

## Brief on Bill 74:

# An Act concerning the provision of health care, continuing Ontario Health and making consequential and related amendments and repeals

Three recommendations to strengthen Bill 74, with the objective of ensuring efficient planning of French language health services, which will in turn lead to increased and improved access to quality health care services in French for Ontario's Francophones.

March 25, 2019



The Regroupement strives to develop principles and common positions to advance, in a cohesive and efficient manner, French language health services at the provincial level.

Together, to improve health of Francophones in Ontario.

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March 25, 2019

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**RE: Brief on Bill 74: An Act concerning the provision of health care, continuing Ontario Health and making consequential and related amendments and repeals**

The six French Language Health Planning Entities in Ontario work together to speak with one voice for the advancement of French language health services throughout the province. If Bill 74 is adopted, Ontario will see an important reform of its health system and it is our earnest wish to collaborate fully for its successful implementation. Furthermore, we want to partner in this transformation to ensure Ontario Francophones have access to quality health care in French. It is with this in mind that we present this brief.

**French Language Health Planning Entities: essential structures in providing Francophones with access to quality health care in French**

The French Language Health Planning Entities were named by the government in 2010 with one objective: improving access to health services in French. Governed by Francophone boards, their mandate encompasses three main components:

- Engage Francophone communities to understand their needs and promote services available in French;
- Plan the delivery of health services in French while ensuring that the needs of Francophones are taken into consideration from the conception of initiatives, whether it be, for example, when new long-term beds are announced or in coordinating patient access to mental health services, and
- Support and guide health service providers in developing their capacity to offer French language services and ensure these services are sustainable over time through identification and designation under the French Language Services Act.

Although the work of the Entities has led to significant progress over the last few years, Francophone patients still face a number of barriers in accessing quality health services in French:

- By and large, Francophones do not know where and how to access quality health services in French in Ontario;
- As a general rule, health services providers do not identify their Francophone patients and cannot refer them to health professionals capable of offering services in French;
- The availability of health services in French is limited.

These issues need to be addressed because linguistic barriers have a negative impact for both Francophone patients and the health care system, such as:

- Increased risks of errors in diagnosis, medical errors and incorrect treatment plans, causing additional costs for the system;
- A feeling of helplessness, increased stress, and dissatisfaction among patients who do not feel understood by health professionals and may choose to postpone their visits to the doctor;
- Equally, health service professionals also feel helpless, experience increased stress and dissatisfaction in trying to provide the best care possible.

The restructuring of the health care system proposed by Bill 74 present opportunities to address these issues and improve access to quality health care in French. In order to seize the opportunities before us, we present our analysis of Bill 74 and offer recommendations.

#### **Bill 74: positive changes which need clarification regarding health services in French**

Firstly, we wish to acknowledge positive points which are already part of the Bill:

- The preamble mentions that Ontario's public health system must comply with the French Language Services Act;
- Health Ontario is subject to provisions under the French Language Services Act;
- The Minister's Advisory Committee on French Language Services is maintained; and
- French Language Health Planning Entities will collaborate with Health Ontario.

We would like to bring to your attention the following three recommendations to strengthen Bill 74; recommendations that have the objective of fostering efficient planning of French language health services, which will in turn lead to increased and improved access to quality health services in French for Ontario's Francophones.

#### **Recommendation 1**

We understand the government's desire to improve integration of the health system so that it is centred on client needs and facilitates navigation throughout the continuum for patients and their families. Creating interconnected service provider teams (Ontario Health Teams) is certainly a step in this direction. As participants in previous reforms to integrate the health system, we recommend two essential elements be included in the Bill:

### **Recommendations**

- That Ontario Health Teams be subject to the French Language Services Act;
- That, where opportunities to merge organizations are identified and implemented, obligations of all stakeholders involved are analyzed, documented, transferred and monitored to maintain services and ensure compliance with the French Language Services Act.

The first part of this recommendation will ensure that Ontario Health Teams systematically take into consideration the needs of Francophone populations and that they are accountable for offering services in French on behalf of the Government of Ontario. The second part of the recommendation will help sustain existing services which could otherwise be lost in mergers, more particularly when integrating identified or designated organizations with ones which do not have such status.

### **Recommendation 2**

We believe that the requirement for engagement established in Bill 74 between French Language Health Planning Entities and Health Ontario is essential and that it will allow for the considerations of the needs of Francophones to be included in the decision-making process. However, it is also essential that present relationships and collaboration between the Entities and the local health system be maintained and improved. We therefore recommend that the following wording be added to Bill 74:

#### **Recommendation**

- That the obligation to collaborate with the French Language Health Planning Entities be extended to Ontario Health Teams.

This addition will ensure that the French Language Health Planning Entities will continue to fulfill their role at the local level. Indeed, it is by assisting and guiding health services providers and local health integration structures that quality health services in French can be developed for Francophones.

### **Recommendation 3**

We fully understand the Government's desire to proceed with transforming the health system without delay. However, the fact that O.Reg. 515-09 will no longer exist after the Local Health Integration Act is repealed could leave the French Language Health Planning Entities in a legislative void and negatively impact continuation of their work. For this reason, we recommend:

### **Recommendations**

- That a new regulation regarding the French Language Health Planning Entities be adopted at the same time as Bill 74 to maintain collaboration between the health system and the Entities during this critical transformation phase.
- That the existing regulation be adapted to reflect the collaboration of French Language Health Planning Entities with the proposed structures, i.e. Ontario Health and Ontario Health Teams.

Adoption of these recommendations into The People's Health Care Act of 2019 is essential and will embed in the legislation the Government's commitment to improving capacity to offer health services in French throughout Ontario.

We thank you for the opportunity to present this brief: it is evidence of the Government's commitment to continue collaborating with the French Language Planning Entities to improve services for Francophones. For more information, you can contact:

On behalf of the Regroupement,

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