at the lowest level possible, some residents and their families never receive resolution to valid complaints. Families are often handicapped in pursuing their complaint about the care of a loved one by lack of access or the cost of access to relevant files which would allow them to validate their concerns. At the end of the day, there is no one with the investigative reach of the ombudsman when all other efforts to resolve the problems have failed.

“Frankly, our members and officers were buoyed when we read Monique Smith's commitment to a plan for long-term care in Ontario and her recommendations for an ombudsman for long-term care. Sadly, there has been no follow-through on this by your government, and you will note that the Minister of Health's latest assessment is that an ombudsman for long-term care is not needed. Many of our constituents would beg to differ, along with the representatives from seniors' organizations. We have enclosed the overwhelming positive responses we have received to our proposal for a seniors' ombudsman.

“To our chagrin, Minister Smitherman, who once supported the notion, is now suggesting that those who are not comfortable or satisfied with government mechanisms to resolve an issue may direct their issues to community-based channels that exist. None of these community-based groups has the teeth of an ombudsman, and we do not even recommend a separate ombudsman. A mere expansion of the jurisdiction and mandate of the office of the Ombudsman of Ontario is what is needed.”

What's interesting is that the Ontario command of the Royal Canadian Legion wasn't the only group that

lobbied very hard to have an ombudsman in place. This is a letter dated August 18, 2005, to the Minister of Health and the minister responsible for seniors. It was written by the seniors' advisory committee on long-term care. That's an advisory committee that the government has set up so that they can hear problems from seniors' organizations and hopefully respond. Here's what the seniors' advisory committee on long-term care told both ministers on August 18:

"At its March 22, 2005, meeting, a motion was passed by we, the members of the seniors' advisory committee on long-term care, in support of the government appointing a seniors' ombudsman for long-term-care-home residents and people receiving home care services. Representing more than a million seniors, the members of SACLTC support having a seniors' ombudsman to advocate for long-term-care-home residents and to resolve consumer complaints about home care provided within Ontario communities. We feel the current system, which relies solely on government staff, is simply not responsive enough to ensure seniors' rights are protected in an objective and fair fashion. We recommend the ombudsman be independent of any ministerial control or influence and would have the power to investigate concerns, and, within reasonable constraints, direct the government to take remedial action when all other avenues have failed. This approach would contribute significantly to the health and well-being of older Ontarians; in fact, all Ontarians.

"Moreover, we believe establishing the seniors' ombudsman aligns with the government vision of ensuring seniors live safely and with dignity and receive the appropriate care regardless of where they choose to live."

Well, it isn't the government vision. That's really clear, because all we have in the "No minimum-standards for seniors act" is a reference in section 35 that reads as follows with respect to the Office of the Long-Term Care Homes Resident and Family Adviser:

"35. The minister may"—not even "shall"—"establish an Office of the Long-Term Care Homes Resident and Family Adviser to,

"(a) assist and provide information to residents and their families and others;

"(b) advise the minister on matters and issues concerning the interests of residents; and

"(c) perform any other functions provided for in the regulations or assigned by the minister."

Let me tell you, the Legion is not fooled by this. I suspect the seniors' advisory committee is not fooled by this. This is not what they asked for, this is not what the minister promised, and they are not satisfied with this provision; indeed, far from it.

That is why the Royal Canadian Legion, Ontario command, issued this press release on October 5, which said the following:

"Legion Disappointed With Bill 140, Long-Term Care Homes Act

"The announcement made by the Minister of Health, George Smitherman, fell far short of protecting our seniors by not announcing an ombudsman to oversee long-term-care homes and investigate complaints of care."

The Legion received many letters of support from members of the Legislature, including many Liberal MPPs, for the creation of an ombudsman for long-term care.

"At a meeting in March 2005, the minister asked the Legion to be patient and to wait for this legislation to be introduced. He indicated that his government would have a solution and create an ombudsman to oversee long-term-care homes and investigate complaints of care."

That's what the Legion had to say. That's what they had to say again this morning or this afternoon in a press conference. Mr. Moore was at the meeting with the minister; he knows what he heard. The question is, why is the government breaking yet another promise? Maybe it wasn't made in writing. That doesn't matter, because the government is quite open to breaking promises they make in writing too. But it certainly was a verbal commitment. The members of the Legion were at that. They have reiterated that again today. I say to the government, this legislation should have this position in place, just like Minister Smitherman promised the Legion members that it would be in place.

The government could quickly do this by implementing Bill 92, which is an act that was put forward by my colleague Ms. Horwath on April 5, 2006. In her bill, an amendment to the Ombudsman Act would give the Ombudsman the same powers in relation to hospitals and long-term-care homes, so the same investigative powers—powers to subpoena, powers to look at systemic long-term-care issues etc. If the government wanted to move quickly on this issue, all the government would have to do is take this particular bill and use it to amend its own legislation. And that's exactly what the government should do, if it was going to keep its promise made to the Legion and keep its commitment to its own seniors' advisory council, which also lobbied for an ombudsman.

I want to deal just briefly with issues of abuse and protecting seniors from abuse. I have to say that I am really concerned and, frankly, really unhappy that the government delayed two years in getting this long-term-care bill, the "No minimum standards for seniors bill," to this place. At the same time, we saw in the Toronto Star and in other places really shocking and appalling stories of mistreatment and abuse of seniors in long-term-care homes.

It was because of those stories that on April 1, 2004, my leader put forward a bill called the Safeguard Our Seniors Act, based on an act in Manitoba called the Protection for Persons in Care Act, which would have protected seniors in care in the province of Ontario. For example, it placed a duty on operators of health facilities, including long-term-care homes, to protect patients and residents from abuse. Those aware of it had to report it. The bill included very broad definitions of abuse.

1600

The bill said the service provider or resident or another person must promptly report any abuse or any suspicions of abuse to the minister. The minister then had the ability to appoint an investigator. Notice would be given to the resident about that investigation. That investigator had the right to enter the home, get records, interview people, and then that investigator had to come back and report to the minister. The minister would have the authority to give directions to the operator to prevent abuse from taking place. A copy of the directions that the minister was giving the operator had to be given to the resident and anybody else in the home or anybody else outside the home that the minister considered necessary.

In our bill, the minister also had the power to refer matters to a professional body that governed that person's professional status to determine whether or not an investigation should be undertaken, to see if disciplinary proceedings should be in order. Whistle-blower protection was included and there were very significant penalties for non-compliance, financial penalties that were stronger in our private member's bill than the financial penalties that now appear in the government's bill.

Having read through the section in the "No minimum standards for seniors act" and our bill, I have to say that our provisions were as good as or better than the proposed government provisions in the government's bill.

It is a shame that after the government delayed this legislation for two years, when allegations of abuse became very public—and they were certainly all over the front page of the *Star* at Christmas of 2003—the government would not have, in the absence of its own legislation, implemented our private member's bill, to at least have those provisions in place to try and improve the quality of care for residents in long-term-care homes. That bill was introduced on April 1, 2004. It was reintroduced by myself in 2006. Residents in long-term-care homes have had to wait until October 2006, fully two years after the government promised some legislation around long-term care, before they could get some home-wide—that is, across all homes—comprehensive protection from abuse.

Shame on the government. In the face of reading those allegations, in the face of reading the stories in the media, shame on the government, not only for delaying its bill for two years, but for doing nothing with respect to abuse during that two-year period as well when there was a very appropriate, very effective private member's bill that could have gone through second and third reading and been in place, as it has been in place in Manitoba for several years now. There is no excuse for the government having waited that long in the face of those allegations to do something about protecting seniors from abuse in long-term-care homes.

I want to reference some other recommendations from the Casa Verde report because they're also missing from this government's "No minimum standards" bill. I don't know why the government is not giving full regard to all of the recommendations that were made by the coroner's

jury, because the inquest was all about the tragic death of two residents at the hands of another in a long-term-care home and what had to be done to ensure that this would never happen again.

Let me read some of the other recommendations that have been made that the government has failed to act on, in the same way the government has failed to act on recommendations 28, 29 and 30 from the coroner's report that talk about establishing minimum standards in law for hands-on care per resident per day.

Here's recommendation 18: "(a) It is recommended that the Ministry of Long-Term Care, after appropriate consultation, review eligibility and admissions regulations and policies to ensure that individuals exhibiting or prone to aggression be assessed prior to the eligibility decision and only be placed in specialized facilities or long-term-care facilities with appropriate specialty units.

"(b) It is further recommended that if the decision is made to continue to place such individuals in long-term-care facilities, then the Ministry of Health and Long-Term Care must set standards for these facilities and units to ensure that they are sufficiently staffed with appropriate skilled regulated health care professionals who have expertise in managing these behaviours and at a staffing level that these behaviours can be managed without risk of harm to self and others. If unregulated staff are assisting the regulated health professional on these specialty units/facilities, they must be U-FIRST trained."

There are no standards in this bill for facilities and units to ensure that they are specifically staffed and that the staff on those units have the specific skills to deal with residents who can harm themselves or others. There are no standards in this bill to reflect that.

Further, recommendation 26: "That the Ministry of Health and Long-Term Care, in consultation with stakeholders, should revise the funding system presently in place for long-term-care facilities within the next fiscal year." Don't forget, this was released in April 2005. We are well beyond the year period and there's been no change in the funding formula to date.

"Any new system, such as the MDS (minimum data set) model presently being contemplated by the Ministry of Health, should be designed to ensure that the funding model is sufficient to take into account the higher skill level of staff required for residents with dementia and other mental health problems and, in particular, give sufficient weight to actual and potential aggressive behaviours to ensure adequate staffing, sufficient time and resources for long-term-care facilities if they are responsible to manage residents with such behaviours."

Here we are 18 months after the release of this report and certainly six months after the deadline that was given by the coroner's jury. We do not see a revised funding model in place for long-term-care homes, specifically for long-term-care homes that are trying to cope with behavioural issues that could be a risk for the resident himself or herself, a risk to other residents, a risk to staff, a risk to family members or a risk to anyone visiting that home. There hasn't been a change in the formula with

respect to funding for long-term-care homes, despite the recommendation from Casa Verde, and we don't see that in this legislation either. So 18 months after this has been released and six months after the deadline that the coroner's jury gave the ministry to revise the funding formula to take into account the need for additional funding for staff to support residents with dementia and residents with aggressive behavioural tendencies, nothing has changed. Nothing has changed, and nothing changes with this legislation, because there is no minimum standard set for these units or for these staff who deal with these most unfortunate residents who need extra special care. There's nothing in the bill to do that, regardless of what the coroner's jury had to say.

Not only did the coroner's jury talk about what happens in long-term-care homes right now where there may be some staff available to try to support these residents, but the coroner's jury also recognized that in far too many homes in the province there weren't the supports in place in the homes to try to support them. So they made two other recommendations, recommendation 22 and recommendation 24, about the ministry looking into the community outside of the home if it didn't have the ability to look after such residents, and for the ministry to fund specialized facilities, specialized units in the community, for aggressive behaviour as an alternative to long-term-care facilities. They said again:

"Funding for these facilities should be based on a formula that accounts for the complex, high-care needs of these residents in order that the facility be staffed by regulated health ... professionals ... who are trained in PIECES, and in sufficient numbers to care for these complex and behaviourally difficult residents." The same with recommendation number 24 that followed on that.

There's certainly nothing in this legislation about supports and facilities and care for residents or clients or individuals who have very specific, difficult aggressive behavioural tendencies. So if they can't get the supports in the home and they can't get them in the community, where do they go? What do they do? These important recommendations haven't been dealt with by the government: not in this legislation and certainly not outside the legislation.

I want to deal with something else that is missing from this legislation and something we should all be concerned with, and that has to do with medication, overmedication or the mix-up of medication for residents in long-term-care homes. I believe that many of these problems stem from understaffing in long-term-care homes and the awful predicament that staff have of trying to do all that is necessary for residents, including trying to give them their meds.

There's no doubt there is a problem. There was an article in the Hamilton Spectator on May 27, 2005, that talked about a resident who was given the wrong medication twice. She survived the first error. Four days later, she was given the wrong medication again. She died in hospital after that mistake had been made. But what was interesting in the article was that at that home, nurses

were responsible for giving 45 residents their medication over a period of one and a half to two hours. It's no wonder Lois Dent, president of Concerned Friends of Ontario Citizens in Care Facilities, said in this article, and I quote, "I see it as an issue of staff just being overworked or rushed." She's absolutely correct.

There was a resident of a long-term-care home in Thunder Bay who very tragically died of pneumonia in March 2006. We've had an ongoing correspondence with the daughter of this resident who first contacted us around her father and mother being separated in different homes, but secondly contacted us about several incidents of mixed-up medication. In the first case, the mother was being given someone else's medication. That was medication to treat schizophrenia. In the second case, the mother was not given medication that had been prescribed by the family physician to help her digest food or gain weight because she was a cancer patient and was undergoing chemotherapy. In the third case, she was overmedicated by the home for several months, even when the local cancer treatment centre contacted the home about this matter to raise their concerns. I again think a great deal of those three problems—for one resident, in one home—had to do with the staff being so overburdened that they could not deal in a careful and competent way with ensuring that proper medication was given to patients.

1610

The third has to do with the result of a study that was published in February 2005. It was reported on here in Ontario by the Toronto Star. It involved a study of a Connecticut nursing home and the Baycrest Centre for Geriatric Care, which of course, as you will know, is here in Ontario. What was interesting about the particular study was the results of adverse drug reactions in both of those centres. It wasn't broken down as (a) a number of incidents for this home in Connecticut, and (b) the second one at Baycrest. Unfortunately, the results were tied together. But the results in themselves were really astounding and should be a wake-up call for us with regard to overmedication and mis-medication of residents in long-term-care homes. Over an eight-month period in one home and a nine-month period in another, there were 815 adverse drug reactions between the two homes: One hundred and eighty-eight of them were classified as serious and resulted in delirium, falls resulting in fractures, bleeding requiring transfusions of the residents who were involved; 33 were life-threatening; and four were fatal. The drug reactions typically were caused by the prescribing or monitoring of drugs and failing to watch closely for side-effects to note that something was wrong.

If you look at some recent information that we got from the Ministry of Health regarding drug costs under the ODB for residents in long-term-care homes, this should set off a warning bell to everybody about the level of medication in long-term-care homes. In the fiscal year 2005-06, the average cost of medication for a resident in a long-term-care home was \$2,760—the average cost. I

know that some seniors are on very expensive medication. But that is a significant amount of money for an average cost of a single resident in a long-term-care home. We should be asking ourselves what is happening with respect to medication in long-term-care homes.

What was interesting about the very first home that I mentioned, which I think this government should take a serious look at—it's in part V of the bill, where it outlines different categories of people who have to work in a long-term-care home and their responsibilities. In that Stoney Creek nursing home, they brought in a registered nurse on a part-time basis to do an audit of the medication, an ongoing audit and monitoring of medication, that was provided to the staff because they recognized that the current staff in the home did not have the time to do that themselves. She was brought in on a part-time basis to do nothing else but audit medication and monitor medication of patients when she was in. That was a smaller home and maybe only a part-time staff person was required. But in larger homes in this province, I think we should be seriously looking at a registered nurse who does nothing else but monitor medication. I think the results of the study that was done and the mix-up of medications and the results should be a wake-up call to all of us that we need to really get this under control.

Finally, I want to just reference section 95 of the bill. I have some very major concerns about this particular section. It references who can be issued a licence. This section is really important to highlight, because in recent years there have been a significant number of homes in Ontario that have been bought out by foreign banks and by real estate income trusts. This concentration of more and more homes in the hands of a few big corporations should be of concern to all of us. It certainly should be of concern to the Ministry of Health, especially with respect to the ability of compliance officers of the Ministry of Health to get big corporations to respond to compliance issues. The section involved should be applied because it talks about what will be in the public interest, in terms of these transfers and these sales. I think that section should be applied to all pending and all recent applications for licence transfers. Indeed, maybe we need a moratorium on all pending licence transfers right now until we can do a very thorough assessment of what is the concentration of Ontario's long-term-care sector in the hands of big corporations, what is the concentration in the hands of REITs, because there's no doubt in my mind that in those homes where that is happening, it is much more difficult for compliance officers to do their job in the face of that type of ownership. I offer that up to the parliamentary assistant, who is here today, to say that we should take a very good look at that particular section of the bill and we should consider putting a moratorium in now with respect to any change of ownership and take a good, solid look at what the concentration is—public versus private, foreign versus Ontario—to see exactly what we're dealing with in this sector. I think we will all be surprised—and not pleasantly surprised.

In conclusion, let me say that New Democrats have very serious concerns about the failure of the government

to live up to its promise to fund 6,000 new dollars' worth of care for residents in Ontario long-term-care homes. We are very concerned about the government's failure to live up to its promise to have minimum standards of hands-on care per day and the government's promise—particularly the minister's promise—of having an ombudsman and the failure for that to find its way into the bill.

The Deputy Speaker: Questions and comments?

Ms. Monique M. Smith (Nipissing): I appreciate having the opportunity to respond. Unfortunately, the member from the third party has really focused on some very narrow parts of the bill and is missing the forest for the trees here today. I would like, however, to address some of the issues that she raised today.

She spoke at length about the PricewaterhouseCoopers report. Without going into too much detail, the report is based on some information from various jurisdictions that really isn't comparable. It is noted in the report itself that "a review of the data provided here yields a number of important findings.... Any evaluation of evidence should take into account at least three characteristics of the research method...." They provide some caveats: "(1) reliability and validity of the data; (2) degree to which the samples used are representative; and (3) relevance of the historical period." In fact, the data that is used in comparing different jurisdictions is in some cases five to eight years old. The reliability and validity of the data—they don't actually compare what the residents need; they compared what the residents were receiving. I'll just quote: "[T]he study focuses on the need of specific services but doesn't control for persons with serious medical co-morbidities.... this data may not be accurately available for all jurisdictions as the MDS data provides data on what services were received and not what was" needed. As well, the study is based on pilot projects and certain studies and doesn't actually look at MDS data from every jurisdiction.

But don't just take it from me. The auditor, in his 2002 report, noted, when he was referring to the PricewaterhouseCoopers study, "The report considered only the amount of care provided, not the quality of care. According to the consultants, the study's limitations included the facts that data for many of the comparative jurisdictions were gathered from three to five years earlier than the Ontario data and that 'several of the jurisdictions were required to submit the data for funding purposes, which may influence the data quality.'" Based on that, I don't think this study necessarily forms the basis for any policy decisions.

As well, my friend across the way talked about who family members could go to when they have concerns. My colleague from Stratford will—

The Deputy Speaker: Thank you. Questions and comments?

Mrs. Christine Elliott (Whitby-Ajax): I'm pleased to have the opportunity to say a few words about Bill 140, the Long-Term Care Homes Act. Unfortunately, there's not much that I'm able to say that's good about it.

Yes, it creates a residents' bill of rights and it provides whistle-blower protection for those who speak out about abusive situations, but there is so much that this bill doesn't say that was promised by this government. First of all, there's no money here for capital renewal. We're talking about many homes in this province that are really operating up to B or C grade levels. These are homes that have not been substantially renovated or that even conform only to 1972 requirements. There is a real need to bring them up to speed with modern requirements so that they are wheelchair-accessible just at a basic level, and that they have ensuite washrooms and so on. There's no money here for that.

But probably even more important, this act doesn't speak to giving the residents the higher level of care that they need and deserve. You have to remember that during the last election this government promised an additional \$6,000 of care per resident, which would translate into an extra 20 minutes a day of care for each resident. We're not talking about any fancy stuff here; we're talking about basic needs—feeding, dressing and toileting. These are basic personal care needs these residents have and deserve. Being among the most vulnerable residents in our society, surely they have the right to live, first of all, in safety and in dignity, and many of the residents of these long-term-care facilities simply are not.

To sum up the views with respect to this bill to date, I would say it's another wasted opportunity, another broken promise.

1620

Mr. Michael Prue (Beaches—East York): As always, it's a pleasure to listen to the member for Nickel Belt, because if there's anyone who researches a bill, if there's anyone in this Legislature who spends time to look at the intricacies of a bill, it surely has to be her.

I heard the member from across the way talking about missing some of the points, but I'm not sure the opposition's role is to look at all the good things that a government bill might have. There are certainly members across there who I'm sure will wax eloquent by the hour on what they think is absolutely important in terms of their bill, but it is the opposition's duty—I consider it a sacred duty—to look at the failings of a bill, to look at missed opportunities in a bill.

That's surely what the member from Nickel Belt has done. She has zeroed in on these standards. She has called the bill the "No minimum standards for seniors act," and quite rightly points out that there is no minimum standard set out in the bill. The 2.25 hours that was promised is singularly not here.

She points out that the government promised to put an ombudsman in place, and made that promise not just to the seniors but to the Royal Canadian Legion. The legionnaires were here in this very Legislature this afternoon to see whether or not the government is going to deliver on that promise. She showed that it is not contained within the bill.

She pointed out in section 95 of the bill who can be licensed, and the fact that in many cases this government

does not know and is not aware of who holds licences in this province and whether or not the licences per se are being enforced.

Last but not least, it is her duty and her obligation—and she did it very well—to point out that the government in the last election promised \$6,000 in additional monies for care. Certainly, the funding is not in this bill.

I want to commend the member for Nickel Belt. It is her job to look at the flaws. She evidently found them.

Mr. Jeff Leal (Peterborough): Indeed, the member for Nickel Belt provided some observations about Bill 140, but there are many positive aspects in that bill that people have been requesting for a number of years.

For example, when I've toured long-term-care facilities in my riding of Peterborough, they've talked about a residents' bill of rights, and that's something that's been included in this bill, a very positive thing.

When I've talked to unions in long-term-care facilities in my riding of Peterborough, something they've asked for is whistle-blower protection. Not only will there be whistle-blower protection for staff, but for residents and volunteers who report abuse and neglect. That's something that is indeed very, very important.

Over a number of years, coroners' inquests in the province of Ontario have talked about the use of restraints. Certainly, there are detailed provisions in Bill 140 to minimize the use of restraints on residents in long-term-care facilities, something that I feel is particularly important.

We've added more front-line nursing staff over the last three years and we've increased budgets by some 31%.

I also want to commend the member for Nipissing, who over the last number of years has visited many, many long-term-care facilities in the province of Ontario and has taken the opportunity to chat with staff, chat with residents, and talk to loved ones about what should be incorporated in the Long-Term Care Homes Act in Ontario.

I think it's important to take the time to provide a framework, and ultimately this bill will go out for public review to stops across the province. There will be an opportunity to put forward amendments in this bill to look after, I believe, some of our seniors and our frail elderly—

The Deputy Speaker: Thank you. The member for Nickel Belt, you have two minutes to respond.

Ms. Martel: I want to thank everybody who participated in making remarks.

I want to deal with the residents' bill of rights first. I'm always astonished when some members will just get up and read the briefing note that's put in front of them. There has been a residents' bill of rights in long-term care, in the Nursing Homes Act in particular, since 1986, and the residents' bill of rights was incorporated into all three pieces of long-term-care legislation that we amended in 1993. So a bill of rights has been in long-term-care legislation in this province since at least 1986 and in all three pieces of long-term-care legislation since

1993. That is the first point that I want to make, and yes, it is so. For the members who want to say it isn't, go back to the 1993 legislation. I read the clauses into the record last Tuesday.

I guess if you didn't want to be reminded of Liberal promises, you would try and say that I'm missing the forest for the trees. But I spent a great deal of time repeating Liberal promises because they have been broken: promises made to residents, the frail and elderly and their families during the last election, when Mr. McGuinty was out trolling for votes, don't make their way into this bill.

The first has to do with minimum standards. It was Mr. McGuinty who wrote to SEIU in June 2003 and said, "Ontario Liberals are committed to reinstating the standards of care for nursing homes that were removed by the Harris-Eves government, including 2.25 hours of nursing care daily and three baths a week." We're down to two baths—that's not even in the legislation—and there are no minimum standards anywhere in this legislation.

Let's go to the Liberal Plan for Change, the lovely leaflet that says, "We're going to invest in better nursing home care, providing an additional \$6,000 in care for every resident." The government has provided \$2,000. You're pretty short and you're in your fourth year.

Finally, the Minister of Health did promise the Legion an ombudsman. It's time he delivers on his—

The Deputy Speaker: Thank you. Further debate?

Mr. John Wilkinson (Perth–Middlesex): I am delighted to enter into the debate on Bill 140 this afternoon. I would want to preface my remarks, first, by reminding all members that our loved ones, our seniors, don't live in facilities; they live in homes. It's their home. If we keep that paramount and we always remember that, I think that's the most important thing that we can do as we go through this very important debate: how to make sure that in each and every place where our seniors live communally with others, with wonderful staff who care for them and love them, it is always and will always be their home—not the home that they would prefer, because they would rather be in their own family home, but there comes a point for many people when they need that extra care, and that's why those are provided. But it doesn't mean that they now live in a facility; it means that they have a new home, and it always has to be a home. That's what has inspired the work by my good colleague and friend the member from Nipissing, who has worked so very, very hard on this file.

I preface my remarks with the fact that just about a month ago I took up a challenge to spend a day in a long-term-care home—Spruce Lodge in Stratford—and to actually spend the day working as a support worker. I found it to be a very educational thing. I did a number of things. I spent about half an hour feeding a lady; I remember that her name was Edna. She has Alzheimer's and she has Parkinson's. It's very difficult for her to eat. She needs assistance. For about half an hour I spent time with her, making sure that she could have her morning breakfast.

I also had a good opportunity to do the laundry. I was down in the laundry room, working with the staff and looking after the—there is a tremendous volume of laundry, obviously, in a nursing care home.

I had a chance to be part of the sing-song and actually use some of my previous skills from my university days to lead the sing-song, and that was enjoyable. I also had a chance to prepare meals and then to serve meals to our friends who live there. Finally, I had a chance to sit down with the staff and talk about their concerns. They were, for example, very complimentary about the fact that our government has made investment in equipment that will help relieve some of the physical strain on our staff people as they help move residents. But that equipment itself may require some additional staff time to use it properly.

The thing that I learned is that we're moving in the right direction, but we have to work with the sector and have a good working relationship and listen to the people on the front line as well as the administrators, and particularly to the residents and their families. That is part of the work that's been inspired by this bill, the work of my good friend from Nipissing.

1630

I've had a great opportunity in my own riding of Perth–Middlesex to visit each and every one of our long-term-care homes. In Perth county particularly, we're very progressive, as we have worked to create the continuum-of-care concept so that our homes are not in isolation, because when people become elderly and then subsequently frail, there is a continuum of care that they need. We as a government believe that the best thing is for people to be in their traditional homes for as long as possible. We worked with our friends at the community care access centre to try to provide more of that in-home care work for them, that support that they need. I spent a day with the VON providing some of that work.

Then there are people who really can't be in their own homes, but they just need to be in a place where they're supported, supported living, so that there is someone just checking up on them, making sure that there is a call bell, making sure that they're in a community where they feel welcome. People have medical problems that all of a sudden require them to have even more care, but sometimes those people get better. So the continuum of care is, how can we move people back and forth in that continuum?

There is some progressive work that's being done in Perth county, particularly in Greenwood. That has been spread right across our county and to many parts of Ontario. I know the redevelopment they were having at Knollcrest, which is a D facility where we have a new A facility being built. I'm looking forward to breaking the ground on that facility in a few weeks' time. I want to thank the Minister of Health and Long-Term Care for granting exceptional circumstances.

I do want to talk about the fact that as I talk to families—I remember meeting specifically with the family council at Country Terrace in Komoka and deal-

ing with residents' councils. I distinctly remember dealing with many of the residents' councils in my many long-term-care homes. They were talking about the fact that we do need to improve accountability, and that's why in this act, if passed, we're going to ensure that residents know who and where to call to make their voices heard, to make a complaint.

I was in downtown Stratford having a coffee about, I think, a year ago. One of the ladies I know, an acquaintance of mine, was talking about the fact that her mother was in a nursing home within my riding, and she was very, very, very unhappy with the care that she was receiving. She was very frustrated. She didn't feel that she could go to that home and complain, fearing that perhaps there could be some consequence to her mother. I was able to tell her about the hotline, the new line that we make available through the ministry so that someone can call and complain. I can tell you that that resulted in an inspection without notice to that home, and that problem that that loving daughter identified was corrected by that home. Prior to our government, that was not there. That's why we created that.

We've done some other things that, in my opinion, need to be enshrined in legislation. That's why we have the action line that I just referenced, and I know that the new bill provides several channels which residents can use to voice their concerns or complaints, as well as to access information about long-term care. So Bill 140 outlines a comprehensive system of compliance, investigation and enforcement.

I say to my friend from Nickel Belt that Bill 140 strengthens the residents' bill of rights. I will concede the point that it was enshrined in 1993, but obviously, in our opinion—and perhaps she disagrees—it needs to be strengthened. The status quo of 1993 is not acceptable anymore in this province.

I say to the members of the opposition, I know they have their job to oppose each and every thing we do, but at the end of the day there is going to be a vote on this bill—similar to the one we had on the Clean Water Act, I might add—where you're either for it or against it. This is a bill and these are reforms that are overdue. There will always be some who think we go too far and some who think we do not go far enough. But in this place we stand in our place and we vote on the bills as written.

I know that this bill will be going to committee. There has not been a single piece of major legislation by the McGuinty government that has not been amended in committee. We don't come into this place as a government saying that, because we've introduced a bill, that's the be-all and end-all. That's why we believe in this debate and the committee system and the stakeholders within a certain area, like in this area of long-term-care homes, coming to us and giving us the benefit of their advice in the light of day. We get a lot of advice from people at meetings, behind closed doors, and there is a place for that. But this is a place where you actually have to come and be on the record, and tell everyone in this province what it is you're for or against, and make

recommendations to the government. I know that my colleague the member from Nipissing is always open to those suggestions. She may disagree, but she's always been of a keen mind and a great debater, and at the end of the day I think we can, if necessary, strengthen this bill.

I just want to talk about the bill of rights and what is actually in section 3 of the act:

"Every resident has the right to raise concerns or recommend changes in policies and services on behalf of himself or herself or others to the following persons and organizations without interference and without fear of coercion, discrimination or reprisal, whether directed at the resident or anyone else,

"i. the residents' council,

"ii. the family council,

"iii. the licensee ...

"iv. staff members,

"v. government officials,

"vi. any other person inside or outside the long-term care home."

That leads us to the complaint procedure. The proposed legislation requires home operators to ensure that there are written procedures for initiating complaints to the home; also, a procedure for how the home operator deals with the complaints under section 19. The procedures must be posted in the home, under section 77(1), and distributed to the residents upon admission, under section 76. When a complaint concerns the care of a resident or the operation of the home, the home operator must forward it to the Ministry of Health and Long-Term Care, and that's required under section 20(1). Finally, an immediate investigation is required under section 21(1) if there is a report of abuse of a resident by anyone, or neglect of a resident by the home operator or staff.

I'm glad to have entered into this debate. I will be supporting 140. But I want people to know that though there will always be some who will complain about a bill, and that is their role, we have to look at the bill in its entirety. This is a bill that is overdue. I know those of us on the government side are looking forward to supporting our friend the member from Nipissing.

The Deputy Speaker: Questions and comments?

Mrs. Elliott: I think that the needs of these residents haven't been adequately addressed here. We have people who are living in difficult situations where the standards that they're being held to by these operators are, as I've said previously, 1972 standards, which means that some of these residents are living in three- and four-bedroom residences, which I don't think, under these circumstances, you could really call a home, as much as we want to make it a home-like experience. There is a need to make sure that the more modern standards are adhered to, and that's the need for the capital program so that you can invest in these homes, improve these capital facilities and make them more home-like for people. After all, this is not somewhere these people—the residents, most of all—choose to live, but because their families are simply not able to care for them in their own homes any more, this is where they are living. So we do need to make them

as home-like as possible and provide them the dignity and safety they need.

I think that's another issue that we really haven't addressed too much here, the issue of safety around some of these residents' needs, where the staff working as hard as they do—and I know that they are working very hard. I too am going to have an opportunity this coming week, I believe on Friday, actually, to attend one of the long-term-care facilities in my own community, where I will experience first-hand what it's like to be working with the residents of these facilities. I know that they are working extremely hard, but they need more help. It will become a safety issue at some point if these residents' care needs—we're talking about basic personal care needs here—are not attended to.

Ms. Martel: In response to the comments made by the member from Perth–Middlesex, especially with respect to the bill of rights, I'd encourage him to do the following: Take a copy of the government's proposal with respect to the bill of rights and actually take a look at the legislation that's already in place under the Charitable Institutions Act, the Homes for the Aged and Rest Homes Act and the Nursing Homes Act, and compare the language with respect to the residents' bill of rights. I have done that, and in truth, there are minor, minor changes between what is already in the legislation in those three acts and what the government has proposed.

1640

So I was quite dismayed to see Mr. Smitherman have a letter in the Windsor Star at the end of last week talking about how the government, through this legislation, is bringing in a residents' bill of rights, as if it wasn't already in the current statutes and as if what the government is proposing isn't really a reflection of some minor amendments to what is already here. I encourage the member to actually have a read and make that comparison.

Secondly, I would encourage him, or anybody else who's going to speak on behalf of the government today, to respond to the fact that the promises that the Liberal Party made to residents of long-term-care facilities and their families in the last election are not being responded to. It couldn't be any clearer than what Mr. McGuinty had to say to SEIU, that he was going to reinstate the minimum hours of hands-on daily care that had been cancelled by the Conservatives. It doesn't appear in this bill. It's very clear that this government promised to enhance funding per resident by \$6,000. They are one third of the way to that goal in the fourth year of their government. It is very clear from the Legion members who were here and who had a press conference today that Minister Smitherman promised them an ombudsman, not a rights adviser. What's happened to those promises?

Ms. Smith: The member of the third party has asked for some clarification around the bill of rights, and I would just encourage her to actually look at it again. Take a look at it again, Ms. Martel, and you'll see that it has been strengthened. It was actually one of the requests from the Advocacy Centre for the Elderly, from

OANHSS, from OLTC and from the Ontario Association of Residents' Councils. All of them recommended that we strengthen the bill of rights and that we allow for its entrenching in the legislation so that it could be complied with. What we have done through this bill is allowed a resident to enforce the residents' bill of rights against a home operator as though the resident and the home operator had entered into a contract. That's what was missing before, that's what was missing in your 1993 changes that you tout so loudly, and that's what will now allow the residents to enforce the bill of rights as it is intended to be.

What we've also found is that over the last couple of years the third most cited violation in a home when we're looking at unmet standards has been in regard to the residents' bill of rights. So hearing that, hearing that there are concerns around its enforcement and hearing our advocacy groups, as well as our worker organizations, advocating for more strength in the bill of rights, we've addressed that by not only strengthening some of the rights that are entrenched, but also strengthening the mechanism that allows the residents to enforce that bill of rights.

I also wanted to take this opportunity to address some of the other concerns that have been raised this afternoon. Many of the concerns that were raised by some of our worker organizations, I believe specifically the SEIU, are addressed in this legislation, including the request for more training, especially with respect to palliative care and dementia. That's included in the legislation. Continued support for our residents and family councils: We've entrenched in the legislation the need for residents' councils, which has been there for some time. We're also strongly encouraging family councils through the funding that we provided them, as well as the recognition in the legislation.

The worker organizations support a least-restraint policy in the legislation. You'll notice that Ms. Martel did not address that today, but it's very clearly addressed in the legislation.

Mr. Garfield Dunlop (Simcoe North): I'm very pleased to be able to rise today and speak on Bill 140 for just a few moments. I'm going to have an opportunity in a couple of days' time, I believe, to actually spend about 20 minutes on this particular piece of legislation, but what I really want to do in the short time I have here today is to introduce to the Legislative Assembly a really good friend and a constituent of mine who's in the members' gallery today, Mrs. Marie M. Smith. Give her a warm welcome, and I'll tell you a little bit more about this lady.

Applause.

Mr. Dunlop: Marie is the president of United Senior Citizens of Ontario. Today, she's here speaking in the committee hearings in room 151 on the seat belt legislation. Not only that, but she's a strong advocate for just the types of things we're talking about in this legislation today, Bill 140. Marie's late husband Al was a member of the city of Orillia council for 22 years. They're just

such strong people in our community. Marie is all over the province of Ontario advocating on behalf of the rights of seniors, whether it's driving, elder abuse or something like advocating on behalf of people for better long-term-care facilities in the province.

I just met Marie in the hall as she was finishing up the seat belt legislation, and I wanted to bring her down to the House and introduce her to everybody. I know we don't have the full complement of people here this afternoon, but I do want to say that it's not every day we get somebody from my riding with the type of honours that Marie carries with her to come and not only present but to be part of this today.

I can say, as we go on, that I do look forward to debating Bill 140. I know there's a lot that I can say about some of the trips I've had and some of the time I spent just this summer visiting Trillium Manor and Georgian Manor and a number of long-term-care facilities, and actually working with nurses and personal support workers and seeing the fine work they do in the province of Ontario. So ladies and gentlemen, I look forward to my time to debate this bill a little later on.

The Deputy Speaker: Member for Perth–Middlesex, you have two minutes to respond.

Mr. Wilkinson: I do want to thank my colleagues the members for Whitby–Ajax, Nickel Belt, Nipissing and also Simcoe North for entering into the debate with me this afternoon.

I do say to our friend Marie that if we'd known you were going to be here, we would have had the full House for you. Next time, you're going to have to give us a little bit more notice. But I can tell you, if you ever show up at question period, there are a lot of people in here.

I have to say to my friend from Whitby–Ajax that you're much more progressive than another member I know who used to represent that riding, whom I'm not related to, because you were saying, and I agree with you, how we really need to move from the D facilities, where we have sometimes four people sharing a bathroom, into the newer A-type facilities. As I mentioned, at Knollcrest Lodge in Milverton, they qualified for something called exceptional circumstances. Now, they've always qualified for exceptional circumstances; it's just that for eight years, when we weren't in government, there was no money for exceptional circumstances. So we're able to move forward now, particularly in our not-for-profit homes, to allow them to be in a position where they can actually do that. If we don't do that, then those homes will have to close over time and those beds will be transferred out. Particularly in a rural riding, we have great concerns about ensuring the beds that are allocated in our part of Ontario are able to stay there. So I'm glad that you're on the record about the fact that it is important we do that, and I think you and I would both agree that that's necessary for our seniors and for our loved ones.

I say to the member for Nickel Belt, I think it's overdue that we take the three acts you referenced and be able to have one act; I think that's important. I think that

there's always going to be a question for all members as to whether or not they vote in favour, and I know she's looking forward to committee on that. I also say to the member that in our situation, we are just going into the fourth year of our mandate, and I say quite honestly—I think many on our side would agree—it will take another mandate at least to make sure that we're able to get all the things done.

And I want to thank the member for Simcoe North.

The Deputy Speaker: Further debate?

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to speak to Bill 140, An Act respecting long-term care homes, in the 20 minutes I have available to talk on this bill.

Unfortunately, this bill is yet another broken McGuinty election promise. Of course, the promise in this case was a very clear promise that the government was going to increase funding for long-term-care homes by \$6,000 per resident. That was very clearly stated in the election campaign of 2003. They have increased funding slightly, but have not kept that promise. Unfortunately, it's having negative consequences, and I'll go through and give some examples of that in the time I have.

There has also been a sad lack of capital funding in the long-term-care area. I'd like to talk a bit about the experience that I've had in the five and a half years I've been elected as the member for Parry Sound–Muskoka.

Interjection.

Mr. Miller: It has been that long, I hate to say.

I think it was just shortly after the day I was elected, in March 2001, that I received a phone call at home—I think this was before I had an office or staff set up—from Robert J. Boyer, or Bob Boyer, as he's known. He was a past MPP for Muskoka. He finished in 1971; I'm not sure what year he started. He was very well known in the area and, of course, was a local publisher and historian. At the time he called me, though, he also happened to be a resident of the Pines long-term-care facility. He was calling me on my first day on the job to twist my arm and lobby for the fact that the Pines really was the place that should be getting the renewal in the long-term-care beds that were being rebuilt around the province at that time, because the past government did, over the course of its mandate, rebuild some 16,000 long-term-care beds and start the process of some 20,000 new long-term-care beds. So Bob Boyer called me up at home and then he sent me a long letter. I think he was nearing the age of about 90 years at that point. Certainly, he was approaching it from an interesting perspective, because he was actually a resident of the home and was talking about the great assets of the Pines long-term-care home and why it should be the place to be expanded and brought up to new, current standards. He did a pretty good job of lobbying. In fact, as the MPP for Muskoka, he was at the original opening of the Pines, and then ended up being there at the groundbreaking for the redevelopment of the Pines.

1650

Shortly after, I think within a few months of being elected, I also met with Ian Turnbull, who worked for the

district of Muskoka—long-term-care homes fell under his jurisdiction—to educate myself about the whole operation of the Pines. He explained to me that it was owned by the district of Muskoka but managed by Extendicare. They were doing a pretty good job. There was no deficit, no contribution from the district in the case of that long-term-care home. Obviously, in talking to Mr. Boyer, who was a resident at that time, people were relatively quite happy with the home itself. That was fairly early on in my time as MPP.

That same Ian Turnbull who was responsible for the long-term-care homes in the district of Muskoka has now since taken early retirement. He's a young retiree, but this past weekend I had the pleasure of being at the Muskoka Heritage Foundation, where he received the Robert J. Boyer award for something completely different. The Robert J. Boyer award was handed out by the Muskoka Heritage Foundation for all the volunteer work he has done in terms of the natural and cultural heritage of Muskoka. I can say that he's certainly a person who deserves to win that award. Off the top of my head, I can think of a few projects in recent years. He was involved with the Wall, a beautiful new project which is using photographs to create a huge mural on the side of a building in downtown Port Carling. He was one of the key people involved with that. He has been involved as one of the key people on the beautiful new Grace and Speed museum, part of the Muskoka wharf development. He was a key volunteer in putting that whole place together. I'd highly recommend to anyone who hasn't been there to drop in to Gravenhurst and Muskoka Bay and visit Grace and Speed. He was also a key person involved with the Wenonah II, especially the design of the Wenonah II, which is a replica steamship. Before that, he was involved with the fundraising on the Segwun steamship and many other activities and historical events to do with wooden boats, being a wooden boat enthusiast, including a tour each summer, which my mother always signs up for, where they go out in an old wooden boat and visit some of the homes around the lakes in Muskoka.

So that was early on in my time, my experience with Ian Turnbull and Bob Boyer and the Pines. As I say, I was pleased to see that they were successful in getting a rebuilt Pines. I was there at the opening.

You go around the riding to other spots. In the election campaign of 2001, I had the pleasure of going through Fairvern Nursing Home in Huntsville. That's a nursing home which needs some capital investment at this point, because it's an older long-term-care home. I had the pleasure of going around there with a dedicated volunteer, Vi Hipgrave. I've had the opportunity to go there and attend anniversaries and birthday parties since then.

But that's an example of where this government and this legislation are failing the residents at this time, because Fairvern is a long-term-care home which hasn't been rebuilt. It has got great people resources, great staff and people like Vi Hipgrave as a volunteer there. But the

facilities are at the point—I think they're probably the 1972 standards or before, and that's where this government needs to step up to the plate and start the next wave of rebuilding of some of those older facilities, and so far they're not doing that.

As I say, giving some examples around the riding, that's one that hasn't been done, but around the riding in the last few years, also in Huntsville, Muskoka Landing, there's a brand new facility that opened up. I've had the opportunity of being there on several occasions. I had the pleasure of being up in Powassan, which is just outside of the riding but serves east Parry Sound, for the opening of that beautiful new facility, which is very, very home-like and provides a home-like atmosphere. I've had the pleasure of being at Belvedere Heights over in Parry Sound for their opening—they did a redevelopment of the whole Belvedere Heights home. As well, over in Parry Sound I've had an opportunity to tour the Lakeland Long-Term Care home, which is actually part of the new Parry Sound hospital.

More recently, this summer on a few occasions I also toured Leisureworld in Gravenhurst and I met with Roxane Hoyle, who is the activity director at Leisureworld. She was pointing out to me how, at places like Leisureworld, they need more funding to be able to provide nursing care, but in her case she's the activity director and really could do with more funding to be able to provide those sorts of activities to stimulate and give a greater quality of life for those residents at Leisureworld. She does a great job. I was there on the Thursday before Canada Day this past summer. Tony Clement was there with me, and we cut the cake a day early and visited with residents of Leisureworld. They have an area connected to it with assisted living. I was able to visit a long-time friend, Alan Moses, on that particular day as well.

This broken promise, this \$6,000 per resident that was committed to by the government in the last election, is very much affecting real people in real communities. I'd like to note, in the Parry Sound area, a resolution I received from the township of Carling which highlights that. I'll read that. It says,

“Whereas the board of management of Belvedere Heights Home for the Aged has calculated the individual municipal levies required to finance the 2006 operating budget that has increased by 6.5% over 2005; and

“Whereas the municipal levies requested by the board have actually increased between 55% and 70% because of inadequate provincial funding that has failed to keep pace with the actual costs for food, accommodation and nursing care and does not take into account the costs of implementing new personal care standards introduced in the last two years”—so the government introduced standards, but unfortunately the funding didn't go along to put those standards into effect;

“Now therefore be it resolved that the Belvedere Heights board of management be requested to arrange an area meeting with municipal councils as soon as possible to answer questions about the 2006 budget and its significant impact on the supporting municipalities and to

report on their budget discussions with the provincial MPP;

“That the board of management be requested to provide full budget information packages that include comprehensive information about spending levels and revenue levels on a year-over-year basis to assist municipalities to get a clear understanding of the relationship between costs and provincial funding; and

“That this resolution be forwarded to all supporting municipalities and to the Honourable George Smitherman, Minister of Health and Long-Term Care, and to Norm Miller, MPP for Parry Sound–Muskoka.”

I also received a letter from Belvedere Heights, from Bob Drummond, who is the board chair, that demonstrates how this broken promise directly affects individuals and, in this case, the Belvedere Heights long-term-care home. In the letter he says, “Because of ongoing pressures to increase services without the requisite funding, however, Belvedere’s budget increased \$365,868, or 6.5% more than the amount budgeted in 2005. Some of the major budget costs increases anticipated are”—and he goes through a number of them. “There was no increase to the municipal levy in 2005. However, we ended the year with a deficit of \$211,000, which was covered by and has depleted our operating reserves.” So now they’re in a difficult situation: They have no reserve for another year.

“Some of the reasons for the deficit include nursing and personal care over \$55,000 relating to a new 2005 ministry personal care standard for bathing.” So the provincial government passed the standard but didn’t give the funding to go along with it. “Raw food, \$14,000; legal fees, \$38,000; a shortfall of \$90,000 in revenue anticipated but not received from the Ministry of Health.”

1700
He goes on to say, “Recent newspaper articles, such as the North Bay Nugget and Peterborough Examiner, are examples of other communities where ministry funding is not keeping pace with operating long-term-care facilities, especially at the resident care level.” So it affects care of individuals. “In Belvedere Heights, for example, our projected 2006 costs for the direct and administration costs of nursing care to the residents, including the cost of medical supplies, continence supplies and services such as laboratory and medical fees, are \$78.58 per resident per day. We anticipate receiving \$67.18 per resident per day from the Ministry of Health.” Well, that’s obviously a problem. “This is a shortfall of \$11.40 per resident per day, or a total of \$420,261. The 2006 Belvedere cost forecast for raw food and dietary supplements is \$6.65 per resident per day”—frankly, I’m amazed that they’re able to do it at that cost—“and the Ministry of Health allows us \$5.40. This is a shortfall of \$1.25 per resident per day, or a total of \$46,000 over the year.” Obviously, for \$5.40 they aren’t able to provide food at that cost, and I would expect they aren’t able to provide the quality of food that they would like to.

Belvedere and the Pines, I might add, have old buildings that are sitting empty. They have plans, especially in

Belvedere’s case in the Parry Sound area, where they would love to make them into some sort of assisted living type of arrangement. I know that in the Parry Sound area there is a huge shortage of affordable housing, and that would be a natural fit with the new Belvedere long-term-care home. People could move into that, much as is the case down in Gravenhurst, in Leisureworld.

So I went up and met with the Belvedere Heights board of directors on March 24, 2006—with David Bradshaw, Lorne Campbell, Rita McWhirter, Nancy Adams and Fern Harris—and the Belvedere Heights management team, where they expressed their concerns with the finances of Belvedere Heights. I had also been to Leisureworld and received petitions to do with long-term-care funding in particular. They’re looking at getting more funding so they can spend more time and do a better job with the residents of the long-term-care facility. So I have on numerous occasions, including March and April 2006, presented petitions on long-term-care funding, which are on the record, from virtually all the areas of Parry Sound–Muskoka.

There’s an article on this specific bill in the recent October 13, 2006, edition of the *Almaguin Forester*. The manager of Eastholme, Steve Piekarski, sees some positive things, as we in the opposition do, in joining the three acts together; there are some positive aspects to the bill. However, one of his biggest concerns is funding. I’ll quote from the article:

“However, he added that ‘there are a number of issues, such as funding’”—and that’s pretty important—“that are not addressed in the act and that I only hope will be reflected in the regulations.” Well, that’s a big hope.

“On October 3 the Ontario government introduced the Long-Term Care Homes Act for first reading. Included in the proposed legislation is the promotion of zero tolerance of abuse and neglect of care home residents; whistle-blowing protection for staff, residents and volunteers who report abuse or neglect; mandated 24-hour, seven-day-a-week registered nursing care; restrictive use of restraints to ‘only when necessary’; and allowing couples to live together in the same long-term care home....

“Eastholme has already implemented most of the act’s highlighted improvements, ‘but the act is also pushing for compliance with standards and regulations that involve additional human resources’”—there’s the funding crunch—“said Piekarski. ‘The human resources to meet these new expectations costs money. Where’s the money coming from to help out with that, that’s my question?’

“Last spring the 14 Almaguin municipalities that contribute to Eastholme sent the government motions of council requesting an increase in funding for long-term-care homes. While funding was not addressed in the new act, nor reflected in the last Ontario budget, it was promised by the Liberals in the 2003 election campaign with a pledge of increasing funding to \$6,000 per year per resident.

“Speaking at the Eastholme annual meeting last March, Piekarski told municipal representatives that ‘for

the 2006 budget we were able to break even with a 3% levy increase,' but added, 'we're looking for support from the municipalities for a much-needed lobbying campaign or we could be looking at a 30% levy increase next year.'" That's something our local municipalities can't afford.

"The supporting Eastholme municipalities of Kearney, Magnetawan, Armour, Perry, Ryerson, Burk's Falls, Sundridge, Strong, Joly, South River, Machar, Powassan, Nipissing and Callander contributed a total of \$413,000 to the facility's \$6,829,400 budget this year through a levy based on assessment....

"While the promised increase in funding isn't in the act, it can be addressed in the regulations,' said Piekarski. 'It's up to the government of the day to ratify a year by year increase in funding, and to ensure that the amount of the financial contribution is known before our budgets are set.'

"He also has concerns that the issue of funding from unincorporated townships was not mentioned in the proposed legislation....

"Currently Eastholme, which serves the Parry Sound district, has eight non-contributing townships, Hardy, Laurier, Lount, McConkey, Mills, Patterson, Pringle and Wilson. 'We had more unorganized areas in the past, but some have been incorporated....'"

That's another unique northern situation, where the unincorporated territories are not thought of.

"Piekarski anticipates there will be 'several meetings over the next few weeks with other facility management and our association to review the act and get all the feedback. This was only the first reading and hopefully some changes will be looked at before it proceeds to legislation,' he said.

"Despite Piekarski's concerns over funding and the increasing need for more human resources to meet the new act's requirements, concerns shared by other long-term-care administrators and staff across the province, Minister of Health and Long-Term Care George Smitherman said he was 'very, very confident that the legislation and expectations that we put in place are appropriate to the capacities of the system....'"

Mr. Speaker, I'm just about running out of time, and unfortunately I'm going to miss a few other points I wanted to make, including the fact that we're seeing other people in long-term-care facilities, like people from the Huronia Regional Centre. I have an example of people with developmental disabilities taking up long-term-care facility beds who really shouldn't be there, because the government hasn't come through in building the other necessary types of homes.

Unfortunately, I'm running out of time. I'll have to add my other comments in various hits.

The Deputy Speaker: Questions and comments?

Ms. Martel: In response to the comments made by the member from Parry Sound–Muskoka, I think it's worth reinforcing just how difficult a situation it is becoming for a number of operators, particularly in the not-for-profit sector, to make ends meet.

One of the analyses that has been done on this particular bill and that I assume has been shared with a number of people is a briefing note done by the Ontario Association of Non-Profit Homes and Services for Seniors. I said earlier that they operate about 26,000 beds in the province. They advocate on behalf of not-for-profit homes in the province.

They said on page 2 of their brief, "The biggest challenge our members face is the chronic underfunding of this sector by successive governments, and the current government's failure thus far to fulfill its \$6,000 promise for direct care and services made during the last election campaign. Complying with the additional regulatory and administrative burden imposed by Bill 140 will exacerbate the funding challenges we already face. Accordingly, we are very disappointed that the government has evidently not accepted our long-standing recommendation to entrench in the legislation a commitment to adequate, secure, multi-year funding."

That was a very specific recommendation that was made by them during the consultations that doesn't find its way into the bill. As they say, what is in the bill is going to make life even more difficult for not-for-profit homes as they try to find the funds necessary to respond to the needs that are there.

It is very clear that the government did make this as an election promise. In the leaflet it says, "Invest in better nursing home care, providing an additional \$6,000 in care for every resident." It's also very clear that after the last budget in March of this year, the government was only one third of the way to meeting that election promise. OANHSS said clearly that they were very disappointed and very frustrated, with the province's recording higher-than-anticipated tax revenues, that the government couldn't make good on this commitment. It was clearly an election promise that was made and it clearly didn't find its way into this bill.

1710

Hon. Jim Watson (Minister of Health Promotion):

I'm very pleased to speak on this bill. My riding of Ottawa West–Nepean has one of the largest numbers of senior citizens per capita in all of the province. It's something I'm very proud of. We have some wonderful long-term-care homes, places like the Starwood facility and Villa Marconi, which serve our community so well. That's why I'm so pleased to be supporting Bill 140.

I want to thank Monique Smith for visiting my riding and talking to the parents, residents, administrators and volunteers. She did an excellent piece of work. It's one of the first times a government has gone out on a listening tour, a fact-finding tour, and put together an excellent report, which has culminated today in Bill 140.

I spoke on the weekend to the Older Adult Centres' Association of Ontario. They're having their annual general meeting in Ottawa. I told them the fact that it is not required by law that a nurse be in a home 24 hours a day, seven days a week. This bill deals with that particular request. It's also entrenching in legislation the residents' bill of rights, promoting zero tolerance of

abuse and neglect of long-term-care home residents, and providing whistle-blower legislation for staff, residents and volunteers who report neglect and abuse. This kind of activity should not be going on and, if it does, it should be stopped immediately and there should be protection given to those people who blow the whistle.

I'm very proud of this legislation. I look forward to input from individuals around the province, particularly in my riding. We have some wonderful facilities that deal with seniors: the Nepean Community Resource Centre for seniors; the Olde Forge centre—Barb Lajeunesse and Mike Mason and the work that they do; the Good Companions centre. They're all working towards improving the lot in life of our senior citizens. This bill is going to have my support.

Mr. Dunlop: I'm very pleased to be able to rise and make a few comments on my colleague the member from Parry Sound–Muskoka's 20-minute comments here this afternoon.

As I said a little earlier, I'll be speaking to this bill myself, probably not today but on another day. However, I wanted to put on the record the fact that I have been to long-term-care facilities a couple of times this summer, where I actually spent the time working with the personal support workers and dieticians. One of the things that I find bothers me about this legislation is the fact that it almost makes you feel that the homes aren't being operated properly. In the riding that I represent, I'm thinking of two homes in particular that I've been at a number of times, the two homes operated by the county of Simcoe: the Georgian Manor in the town of Penetanguishene and the Trillium Manor in the city of Orillia. Not for a long time, but for a few hours at each of the facilities, I worked with and visited a lot of the residents. The one thing that impressed me more than anything was the quality of care and the amount of time that each of the personal support workers put into their job. Particularly in most of these cases, it meant using lifts to get them in and out of the beds. I can't tell you how much time they actually spent, but in the course of a day a lot of time was used up by these people, who cared very dearly for those folks.

I will get a chance a little later on to speak on this bill, but I do appreciate the opportunity to respond to Mr. Miller's comments.

Mr. Prue: It's a pleasure to stand and respond to the member for Parry Sound–Muskoka. I listened with some considerable interest, although I did wonder, I have to admit: For about the first 10 minutes, this was more a travelogue and interesting people in his riding than an actual discussion of the bill. But towards the end of the debate he finally got around to the real issue to him, and he made a very poignant and good case, highlighting just how it affects Leisureworld and the operator or manager. The name is Mr. Piekarski. I hope I'm pronouncing it right.

It all came down to a matter of money. If I could say anything to the government members, the member from Parry Sound–Muskoka has it right: There is a certain finite amount of money in this province, but the govern-

ment has to determine where the money is being spent. If you promise \$6,000 for frail elderly people to improve their care, then most Ontarians expect that you will make good on that promise. They will expect that you make good on that promise perhaps before you make good on many other promises that you have made and failed to keep. If there is one group and body in this province that deserves our universal respect, and for whom we are trying to do everything we can, it is our frail and our elderly. Mr. Piekarski said that you promised \$6,000 and it has not yet appeared. Mr. Piekarski holds out hope that it's going to be found within the body of the regulations. But I would think it behooves the government, if that is your intent, to find it within the body of the regulations and/or to include it in the next budget, to make your position known. If that money is forthcoming, I'm sure that much of the comment and criticism of this bill will dissipate.

The Deputy Speaker: The member for Parry Sound–Muskoka, you have two minutes to respond.

Mr. Miller: I would like to thank the Minister of Health Promotion, the member from Simcoe North, the member from Nickel Belt and the member from Beaches–East York for making comments.

As I ran out of time, I was talking about the problem where people who really shouldn't necessarily be in a long-term-care home are ending up there. I would like to quote from the October 18 Toronto Star to do with people with developmental disabilities ending up in long-term-care homes, like those people from the Huronia Regional Centre. I know the member from Simcoe North has been a strong proponent of keeping the Huronia Regional Centre open. This article states:

"But no one could have predicted that under a Liberal government, people with developmental disabilities might actually end up worse off.

"Tragically, that may well now be the case, as the government moves 18 residents of the government-run Huronia Regional Centre into a for-profit nursing home in Orillia. Nursing homes were where, your readers may recall, the Minister of Health promised a 'revolution' in long-term care reform—one that many critics say has never materialized." That was October 18, 2006.

As the member from Beaches–East York stated, it does come down to dollars and cents and how you allocate those dollars and cents. We've seen that this government has decided that it makes sense to spend millions and millions of dollars taking the "C" off the Ontario Lottery and Gaming Corp. logo and redesigning the logo of the trillium. So now it's either the three men in a tub or it's the poison ivy trillium for a cost of \$219,000, plus the millions to change that, and of course the millions they've been spending on partisan ads. It's funny how all those road signs are now Liberal red when you see a new road being built. That's what they're spending their money on, instead of keeping the \$6,000 per resident commitment they made in the last election.

The Deputy Speaker: Further debate?

Mr. Prue: It's an honour and a privilege to weigh in to this debate. The bill itself: I've heard every single

member of the government stand up and laud this bill. I think perhaps no one did it quite as succinctly as the Minister of Health Promotion, who in his two minutes did not talk about the subject of the debate or do a question and comment on the previous speaker, but in fact used it to talk about what was contained within the body of the bill. I do know that the member for Nipissing has worked long and hard on this bill, and she is to be commended for the number of hours she has put into it. I don't think anyone on this side of the House or on that side will take that away from her.

There are, as in all bills, good things inside the body of the bill. Even though I am in opposition—and I'm going to get to the bad things later—I do want to talk to you a little bit, for a few minutes, about some of what I consider to be good aspects of this bill, because there are some.

1720

First and foremost are the provisions around whistle-blowers. I was myself, as many people here know, a federal civil servant for some 20 years before getting actively involved in politics. There were many things that were wrong inside the federal bureaucracy where, from time to time, someone would come forward and blow the whistle. Someone would come forward and show how a government program was being mismanaged, they would show where money was being wasted or they would show where individuals were being abused, either in person or by the process. All they got, in every single case that I can remember, was fired. That's all that happened to every single one of them who came forward and did this.

So I welcome a bill such as this that has whistle-blower protection. I particularly welcome it because in far too many cases—and it's unfortunate—people, who are in long-term-care facilities or homes or whatever you want to call them, often have no family or relatives or friends who are close enough to them on a day-to-day basis to notice when things are going wrong. The only people who can notice when someone is the subject of abuse, the only person who can know when someone is the subject of neglect, and the only person who can often do anything about it, is the staff who work in those homes. They are there literally 24 hours a day. They are there to dress and to bathe and to feed; they are there to provide companionship; they are there to talk to the lonely; they are there to provide any and all manner of exercise and recreation; and they are the ones, quite often and quite fully—and I say this with true knowledge—who often know the residents best.

Many of them are vulnerable people themselves. Many are new immigrants. Almost all are women. They work for what one could consider low wages. They are fearful of losing that job. They require and need whistle-blowing protection to speak out on behalf of our frail and elderly. Anything contained within the bill that does that, anything I can do to strengthen those provisions, I will agree to, because in the end, we owe everyone who works in those homes and we owe everyone who is part of those homes an absolute iron-clad guarantee that if

they come forward in good faith to make a statement about abuse or anything that is happening in the home that is untoward, any government monies that are being misappropriated, anything else, they will not find themselves on the street, impecunious and without a job. We need to make sure that that is there, and I am content.

The bill of rights has been another thing that's been bandied about across this floor. I don't know whether it's a huge accomplishment of this government. I'm glad there is a bill of rights there, but I don't know whether it is a huge accomplishment inasmuch as it has existed for some 10 or 12 years prior to this in any event, and going back to the 1980s in its original form.

A 24-hour nurse—a good idea. I can't say anything more than that. There should be a nurse or a doctor on duty at all times in those homes. People have multiple medical problems and require somebody with medical training who can deliver it, and they should be there.

A residents' council—another good idea. The unannounced annual inspections—I'm glad we're going unannounced, but an annual inspection I would think is not often enough in some of the cases. From the abuse we have seen in some of the cases with the very poor food and the very poor facilities, it should be more often than that.

Last but not least is restricting restraints. As the member from Beaches–East York, I remember only too well when this Legislature passed that legislation put forward by my predecessor so that people would not be restrained in hospitals, would not be restrained in old-age homes, in nursing homes or anywhere else. It was a singularly important private member's bill that was brought forward, and I'm glad to see that it is, in part, being incorporated into this act.

I've just spent my first five minutes telling you what some of the good things are, and I want to spend some of them on how you can improve the act, because that is my job in the opposition. Oftentimes government members don't appreciate it, but that's what I'm supposed to do, is point out where you can make it better, where there are some flaws.

Now, in terms of seniors' homes themselves, we have to start from the proposition—and everybody has to understand—that the people who live there are frail and elderly.

It has changed a great deal in the last 20 years. I do know, when I was first elected, going into the seniors' homes in East York, that the people who lived in those homes generally were capable of doing a great many things. They were capable of feeding themselves; they were capable of attending the bingo games and going to the monthly dance. They watched TV, had conversations and a whole bunch of stuff.

Over 20 years, we started to notice that the homes became more and more with people who had some incapacity mentally. Whether it was Alzheimer's, whether it was senility, whether they were unable to feed or to dress themselves, you noticed that the whole quality of peoples' lives who lived in those homes changed radically. It is in part because, I think, as people we are

living longer and the advances in medicine have done everything capable to keep bodies alive, and sadly have not been able to keep up with keeping minds alive. So those who are there now are extremely frail and extremely elderly.

I want to take my hat off to those dedicated staff who work there, because they work in very trying conditions, often for very little money. I want to take my hat off to the volunteers who work in these homes, because they do it for nothing and often out of the goodness of their heart. What surprised me at first, but no longer does, is that the majority of volunteers in the homes for the aged are aged themselves. The majority of them are in their seventies and eighties. That's who goes in to look after the frail and elderly. That's the reality, so I thank them for what they do as well.

The overwhelming sense I get from going to these homes—and I go to them quite often, just as all members, I'm sure, do—is the overwhelming poverty of the place. It is not a poverty that one would think you would see in the slums of some place in Ontario or in the Third World. It's not that kind of poverty, but it is the poverty of never seeming to be enough, the poverty of having to provide meals on five dollars a day so that the blandness of the food seems to perpetuate, so that the residents, when you ask them, "How is the food?" often complain that there isn't enough variety. They don't remember the last time they might have had a favourite food, things that are expensive, like fish or steak. They don't remember those days because, quite frankly, they haven't had it in a long time.

You think about the poverty sometimes at the B and C facilities, of the aged furnishings that haven't been replaced, oftentimes because there's no money at all and sometimes because they're going to be torn down and there's no sense in wasting. But it is the poverty of looking at these aged furnishings; it is the poverty of the lack of bathing of some of the residents who are incontinent and who need, quite frankly, to be bathed as many as seven times a week, and are subjected to only having it once, and now, I guess, under this legislation, twice. It is the poverty of the lack of activities and exercise. Although you look up on the board and there's a sing-song once a week, there's very little exercise and activities to keep their minds focused and sharp. Quite frankly, they don't get nearly enough.

This government promised to spend \$6,000 on all of that. I laud the spending of \$6,000; I hoped you would do it. The fact that you have not is something that I must point out and something that you must recognize yourselves. You promised to spend \$6,000; you're spending \$2,000. You're one third of the way there if you want to see the good side, but you're two thirds of the way behind if you want to look at it the other way. The two thirds is bigger than one third, so I'm wondering where the \$4,000 is. I'm wondering why this government has not seen fit to find \$4,000 per resident, as you promised to do.

I know and you know and we all know that there are many competing claims to that money. You can spend

that money building a subway to York University, which is a good idea; you can spend that money on roads; you can spend that money in the municipalities or on a bridge; you can spend that money in the schools; you can spend it in many, many places. But this government, I believe, has missed the boat when you've decided not to spend it on our frail and elderly. These are people who have, quite literally, no other champions save and except us. They have no one else to speak for them save and except the people who work there.

1730

We need, as a society, to say that we are obliged to all of them who are there. They are, after all, our parents, our grandparents, our uncles. They are, after all, in many cases, veterans who fought for us in times of war. They are people who deserve more than what we are giving them. So I am saying quite frankly to this government: If you have the money—even if you don't have it—take it from somewhere else. You promised \$6,000, and it is my duty, as a member of the opposition, to make sure that you find it.

I want to talk about the meal allowance. I've already touched on that briefly. It's \$5.46 a day that is spent on food in these facilities. This is a paltry amount of money. It's not very much. I would question whether any member opposite spends \$5.46 a day on food for themselves. I don't think you do. I wouldn't be surprised if you spent \$5.46 worth of food for breakfast, because that's literally what people eat—that's about the amount, or on coffees in a day, or whatever else you buy. What disturbs me most is that this year in the budget you increased that amount by 12 cents. That's how much it went up: 12 cents. Think about what 12 cents buys. Think about what you added to their life in terms of food. That's one sixth or one seventh of a can of tuna. A forkful: That's how much that is. It's about one third of an ounce of chicken. It's—I don't know; a carrot? I guess you can get a carrot for 12 cents. That's how much this is buying. That's how much you've increased the food allowance, and I have to tell you, you can do better. You should be doing better. You should not expect these people who are frail and elderly to exist on this amount of money and you should not be satisfied with last year's budget of 12 cents.

You should not be satisfied on the hottest days, when the people who are inside those homes and cannot get out have no air conditioning. We tell people throughout the city to go to cooling places. We tell them that they can go into the civic centres; they should go to the malls; if they can afford it, they should go to the show. They should go anywhere they can possibly go to cool down. But what can we say to the frail and elderly who are inside those homes and who cannot be transported and oftentimes have bracelets on because they wander and can't get out? We should make sure that every single home, even if it is not entirely air-conditioned, at least has some aspect to it where there's a cooling centre where the people can congregate and where they do not succumb to heat stroke, because oftentimes that's something that kills more frail and elderly than anyone else.

I want to deal, for a minute, with the Royal Canadian Legion, of which I am a very proud member—not a member because I was ever a soldier, but a member because my father was. They do amazing good work. It isn't just November 11 for me when I deal with the Royal Canadian Legion; it's quite literally every day of the year. It's because of what they do as an organization. It's because they continue to go out to the seniors' homes and to visit veterans who might otherwise have no one to be with them. It's because they go and bring comfort and joy to those veterans and to many, many people. It's because they raise funds, through the poppy campaign and other things, to make sure that our aged are properly looked after. They visit the sick and they conduct a complete education program for young people at all times so that people will understand the purpose that they have, what they've done in the past, and what they continue to do now.

They have a motto, and it's a motto I think we should all know: "They served till death. Why not we?" They look upon people who served in the wars, who died in those wars, that they served until the time that they died, and legionnaires believe that they should do the same. A promise was made to them back last March. I heard what happened here today and the exchange and who was saying what. But I have to tell you that I am not satisfied, I do not believe the members of the Royal Canadian Legion are satisfied, nor do I believe the government members opposite ought to be satisfied with the answer that came out. The answer, quite frankly, was not right. The Royal Canadian Legion believes that they were promised, back last March, that there would be an ombudsman. We have an obligation to ensure that that happens. It is not enough for us as members of this Legislature to stand up and to praise the Royal Canadian Legion at historical events or on November 11. We need to live with them, we need to support them, the brave men and women who gave their lives and came back and have given so much more to our country since then. And if all it takes is a simple thing like an ombudsman, then I think we should do it. I think we have an obligation to do it. I don't know how much that's going to cost the government. But to me, the cost to all those who want to support the Royal Canadian Legion, who want to support their efforts in looking after the frail and elderly, particularly those who fought in times of war and are now in homes—we need to spend it and we need to honour that obligation. So I'm looking forward to seeing that in the legislation as well and I'm looking forward to seeing that kind of discussion in committee.

There's a bit going on here about privatization, which bothers me a little—more than a little, I should say. It bothers me because it is continuing and it is increasing at a rapid pace. More and more facilities are privately owned and privately operated. I am not convinced, in the final analysis, that it is better, and I'm not convinced, in the final analysis, even that it's cheaper. What is happening is that these private institutions, these private for-profit agencies, are making money. It's not against the law and it's not even immoral to make money, but you

have to know that that is the reason they exist. They do not go back to their shareholders and say, "We're not making any money this year, but all of the residents are very happy." That's not going to work with the shareholders. It doesn't happen. They need to see a certain return on the money, and in most businesses it's 8%, 10%, 12%, which is considered to be a valid return on the monies invested.

When that 8%, 10%, 12% is returned to the investors, as surely it must be, you have to know that the 8%, 10% or 12% is coming from two or three sources. First of all, it's coming from employees who are made to work in non-unionized conditions and work for less. It's coming from the cutting back of services. The services can be food, the services can be recreation, the services can be any number of things, in order to skim off that amount of money. Or in the end it's coming off equipment, so that substandard equipment or cheaper furnishings or whatever else are used. That's where it comes from, let's make no bones about it. I think our seniors deserve the best, and if we can give them 8%, 10% or 12% more by putting it into non-profit, that's where this government should be looking.

In the end, it comes down to the promises. You promised 2.25 hours and three baths a week, and there's no mention in this legislation. You promised \$6,000, and you've delivered \$2,000. You promised to hold the line on nursing home fees, and you've raised them \$400. You promised an ombudsman, and quite sadly, I didn't hear that that was going to happen today.

We are waiting for this to go to committee. I trust it will go to committee, because I've heard indications that all important bills go to committee by way of this government. We are looking for some real answers. There are good things in this legislation—I started off with them—but in the end there are some real answers needed about the money, about where it's coming from, about privatization, about your commitment to the Royal Canadian Legion and the promises you made, and most especially about how you're going to make life better for our frail and elderly.

The Deputy Speaker: Questions and comments?

Ms. Smith: I'd like to thank the member for his comments today. I have a few things I just wanted to straighten out from some of the comments that he made. I appreciate the nice things you said about my work. However, I did want to say that with respect to annual inspections, it's at least one unannounced annual inspection a year. If there's need for more, the inspectors go back in, and most often they go in for follow-up inspections after their first inspection if they find any unmet. Obviously, if there's any concern or complaint raised through the 1-800 number or to the director of long-term care, an inspector goes in and does an inspection when there are serious complaints.

1740

With respect to the member's observations around food, I would just note that the menus now are approved by a dietician, and that's a regulation that we've implemented since we came into office. If you go into any

long-term-care home, you can usually see the menus posted for the entire week. You'll see a variety of foods and a lot of good, lovely-sounding menus. I just picked up two from Leisureworld in North Bay and Eastholme and Cassellholme where Mr. Pierkarski works, which is actually in my riding, and certainly the people there are being treated well and receiving good, quality food. In fact, what we're spending on actual food, preparation and delivery is \$18.10 per day. The \$5 amount that the member referenced is for raw food only per resident per day.

You spoke about baths and the minimum bathing standard. What we've implemented is a minimum standard of two baths per week, whereas there was no standard at all because the previous government had removed that standard. Of course, if a resident requires more baths, it's up to the front-line workers to determine that. That's one of the reasons why we are not implementing a minimum standard of care, because some residents require far more care than a minimum standard while some don't actually require the number that members suggested in the past.

You talked about the lack of activities. We have activity coordinators that we've been supporting and encouraging. We've actually funded, through the ministry, a best practices manual that the activities coordinators of Ontario are preparing to share with those all across the province.

Mrs. Elliott: I'd like to expand briefly on several of the comments that were made by my colleague the member from Parry Sound–Muskoka with respect to one point in particular, because I think it's important, and that is the issue that there are some clients from some of the regional centres who are Community Living clients, people with developmental disabilities, who are being moved into long-term-care facilities as a result of some of the decisions that have been made by this government.

This is not an appropriate placement for these clients. Many of these clients have lived in their parental home throughout their lives and now they are being told, because the parents are becoming ill and not able to take care of the children in the home any more—they're adults now—they're being moved into long-term-care homes. The parents, quite frankly—and I've heard from many of them in my community office—are absolutely terrified at this prospect, because they know that their children are not going to receive the life skills training that they need. They're going to have no social or recreational opportunities. They're simply going to be warehoused in a facility that's really not meant for them and they're just being stuck there. This has the effect, of course, of not creating spaces for people who legitimately should be there, which then backs up into the hospital system because there's no placement for the long-term-care beds.

I would submit that this has an impact on the entire realm and spectrum of health care funding and facility planning and simply indicates that this government doesn't have a vision for the future. This is having a negative impact not just on the residents of long-term-care homes but also clients with developmental dis-

abilities and also people in acute-care facilities and shows further problems with this particular piece of legislation.

The Deputy Speaker: I'm just going to make a friendly reminder to members that questions and comments are provided to question and/or comment on the speaker who just had the floor. It was made fairly obvious just now that that was referring to another speaker's comments. So just keep that in mind, please.

Ms. Martel: In response to the comments made by the member from Beaches–East York, he spoke about residents' councils. Perhaps he didn't know, but I'll put on the record that that provision was already allowed for in legislation passed in 1993. So the establishment of residents' councils or the ability to do that goes back more than 10 years. That's nothing new in this bill.

Secondly, with respect to the residents' bill of rights, it's interesting how the various views on this have changed from last week to this. Last week, I challenged the government when they said this bill was going to entrench the bill of rights. Of course, it's already been in place since 1993, so that's not correct.

Earlier, we heard that the difference between the government's bill of rights and what's currently in place now is that now there's going to be a deemed contract that's going to be enforceable. Isn't it interesting that when you go to the Nursing Homes Act that's in place right now in the province of Ontario, under subsection 2(4) it talks about a "deemed contract." "A licensee of a nursing home shall be deemed to have entered into a contract with each resident of the home, agreeing to respect and promote the rights of the resident set out in subsection (2)." Lo and behold, subsection (2) is a residents' bill of rights. So there already is a provision for the residents' bill of rights to be a deemed contract in the current legislation, and that's not new either.

The member talked about what is available and what isn't available in long-term-care homes, and he is quite right. There might be a lot of titles for people who are supposed to do a lot of things, but the fact of the matter is that with respect to staffing, too many of those activities are not being able to be undertaken, not because the staff don't want to do that; there just isn't enough staff to do the work. That's why it's absolutely imperative to have a minimum staffing level of hands-on care per resident per day. You absolutely have to have a bottom line with respect to what each resident can expect to receive in terms of care. That's what the Liberals promised. They thought that was okay in 2003. Look what's happened since then.

Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs): First of all, I wanted to congratulate the member from Nipissing for the extraordinary work that she did on that file. I hear it in my community. The name of Monique Smith is very well-known in the long-term-care community. Thank you very much.

I believe that this bill is welcome in the community. We have been waiting for that for quite a long time, because these seniors who are in a long-term-care facility

need to have the security and the good care that they deserve.

I wanted to take this opportunity to correct something that the member from Whitby–Ajax said: that those people who are leaving our facilities, those people with developmental disabilities, are going into long-term care. I would say to you that these individuals have the same rights as any other Ontarians. So far there have been three persons who have moved from these facilities into a long-term-care residence. So what you have read in some paper, that 18 people left one of these residences and are now in a long-term facility, is incorrect. So I wanted to correct the record.

Coming back to this Bill 140: I'm very pleased, because my background—at one point in my life I was a nurse. I visited these facilities quite often—

The Deputy Speaker: Thank you. The member for Beaches–East York, you have two minutes to respond.

Mr. Prue: I don't know how to respond to two of the members, so I'll just start with those two, the member from Whitby–Ajax and the—

Mr. John O'Toole (Durham): That is so unkind.

Mr. Prue: —no, I'm not being unkind—and the Minister of Community and Social Services. This is a Q&C section, which I understood was always to be to talk about what the person who had just had the floor who was in debate had said, to either comment positively or negatively or to add something to what was said. In both of these two cases, it completely missed the mark, because both of them spoke about absolutely not one word or one issue that I had raised. So I don't know how to deal with them or to thank them, but I thank them for being part of the debate, although they really were not.

To the member from Nipissing and to the member from Nickel Belt, I thank you for your comments and for listening to what I had to say and for providing positive feedback. To the member from Nipissing: Quite frankly, yes, I know that there are costs associated with the cooking and preparation of food which are not contained within the \$5.42. It is the raw food amount that worries me. It is the raw food amount of \$5.42 and the increase of 12 cents this year in that amount to make it \$5.42 which is troublesome. Five dollars and forty-two cents is approximately what—\$36, \$37 a week? We all know, those of us who go out and do the shopping, anyone on that side of the House who does the weekly shopping, that it's very difficult to feed a person on \$37 a week. If you've got a family of five, I'm sure you spend more than \$150 or \$160 on food; at least, most of the people I know spend more than that. It's just troublesome. I'm not sure that the raw amount is sufficient.

To the member from Nickel Belt: You are absolutely correct. The residents' councils have existed for a long time. I merely commented on them. It's a good thing they're being continued and are contained within the body of the act. You are absolutely right: There are not enough staff in most of the facilities.

1750

The Deputy Speaker: Further debate?

Mr. Dave Levac (Brant): I want to provide a couple of clarifications before I get into the bulk of my discussion on the specifics of the bill by explaining a couple of things first. Number one, I think the members of this House would accept this comment: that no one has a monopoly for caring for our elders. No one has a monopoly on caring for those with disabilities. No one has a monopoly in this place on being sincere and on actually wanting our senior citizens to have the best lives that they can. They are our parents, our grandparents, our great-grandparents, our uncles, our aunts. For anyone to imply that we do not, on this side, care about our senior citizens is not acceptable, and I reject it. I hope that they wouldn't, but if they do, we reject that.

What I want to make sure everyone understands is that there isn't anyone in this House, I believe, who hasn't visited a long-term-care home, and I believe there isn't anyone in this place who hasn't been asked to go to a long-term-care home. When they have gone, they have seen the same things that all of us have seen. They have seen something that I think is important to acknowledge: the absolute love that emanates, just pours out of the staff who take care of these people. There isn't anyone who would challenge me on the fact that we see that, day in and day out. Of the visits that I've made on a regular basis since 1999, and actually before that, as the principal of an elementary school, I made it my task—as a matter of fact, it was a check-to-do list of my staff to take their students to a visitation to a long-term-care facility so that there was an intergenerational understanding, a connect with our senior citizens.

Unfortunately for those, some of them—and I say this regretfully—did not have family who would come and visit them. They were simply put there, and the connect was done by the staff. Every single one of us in this place—our hearts would go out to them in terms of the amount of work that they've done and they do, above and beyond what their expectations are. So no one has the monopoly on that, and let's put the record straight on that.

The second thing is, we were left—I bring this up because there's a lot of talk about money—with a \$5.5-billion deficit that rearranged some of our priorities.

Mr. Bill Murdoch (Bruce–Grey–Owen Sound): You're dreaming again.

Mr. Levac: Unfortunately, the heckling from the member opposite doesn't seem to be respectful of the debate, because the debate is there. I would ask him to pick up the phone and tell Stephen Harper not to put the \$13-billion surplus onto the debt but to put it into our social deficit and have a share in making sure that our people—let's direct our attention to where those monies are available to assist us with that.

Interjections.

Mr. Levac: It's unfortunate that the cackling's going on, because we are being complained against on a regular basis from the opposition, especially that member, who doesn't want to admit that his government made those mistakes and that the federal government has made some mistakes. And have we made some mistakes? Absolutely.

I think it's time for us all to enter into the debate about what this topic is about and not end up being stuck in some kind of time warp of saying, "It never happened before and it's not going to happen in the future." Let's say that we can put our collective minds together to try to solve the problem that's there, and to acknowledge, like the member from Beaches–East York did, that there were some good things that were done in this bill and that the attempt is in the right direction to try to improve the circumstances.

I defy anyone to tell me that one single bill in this place has always solved the problem that it was trying to solve. It has been foundation-building, and it's fluid. There are a lot of bills in this place that get amended on a regular basis, from government to government, to government because we continue to find the holes in them. That's why this bill is going to go to committee. This bill is going to committee and there are going to be people provided with an opportunity to tell us what they think is wrong and what they think is right, because far too often—

Interjections.

Mr. Levac: The heckling from the other side continues because what they want to talk about is, distracting the public from the reality of what this place does to try to improve the lives of Ontarians.

I know I've been quoted twice today. Did I write a letter? Yes, you bet I wrote a letter. I wrote a letter for the improvement of the senior citizens in Ontario, and I'm supportive of anybody who wants to do so. I stand in my place and I say that I want those things. If you're afraid to stand up and say it, if you can't write it and feel good about it, then don't write it.

I want to talk to all our members in this place. We want to do what's best for the people of Ontario, and there are people who don't want us to win the next election. That's got nothing to do with the topic we're trying to talk about today. What it has to do with is the hard work of the member from Nipissing. It has a lot to do with the hard work of the Legion. It has a lot to do with the hard work of the member from Nickel Belt. It has a lot of interest from us to try to pull us together and have us understand. I want to suggest to you very respectfully that we want to hear those suggestions and those recommendations, and that's why we are going to

take the bill to committee and that's why each and every one of us visits, on a regular basis, our long-term-care facilities and listens to what those concerns and frustrations are. You mean to tell me you think the front-line staff don't still shield the people they're dealing with from all the heartaches they're feeling? The people whom I've seen on a regular basis, I've watched them, day to day, shield them from all of the complaints. They want to live the last few pieces of their life in as much dignity as they can. That's why I keep coming back to the staff, no matter what their designation is.

My suggestion to you is that this piece of legislation is not the answer; it's the foundation of a template that will continue to move forward with improvements, with corrections and, ultimately, a very strong feeling that when our parents, our grandparents and our great-grandparents go into these homes, there's a sense of relief and satisfaction. I would suggest to you respectfully that that is already there. In the vast majority of cases—I've seen the studies and I've seen the surveys and I've seen the statistics—that satisfaction is very high.

I want to talk to you about one of the highest rates of complaint in long-term-care facilities. The most frequently cited unmet satisfaction is the violation of the bill of rights. Why would we not entrench this and reinforce it and continue to improve it? We should. We should take our time each step of the way. If we want to sit back and say that 1989 was good enough, that's not good enough for me. I don't know about you. I think we should be reviewing this bill in the near future, if and when it's passed, to ensure that it's doing what it set out to do.

I want to challenge us all to put aside the shackles of any party that simply says, "I've got all the answers," because they don't. We don't, they don't and you don't. What we do need is a dedication to move forward in the area of our senior citizens.

One last comment I would make is that I do know that there are some concerns about retirement homes. That's next on the radar. We're coming for you.

The Deputy Speaker: It being 6 of the clock, this House is adjourned until 6:45 of the clock.

The House adjourned at 1758.

Evening meeting reported in volume B.

ERRATUM

No.	Page	Column	Line(s)	Should read:
109	5577	1	19-20	Jane Ogden, David Witzel, Lisa Diamond, Krzys Chmiel and Samuel Fragomeni are parents who have

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman
Speaker / Président: Hon. / L'hon. Michael A. Brown
Clerk / Greffier: Claude L. DesRosiers
Deputy Clerk / Sous-greffière: Deborah Deller
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma–Manitoulin	Brown, Hon. / L'hon. Michael A. (L) Speaker / Président	Haliburton–Victoria–Brock	Scott, Laurie (PC)
Ancaster–Dundas– Flamborough–Aldershot	McMeekin, Ted (L)	Halton	Chudleigh, Ted (PC)
Barrie–Simcoe–Bradford	Tascona, Joseph N. (PC) Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Beaches–East York / Beaches–York-Est	Prue, Michael (ND)	Hamilton Mountain	Bountrogianni, Hon. / L'hon. Marie (L) Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Bramalea–Gore–Malton– Springdale	Kular, Kuldip (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hastings–Frontenac–Lennox and Addington	Dombrowsky, Hon. / L'hon. Leona (L) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Brampton West–Mississauga / Brampton-Ouest–Mississauga	Dhillon, Vic (L)	Huron–Bruce	Mitchell, Carol (L)
Brant	Levac, Dave (L)	Kenora–Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Bruce–Grey–Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, Hon. / L'hon. John (L) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Millroy, John (L)
Chatham–Kent Essex	Hoy, Pat (L)	Kitchener–Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton–Kent–Middlesex	Van Bommel, Maria (L)
Don Valley East / Don Valley-Est	Caplan, Hon. / L'hon. David (L) Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lanark–Carleton	Werling, Norman W. (PC)
Don Valley West / Don Valley-Ouest	Wynne, Hon. / L'hon. Kathleen O. (L) Minister of Education / ministre de l'Éducation	Leeds–Grenville	Runciman, Robert W. (PC)
Dufferin–Peel– Wellington–Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Durham	O'Toole, John (PC)	London West / London-Ouest	Bentley, Hon. / L'hon. Christopher (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglington–Lawrence	Colle, Hon. / L'hon. Mike (L) Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London–Fanshawe	Ramal, Khalil (L)
Elgin–Middlesex–London	Peters, Hon. / L'hon. Steve (L) Minister of Labour / ministre du Travail	Mississauga Centre / Mississauga-Centre	Takhar, Hon. / L'hon. Harinder S. (L) Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Erie–Lincoln Essex	Crozier, Bruce (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke Centre / Etobicoke-Centre	Cansfield, Hon. / L'hon. Donna H. (L) Minister of Transportation / ministre des Transports	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Etobicoke–Lakeshore	Brotten, Hon. / L'hon. Laurel C. (L) Minister of the Environment / ministre de l'Environnement	Nepean–Carleton	MacLeod, Lisa (PC)
Glengarry–Prescott–Russell	Lalonde, Jean-Marc (L)	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Guelph–Wellington	Sandals, Liz (L)	Niagara Falls	Craitor, Kim (L)
Haldimand–Norfolk–Brant	Barrett, Toby (PC)	Nickel Belt	Martel, Shelley (ND)
		Nipissing	Smith, Monique M. (L)
		Northumberland	Rinaldi, Lou (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Oak Ridges	Klees, Frank (PC)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Oakville	Flynn, Kevin Daniel (L)	Sudbury	Bartolucci, Hon. / L'hon. Rick (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oshawa	Ouellette, Jerry J. (PC)	Thornhill	Racco, Mario G. (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa South / Ottawa-Sud	McGuinty, Hon. / L'hon. Dalton (L) Premier and President of the Council, Minister of Research and Innovation / premier ministre et président du Conseil, ministre de la Recherche et de l'Innovation	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	Watson, Hon. / L'hon. Jim (L) Minister of Health Promotion / ministre de la Promotion de la santé	Timiskaming–Cochrane	Ramsay, Hon. / L'hon. David (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa–Orléans	McNeely, Phil (L)	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa–Vanier	Meilleur, Hon. / L'hon. Madeleine (L) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Smitherman, Hon. / L'hon. George (L) Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Oxford	Hardeman, Ernie (PC)	Toronto–Danforth	Tabuns, Peter (ND)
Parkdale–High Park	DiNovo, Cheri (ND)	Trinity–Spadina	Marchese, Rosario (ND)
Parry Sound–Muskoka	Miller, Norm (PC)	Vaughan–King–Aurora	Sorbara, Hon. / L'hon. Greg (L) Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Perth–Middlesex	Wilkinson, John (L)	Waterloo–Wellington	Arnott, Ted (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Peterborough	Leal, Jeff (L)	Whitby–Ajax	Elliott, Christine (PC)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Willowdale	Zimmer, David (L)
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor West / Windsor-Ouest	Pupatello, Hon. / L'hon. Sandra (L) Minister of Economic Development and Trade, minister responsible for women's issues / ministre du Développement économique et du Commerce, ministre déléguée à la Condition féminine
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Windsor–St. Clair	Duncan, Hon. / L'hon. Dwight (L) Minister of Energy / ministre de l'Énergie
Sarnia–Lambton	Di Cocco, Hon. / L'hon. Caroline (L) Minister of Culture / ministre de la Culture	York Centre / York-Centre	Kwinter, Hon. / L'hon. Monte (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sault Ste. Marie	Oraziotti, David (L)	York North / York-Nord	Munro, Julia (PC)
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough East / Scarborough-Est	Chambers, Hon. / L'hon. Mary Anne V. (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Burlington	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	Markham	Vacant
Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Minister of Government Services / ministre des Services gouvernementaux	York South–Weston / York-Sud–Weston	Vacant
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	Bradley, Hon. / L'hon. James J. (L) Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		
St. Paul's	Bryant, Hon. / L'hon. Michael (L) Attorney General / procureur général		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

Estimates / Budgets des dépenses

Chair / Président: Tim Hudak
Vice-Chair / Vice-Président: Garfield Dunlop
Wayne Arthurs, Bob Delaney,
Garfield Dunlop, Andrea Horwath,
Tim Hudak, Phil McNeely John Wilkinson,
Jim Wilson, David Zimmer
Clerk / Greffier: Katch Koch

**Finance and economic affairs /
Finances et affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-Président: Phil McNeely
Ted Arnott, Wayne Arthurs, Toby Barrett,
Pat Hoy, Judy Marsales,
Phil McNeely, Carol Mitchell,
Michael Prue, Liz Sandals
Clerk / Greffier: Douglas Arnott

General government / Affaires gouvernementales

Chair / Présidente: Linda Jeffrey
Vice-Chair / Vice-Président: Jim Brownell
Jim Brownell, Brad Duguid, Kevin Daniel Flynn,
Linda Jeffrey, Jean-Marc Lalonde,
Jerry J. Ouellette, Lou Rinaldi,
Peter Tabuns, John Yakabuski
Clerk / Greffière: Susan Sourial

Government agencies / Organismes gouvernementaux

Chair / Présidente: Julia Munro
Vice-Chair / Vice-Présidente: Cheri DiNovo
Cheri DiNovo, Michael Gravelle,
John Milloy, Julia Munro, Ernie Parsons,
Laurie Scott, Monique M. Smith,
Joseph N. Tascona, John Wilkinson
Clerk / Greffière: Tonia Grannum

Justice Policy / Justice

Chair / Président: Vic Dhillon
Vice-Chair / Vice-Présidente: Maria Van Bommel
Bas Balkissoon, Lorenzo Berardinetti,
Vic Dhillon, Christine Elliott, Frank Klees,
Peter Kormos, Ted McMeekin,
David Oraziotti, Maria Van Bommel
Clerk / Greffière: Anne Stokes

Legislative Assembly / Assemblée législative

Chair / Président: Bob Delaney
Vice-Chair / Vice-Président: Mario G. Racco
Bob Delaney, Ernie Hardeman, Rosario Marchese,
Ted McMeekin, Norm Miller, Jennifer F. Mossop,
Tim Peterson, Mario G. Racco, Mario Sergio
Clerk / Greffière: Tonia Grannum

Public accounts / Comptes publics

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-Présidente: Ernie Hardeman
Ernie Hardeman, Lisa MacLeod,
Shelley Martel, Deborah Matthews,
Bill Mauro, John Milloy, Richard Patten,
Norman W. Sterling, David Zimmer
Clerk / Greffier: Katch Koch

**Regulations and private bills /
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath
Vice-Chair / Vice-Président: Vacant
Gilles Bisson, Kim Craiton, Andrea Horwath,
Dave Levac, Gerry Martiniuk, Bill Murdoch,
Khalil Ramal, Mario Sergio
Clerk / Greffière: Susan Sourial

Social Policy / Politique sociale

Chair / Président: Shafiq Qadri
Vice-Chair / Vice-Président: Khalil Ramal
Ted Chudleigh, Peter Fonseca,
Kuldip Kular, Jeff Leal,
Rosario Marchese, John O'Toole,
Shafiq Qadri, Khalil Ramal, Kathleen O.Wynne
Clerk / Greffier: Trevor Day

Electoral reform / Réforme électorale

Chair / Présidente: Caroline Di Cocco
Vice-Chair / Vice-Président: Norm Miller
Wayne Arthurs, Caroline Di Cocco,
Kuldip Kular, Norm Miller, Richard Patten,
Michael Prue, Monique M. Smith,
Norman W. Sterling, Kathleen O.Wynne
Clerk / Greffière: Anne Stokes

CONTENTS

Monday 23 October 2006

MEMBERS' STATEMENTS

Diwali and Eid-UI-Fitr	
Mr. Klees	5649
Sleeman Breweries	
Mrs. Sandals	5649
Muskoka Heritage Foundation	
Mr. Miller	5649
Small business	
Ms. DiNovo	5650
Cheryl Parrott and Vance Fandrey	
Mr. Patten	5650
Seat belts	
Mr. O'Toole	5650
Education	
Mrs. Mitchell	5650
Highway improvements	
Mr. Wilkinson	5651
Hungarian revolution	
Mr. Levac	5651

FIRST READINGS

Regulation of Zoos Act, 2006,	
Bill 154, <i>Mr. Zimmer</i>	
Agreed to	5651
Mr. Zimmer	5651

MOTIONS

House sittings	
Mr. Bradley	5652
Agreed to	5652

STATEMENTS BY THE MINISTRY AND RESPONSES

Accessibility for the disabled	
Mrs. Meilleur	5652
Mrs. Munro	5653
Mr. Prue	5653

ORAL QUESTIONS

Ontario public service	
Mr. Tory	5654
Mr. McQuinty	5654
Hospital services	
Mr. Tory	5655
Mr. Smitherman	5655
Veterans	
Mr. Hampton	5656
Mr. Smitherman	5656
Water quality	
Mr. Hampton	5657
Mr. Ramsay	5657
Mrs. Mitchell	5659
Ms. Broten	5660

Health insurance

Mr. Tory	5658
Mr. Smitherman	5658, 5661
Mr. Kormos	5661

Property taxation

Mr. Prue	5659
Mr. Sorbara	5659

Respite care

Mr. Klees	5660
Mr. Smitherman	5660

Electricity supply

Mr. Oraziotti	5662
Mr. Duncan	5662

Law reform commission

Mrs. Elliott	5662
Mr. Bryant	5662

Nuclear waste

Mr. Tabuns	5663
Ms. Broten	5663

Immigrants' skills

Mr. Balkissoon	5663
Mr. Colle	5663, 5664
Mr. Duguid	5664

PETITIONS

Long-term care

Mr. O'Toole	5664
Ms. Martel	5664, 5666
Mr. Kormos	5665

Immigrants' skills

Mr. Leal	5664
Mr. Wilkinson	5665
Mr. Delaney	5667
Mr. Arthurs	5667

Gasoline prices

Mr. Ouellette	5665
---------------------	------

Highway 26

Mr. Wilson	5666
------------------	------

Fair access to professions

Mr. Duguid	5666
------------------	------

Electricity supply

Mr. Miller	5666
------------------	------

Highway funding

Mr. Ouellette	5667
---------------------	------

ROYAL ASSENT

The Administrator of Ontario	5667
------------------------------------	------

SECOND READINGS

Long-Term Care Homes Act, 2006,

Bill 140, <i>Mr. Smitherman</i>	
Ms. Martel	5668, 5676, 5679, 5683 5688
Ms. Smith	5675, 5679, 5687

Mrs. Elliott	5675, 5678, 5688
Mr. Prue	5676, 5684, 5689
Mr. Leal	5676
Mr. Wilkinson	5677, 5680
Mr. Dunlop	5679, 5684
Mr. Miller	5680, 5684
Mr. Watson	5683
Mrs. Meilleur	5688
Mr. Levac	5689
Debate deemed adjourned	5690

OTHER BUSINESS

Visitors

Mr. Murdoch	5651
The Speaker	5654

Erratum	5690
----------------------	------

TABLE DES MATIÈRES

Lundi 23 octobre 2006

PREMIÈRE LECTURE

Loi de 2006 sur la réglementation des jardins zoologiques,	
projet de loi 154, <i>M. Zimmer</i>	
Adoptée	5651

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Accessibilité pour les personnes handicapées	
M ^{me} Meilleur	5652
M ^{me} Munro	5653
M. Prue	5653

SANCTION ROYALE

L'administrateur de l'Ontario	5667
-------------------------------------	------

DEUXIÈME LECTURE

Loi de 2006 sur les foyers de soins de longue durée, projet de loi 140, <i>M. Smitherman</i>	
Débat présumé ajourné	5690