Brief on Digital Health in French in Ontario

A Review of Strategic Guidance Documents

Executive Summary

1. The French Language Services Act guarantees an individual's right to receive services in French from the Government of Ontario ministries and agencies in 26 designated areas, and at government head offices.

2. Two key documents that set the stage for and intend to help guide the Province of Ontario's digital health strategy and those of emerging Ontario Health Teams have not taken into consideration the needs of the Francophone community. It is the understanding of the Réseau des services de santé en français de l'Est de l'Ontario (RSSFE) that these documents are being updated and we would like to help include the Francophone perspective and requirements in these newer iterations.

3. Not including the needs of the Francophone community will negatively impact the health care system in terms of its safety, quality, and efficiency for its residents. In addition, it is very possible that inequities for Francophones in terms of access and health outcomes will be perpetuated.

4. To assist the Ministry of Health with digital health planning, the RSSFE recommends that:

   - The Minister of Health should engage the French Language Health Services Advisory Council on this matter.
   - The Ministry of Health should engage the province's six French Language Health Planning Entities to obtain high level guidance on the impact of including language considerations in the *Digital First for Health Strategy*.
   - The Ministry of Health should apply the Health Equity Impact Assessment, including the French Language Service Supplement (and other supplements, as applicable) to future iterations of the *Digital First for Health Strategy* and the *Ontario Health Team: Digital Health Playbook*.

Introduction

Several digital and virtual health system commentators have noted that as a result of the global COVID-19 pandemic, there has been rapid progress in the adoption and acceptance of digital health (Bhatia, 2021; Baig, 2020; Mageit, 2020; Keesara et al, 2020; Crawford & Serhal, 2020; Krausz, et al, 2020). For the purposes of this paper, digital and virtual health tools will include the use of: videoconferencing; patient-facing electronic health information portals; on-line appointment booking applications; and other tools to facilitate the connection between patients and frontline care providers to navigate within the provincial health care system (Ontario: *Digital Health Playbook*, 2019).

While this widespread adoption has mitigated many challenges that have emerged as a result of pandemic response strategies, several access issues have been identified and remain unaddressed. These include ensuring that traditionally underserved populations can access the technology and broadband Internet infrastructure in safe, appropriate locations and that the operating systems used by healthcare professionals are available in French for the Franco-Ontarian community to enhance the safety, quality, and efficiency of the health care system.

This document will outline the need to incorporate explicit references regarding the availability of digital and virtual health tools for the Francophone community in two critically important guidance documents published by the Ontario government: the *Digital First for Health Strategy* and the *Ontario Health Teams: Digital Health Playbook*. The intention of this brief is to recommend how this oversight can be addressed in a fulsome manner so that planning for digital health services for the Francophone community can continue in concert with the rest of the healthcare system.

What is the Current State of French Language Services in Ontario?

Ontario's French Language Services Act (FLSA) guarantees an individual's right to receive services in French from Government of Ontario ministries and agencies in 26 designated areas, and at government head offices (Ontario, French Languages Services Act, 1990).

The right to receive services in French is not limited to correspondence, telephone or translation procedures. The needs of the French-speaking population are taken into account in the development and implementation of programs, policies and procedures. Furthermore, services received in French must be equivalent to those offered in English, offered at the same time, and of the same quality. The FLSA applies equally to all Ministry of Health and Ministry of Long-Term Care classified/statutory

agencies for which the majority of members of the board are appointed by the Lieutenant Governor in Council such as Local Health Integration Networks (LHINs).

The FLSA designated specific areas where French Language Services (FLS) must be provided by government agencies. Regulation 407/94 designates additional areas. About 80% of Franco-Ontarians live in a designated area. For an area to obtain designation, French-speaking residents must usually make up at least 10% of the population. In urban centres, the French-speaking population must usually be at least 5,000 (ibid).

French Language Services Identification and Designation

Organizations that are partially funded by the province and provide services to the public, such as hospitals, long-term care homes and community agencies, are not automatically subject to the FLSA. They must first be identified. The identification process is defined as the selection of health service providers (HSPs) for the purpose of planning and delivering safe and quality services in French (Ontario, 2017).

Identification is a tool used by LHINs in close collaboration with their local French Language Health Planning Entities like the RSSFE to plan the delivery of services in French. Rather than require all HSPs to offer FLS, LHINs and Entities identify a number of HSPs for that purpose based, among other things, on the location of the Francophone population and its needs (ibid).

Once an HSP is identified it must develop and implement a FLS plan to address the needs of its local Francophone community in accordance with existing FLS capacity; and work towards improving FLS capacity for designation.

Before the government will designate an organization, the organization must:

1. Offer quality services in French on a permanent basis, which is ensured by employees with the required French language skills;

2. Guarantee access to French-language services which can be provided for all or some services and during business hours;

3. Ensure that effective representation of Francophones sit of the board of directors and its committee are included in the administrative by-laws and must reflect the proportion of the Francophone population within the community served;

4. Have an effective representation of Francophones among its senior management team;

5. Ensure that the board of directors and senior management are accountable for the quality of French-language services;

6. If an organization is designated as a public service agency under the FLSA, the organization is subject to the FLSA in all respects. However, a regulation designating a public service agency may limit the designation to apply only to specific services provided by the agency, or may specify services that are excluded from the designation. These are called partial designations.

The designation is made by the Lieutenant Governor in Council, pursuant to section 8 of the FLSA is recognition that an agency has met the government's designation criteria in providing French language services to its French-speaking clients and has demonstrated its ability to continue to do so.

Every three years, designated agencies must show how they have maintained this level of service. The board of each agency must submit to their ministry a report detailing how this was done (ibid).

French Language Health Planning Entities

On January 1, 2010, a new regulation under Section 16 of the Local Health System Integration Act, 2006, came into effect to support coordinated and effective engagement of French-speaking communities on French Language Health Services issues. This regulation outlines how the Ministry of Health is to select French language health planning entities to work with LHINs. At that time, the Minister of Health and Long-Term Care selected six planning entities of which the RSSFE was designated to work with the South East and Champlain LHINs.

One or more LHINs shall engage the French language health planning entities. The entities will advise the LHINs on:

1. The methods of engaging the French-speaking community in the area;
2. The health needs and priorities of the French-speaking community in the area, including the needs and priorities of diverse groups within that community;
3. The health services available to the French-speaking community in the area;
4. The identification and designation of health service providers for the provision of French language health services in the area;

5. The strategies to improve access to, accessibility of and integration of French language health services in the local health system; and
6. The planning for and integration of health services in the area.

The amended Ontario Regulation 515/09: Engagement with the Francophone Community (O. Reg. 515/09) under Section 16 of the Local Health System Integration Act, 2006 has taken effect as of November 1, 2017 (ibid).

What is Digital Health?

According to Canada Health Infoway (2021), digital health refers to the use of information technology/electronic communication tools, services and processes to deliver health care services or to facilitate better health. Infoway's vision is "healthier Canadians through innovative digital health solutions".

Canada's digital health initiative involves creating a network of systems to securely connect and share health information with authorized care providers. Increasingly, it is providing tools and information to empower Canadians to better understand and manage their health and the health of their families (ibid).

While digital health is a simple concept — using technology to help improve individuals' health and wellness — it is a broad and rapidly growing sector. It can cover everything from wearable gadgets to ingestible sensors, from mobile health apps to artificial intelligence, from robotic carers to electronic records. Really it's about applying digital transformation, through disruptive technologies and cultural change, to the healthcare sector (Best, 2019).

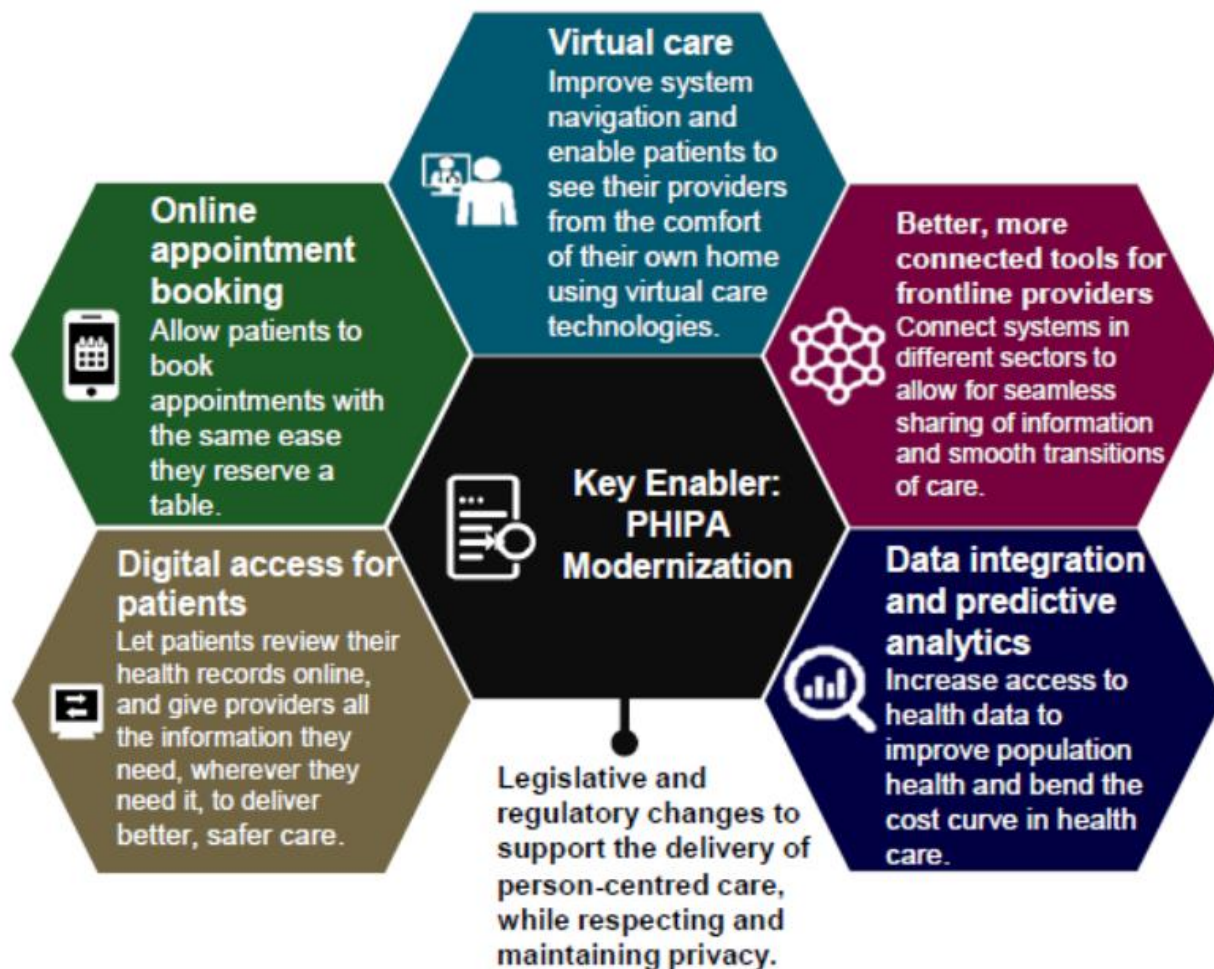## What is the Digital Health Plan for Ontario?

Ontario's *Digital First for Health Strategy* was unveiled on November 13, 2019 touting to "bring the patient experience into the 21st century and help end hallway health care by offering more choices and making health care simpler, easier and more convenient for patients". At the same time, the intention of the strategy was to harness the imagination and capabilities of Ontario's digital health innovators to improve care for all Ontarians (Ontario, 2019).

There are the five pillars of the government's *Digital First for Health Strategy*. Once the strategy is fully implemented, patients can expect:

1. **More virtual care options:** Expanding availability of video visits and enabling other virtual care tools such as secure messaging. Additionally, providers will be able to leverage a variety of virtual care technologies that best meet the needs of their patients.

2. **Expanded access to online appointment booking:** Patients will be able to book appointments that best meet their needs.

3. **Greater data access for patients:** More patients will be able to review their secure health record online and make informed choices about their care.

4. **Better, more connected tools for frontline providers:** More providers will be able to access patient records stored across multiple health service providers to provide better, faster care.

5. **Data integration and predictive analytics:** Providers will face fewer barriers to integrating and using secure health information to manage health resources and improve patient care. This could lead to improvements such as earlier intervention and better management of chronic disease.

Ministry of Health

Digital First for Health Strategy

Virtual care
Improve system navigation and enable patients to see their providers from the comfort of their own home using virtual care technologies.

Online appointment booking
Allow patients to book appointments with the same ease they reserve a table.

Better, more connected tools for frontline providers
Connect systems in different sectors to allow for seamless sharing of information and smooth transitions of care.

Key Enabler: PHIPA Modernization

Digital access for patients
Let patients review their health records online, and give providers all the information they need, wherever they need it, to deliver better, safer care.

Data integration and predictive analytics
Increase access to health data to improve population health and bend the cost curve in health care.

Legislative and regulatory changes to support the delivery of person-centred care, while respecting and maintaining privacy.

Digital First for Health is central to the government's efforts to transform the health care system so that it is integrated, sustainable, and patient centred.

Strong digital capabilities are critical to enable system integration and the sharing of information throughout the healthcare system so that patients receive seamless care.

Source: Ontario Ministry of Health, *Digital First for Health Strategy*, 2019.

In addition to the *Digital First for Health Strategy*, the Ministry of Health also updated its *Ontario Health Teams: Digital Health Playbook* (Ontario, 2019). The Playbook is intended to help Ontario Health Teams (OHTs) build their digital health plan and capacity.

More specifically, readers of the Playbook are intended to be:

Executives
For OHT executives looking to know how digital health will enable integrated health care, and find summaries of the resources in the Playbook.

Providers
For health care providers in an OHT looking for information on the benefits of digital health and the tools available to providers in an OHT environment.

Digital Health Specialists
For digital health specialists looking to create and implement a digital plan in the OHT environment (ibid).

OHTs are part of the government's plan to build a modern, sustainable, and integrated health care system that connects health care providers and services focused on the patient. In order to realize this vision, OHTs will require modern technologies, tools and information that support patient-centred care. Digital health is at the core of a more connected and integrated health care system. Thus, OHTs will become key to fostering local innovation and provincial digital health advancements.

What does the digital health plan for Ontario say about services in French?

Examination of the *Digital First for Health Strategy* and the *Digital Health Playbook* found no French language services requirements outlined in either document.

Other applicable Provincial policies / frameworks

Health Equity Impact Assessment (HEIA)

The Ministry of Health (MOH) has identified equity as a key component of quality care. The MOH has developed HEIA to support improved health equity, including the reduction of avoidable health disparities between population groups. HEIA also supports improved targeting of health care investments — the right care, at the right place, at the right time.

HEIA is a decision support tool which walks users through the steps of identifying how a program, policy or similar initiative will impact population groups in different ways. HEIA surfaces unintended potential impacts. The end goal is to maximize positive impacts and reduce negative impacts that could potentially widen health disparities between population groups—in short, more equitable delivery of the program, service, policy etc. Effective use of HEIA is dependent on good evidence.

The HEIA tool that has been developed by MOH has four key objectives:

1. Help identify unintended potential health equity impacts of decision-making (positive and negative) on specific population groups.
2. Support equity-based improvements in policy, planning, program or service design.
3. Embed equity in an organization's decision-making processes.
4. Build capacity and raise awareness about health equity throughout the organization.

The HEIA tool includes a template and a workbook that provide users with step by step instruction on how to conduct an HEIA. The workbook walks users through five steps: 1) Scoping, 2) Potential Impacts, 3) Mitigation, 4) Monitoring, and 5) Dissemination. The results are recorded in the HEIA template (Ontario, 2012).

There is also a French Language Services Supplement that has been developed for MOH and Local Health Integration Network (LHIN) staff who have distinct responsibilities under the French Language Services Act, and a Public Health Unit Supplement that has been developed for Public Health Units (ibid).

What should be done to improve the digital health plan for Francophones?

Key points of consideration:

1. Ontario has the largest speaking minority community in Canada with 622,415 people using the Inclusive Definition of Francophone (Ontario, 2009 and 2017).
2. French is the mother tongue of 4% of the population (527,690 people) and the first official language of 4.1% of the population (550,600 people) (ibid).
3. Of the 1,418 health service provider agencies funded by Local Health Integration Networks in Ontario in 2019-20, 83 (5.9%) were designated to provide services in French and 191 (13.5%) were identified to provide services in French (Ontario, 2020).

The RSSFE contends that to improve the safety, quality and efficiency of the health care system, Francophones must be engaged and consulted in any health-related provincial strategy, particularly strategies that provide crucial, high-level direction for the designated and identified health service provider community, the eHealth vendor community and the Francophone community.

As it prepares to update these important digital health guidance documents to provincial partners, the RSSFE would encourage the Ministry of Health to apply the powerful Health Equity Impact Assessment tool in their refresh process. By following the workbook, and in particular the French language services supplement, the *Digital First for Health Strategy* documents will be strengthened and thoroughly addressed.

In addition, embedding a solid link between the *Digital Health Playbook* guidance document for OHTs and the OHT application process will solidify the need for emerging groups to comprehensively engage Francophones living in designated areas, specifically:

Section Extracted from Ontario Health Team: Full Application Template (July 2020)
4.3.2. How will you work with Francophone populations?

Does your team serve a designated area or are any of your team members designated under the French Language Services Act or identified to provide services in French?

Describe how the members of your team currently engage with the local Francophone community/populations, including the local French Language Health Planning Entity and/or address issues specific to your Francophone patients in service planning, design, delivery or evaluation. (This includes working towards implementing the principle of Active Offer). Considering the needs and demographics of your Year 1 and maturity populations, indicate whether you intend to expand or modify these activities or otherwise specifically seek to address Francophone health or health care needs in Year 1 or longer-term. (Ontario, 2020).

Summary and recommendations

The creation of policy and strategy documents to help guide and frame the extraordinarily rapid proliferation of digital health tools for health services providers and the digital health vendors, it is possible that certain important considerations may have been overlooked. The engagement and consideration of the particular needs of the Francophone community may have been one of those omitted considerations.

BRIEF ON DIGITAL HEALTH IN FRENCH IN ONTARIO, MARCH 2021.

The intention of this b is to recommend how this oversight can be addressed in a fulsome manner so that planning for digital health services for the Francophone community can continue in concert with the rest of the healthcare system.

Recommendation 1

The Minister of Health should engage the French Language Health Services Advisory Council on the matter of including the Francophone community in the development and use of linguistically appropriate digital health tools.

The mandate of the Council is to provide advice to the Minister of Health and Minister of Long-Term Care about health and service delivery issues related to francophone communities. Council members represent views of the Francophone community. At the request of the Minister, the Council prepares reports, and analyzes research and information for the purpose of bringing to the attention of the Minister critical issues emerging in the French-speaking community.

Recommendation 2

The Ministry of Health should engage the province's six French Language Health Services Entities to obtain high level guidance on the impact of including language considerations in the *Digital First for Health Strategy*. Detailed feedback on the essentials to be incorporated in order to ensure equitable access for Francophones could be provided by Entity staff.

Key areas to ensure safe, high quality and efficient health system utilization for Francophones could begin with tools for online appointment booking, digital access for patients, and virtual care navigation.

Recommendation 3

The Ministry of Health should apply the Health Equity Impact Assessment, including the French Language Service Supplement (and other supplements, as applicable) to future iterations of the *Digital First for Health Strategy* and the *Ontario Health Team: Digital Health Playbook*.

It is suggested that initial work feature carrying forward the creation of linkages between the OHT application process and address the needs of their Francophone communities specifically as they relate to their digital health needs.

About the Réseau des services de santé en français de l'Est de l'Ontario

The Réseau des services de santé en français de l'Est de l'Ontario (RSSFE) is one of two networks that has a dual mandate as an Entity (provincial) and a Network (federal).

Provincial Mandate - French Language Health Planning Entity

In 2010, the RSSFE was named the French Language Health Planning Entity for Eastern Ontario by the Ministry of Health and Long-Term Care (MOHLTC). The RSSFE has an accountability and funding agreement with the South East and Champlain LHINs, which outlines the responsibilities of each party. Each year, all parties identify priorities and activities, which are highlighted in a Joint Annual Action Plan (JAAP).

The RSSFE offers expertise in the planning of French language health services and in Francophone community engagement in regards to health. The RSSFE is responsible to advise the South East and Champlain LHINs on:

1. The methods of engaging the Francophone community in the area;

2. The health needs and priorities of the Francophone community in the area, including the needs and priorities of diverse groups within that community;

3. The health services available to the Francophone community in the area;

4. The identification and designation of health service providers for the provision of French language health services in the area;

5. The strategies to improve access to, accessibility of and integration of French language health services in the local health system; and the planning for and integration of health services in the area.

Federal Mandate - Member of Société Santé en français

For over 20 years, the RSSFE has been one of 16 members of Société Santé en français (SSF). As a member of this network, the RSSFE works in collaboration with the other member networks on the national, provincial and regional scenes, through the SSF Board of Directors and the SSF Executive Directors' Table, to promote the development of French language health services.

References

Bhatia, R.S., C. Chu, A. Pang, M. Tadrous, V. Stamenova, P. Cram, Virtual care use before and during the COVID-19 pandemic: a repeated cross-sectional study, CMAJ Open, 9(1), E107, February 17, 2021.

Baig, A., B. Hall, P. Jenkins, E. Lamarre and B. McCarthy, The COVID-19 recovery will be digital: A plan for the first 90 days, McKinsey Digital, May 14, 2020.

Mageit, S. Technology to the rescue – COVID-19 as an effective accelerator of digital adoption, Healthcare IT News, July 23, 2020

Keesara S., A. Jonas, and K. Shulman, Perspective: COVID-19 and Health Care Digital Revolution, NEJM, April 2, 2020.

Crawford, A. and E. Serhal, Digital Health Equity and COVID-19: The Innovation Curve Cannot Reinforce the Social Gradient of Health, Journal of Medical Internet Research, June 2, 2020.

Krausz, M., J.N. Westenberg, D. Vigo, R.T. Spence and D. Ramsey, Emergency Response to COVID-19 in Canada: Platform Development and Implementation for eHealth in Crisis Management, JMIR Public Health and Surveillance, May 15, 2020.

Ontario, Ontario Health Teams: Digital Health Playbook, December 1, 2019.

Ontario, French Language Services Act, R.S.O. 1990 c.F.32

Ontario, Guide to Requirements and Obligations Relating to French Language Health Services, November 2017.

Canada Health Infoway (n.d.), What is Digital Health. Retrieved January 29, 2021 from https://www.infoway-inforoute.ca/en/what-we-do/benefits-of-digital-health/what-is-digital-health.

Best, J. What is digital health? Everything you need to know about the future of healthcare. Retrieved January 29, 2021, from https://www.zdnet.com/article/what-is-digital-health.

Ontario, Digital First for Health Strategy, November 2019.

Ontario, Health Equity Impact Assessment, May 2012.

Ontario, Office of the French Language Services Commissioner: Annual Report 2015-16 FLSA 2.0, section 1.4 Inclusive Definition of Francophone (IDF), June 1, 2016.

Statistics Canada. Population (Ontario) 2016 Census Profile. Released November 29, 2017.

Ontario, French Language Services Report Powered by OZi, 2020.

Ontario, Ontario Health Team: Full Application (Template), 2020.