



On February 25, 2020, Ontario's Minister of Health tabled Bill 175 – *Connecting People to Home and Community Care Act, 2020* intended to modernize home and community care – an intention we applaud. If the Bill is passed, system planning will go to Ontario Health and regional planning to the Ontario Health Teams. The Local Health Integration Networks (LHINs) will become Home Care and Community Support Services and eventually disappear.

The *Home Care and Community Services Act, 1994* is repealed, but what replaces it is vague. For example, the legislation doesn't define or describe "prescribed services." These and other specifics fall to regulation and policy.

Why does this matter? Before becoming law, draft legislation faces all-party debate and public consultation. Regulations, in contrast, can be passed, repealed, or changed at any time by Cabinet with no public input.

The Minister tells us people will receive services just as they do now. We're not so sure. We wonder about:

- **Fragmentation and inconsistency.** Each Ontario Health Team will choose the services it provides – either directly, by contracting with other providers, or by funding clients/families for self-directed care. Inconsistent criteria can lead to inequitable services across the province.
- **New settings.** Bill 175 adds residential congregate care, but lacks definitions and standards. Could private, for-profit hospitals be added? What about retirement homes, which aren't publicly funded or regulated?
- **Placement and coordination.** Health teams may assign care coordination to a service provider or other organization. When one organization assigns, manages, and delivers care, and also controls resources, it can set its own limits and unilaterally provide services on grounds other than client need – a form of rationing.
- **Protection for clients.** The current Bill of Rights is repealed. What will a new one look like? How will it be enforced? Will complaints processes be fair and consistent across the province? Will the increased virtual visits serve clients of various languages and cultures? How will privacy be guarded and quality maintained?
- **Accountability and transparency.** Individual providers may use their own auditors, so data could be inconsistent, making it difficult to hold the system accountable. There are no consistent qualifications for approved providers, and the Minister can no longer approve, disapprove, or remove providers.
- **Privatization.** Government claims to prefer not-for-profit providers, but Bill 175 doesn't protect them. It weakens public governance and accountability and transfers key functions to private (sometimes for-profit) entities accountable to their corporate boards and not the public.

In addition to introducing some new concerns, Bill 175 doesn't address the ones that already exist – access to services, consistent assessments, standards, quality, or staffing shortages. It also has no statement of purpose or objects that reflect public interest or the principles of the *Canada Health Act*.

### What can you do?

**Look behind broad statements and vague language. Ask the hard questions.**

- What is the government's commitment to key public interest principles: public administration, comprehensiveness, universality, equity, portability, accessibility?
- How will Ontarians get the services they need regardless of where in the province they live?
- Will all providers need to have the same qualifications? How will not-for-profit services be protected?
- What oversight will the government have over all service providers? How will it protect clients?
- Who will be accountable to the public? How will we know how, or whether, the new structures are working?
- Why change the legislation now, when the Ontario Health Teams are new and untested?

For more information about the legislation and Care Watch's analysis, see:

[https://carewatchontariodotcom.files.wordpress.com/2020/03/bg\\_briefingnote\\_bill175-connecting-people-to-home-and-community-care-act-2020\\_20200329.pdf](https://carewatchontariodotcom.files.wordpress.com/2020/03/bg_briefingnote_bill175-connecting-people-to-home-and-community-care-act-2020_20200329.pdf)