



## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

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# Official Report of Debates (Hansard)

Tuesday 10 March 2009

# Journal des débats (Hansard)

Mardi 10 mars 2009

## Standing Committee on Social Policy

Regulated Health Professions  
Amendment Act, 2009

## Comité permanent de la politique sociale

Loi de 2009 modifiant la Loi  
sur les professions de la santé  
réglementées

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Hansard Reporting and Interpretation Services  
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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  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
SOCIAL POLICYCOMITÉ PERMANENT DE  
LA POLITIQUE SOCIALE

Tuesday 10 March 2009

Mardi 10 mars 2009

*The committee met at 1533 in committee room 1.*REGULATED HEALTH PROFESSIONS  
AMENDMENT ACT, 2009  
LOI DE 2009 MODIFIANT LA LOI  
SUR LES PROFESSIONS DE LA SANTÉ  
RÉGLEMENTÉES

Consideration of Bill 141, An Act to amend the Regulated Health Professions Act, 1991 / Projet de loi 141, Loi modifiant la Loi de 1991 sur les professions de la santé réglementées.

**The Chair (Mr. Shafiq Qaadri):** Colleagues, I welcome you to the Standing Committee on Social Policy. As you know, we're here for clause-by-clause consideration of Bill 141. We have, I think, a few clauses before the committee. I'll open the floor for any general comments, and then we'll move to the clause-by-clause consideration. Are there any general comments that any members would like to offer? Seeing none, the floor is now open, and we'll move to Mrs. Witmer.

**Mrs. Elizabeth Witmer:** Regarding section 0.1 of the bill, I move that the bill be amended by adding the following section:

"0.1 Section 76 of schedule 2 to the Regulated Health Professions Act, 1991 is amended by adding the following subsections:

"Reasonable inquiries

"(1.1) An investigator may make reasonable inquiries of any person, including the member who is the subject of the investigation, on matters relevant to the investigation."

....

"Member to co-operate

"(3.1) A member shall co-operate fully with an investigator."

**The Chair (Mr. Shafiq Qaadri):** Thank you, Mrs. Witmer. As committee Chair, I'm advised that I need to rule on the admissibility of this particular amendment, which, as you know, proposes to amend a section of the schedule of a parent act that is not before the committee. I therefore, with regret, rule this motion out of order.

**Mrs. Elizabeth Witmer:** Having anticipated that, I ask for the committee's unanimous consent to consider this motion.

**The Chair (Mr. Shafiq Qaadri):** Ms. Witmer is seeking unanimous consent to consider this motion. Do

we have unanimous consent for the motion? Agreed. You have such consent, Ms. Witmer. Continue.

**Mrs. Elizabeth Witmer:** Thank you very much. What I think we're attempting to do is to be responsive to the college, which has encouraged that the bill be amended in order that we not put people in the province of Ontario at risk. This would clarify the college's investigatory powers. These are the powers utilized by investigators during investigations of physicians in response to concerns that were raised about physicians' practices by patients or other health colleagues. This was a very important amendment that had been brought forward by CPSO and that we're trying to include. Of course, the area that we were trying to focus on was the whole area of cosmetic surgery, where there have been some concerns expressed in the past about situations relating to patients who have died and investigations that have taken place.

**The Chair (Mr. Shafiq Qaadri):** Are there any questions or comments?

**M<sup>me</sup> France Gélinas:** I listened with attention to the deputants who came in front of our committee. We could see that there were dissenting opinions. But when the college came forward and said that they could not get collaboration and co-operation from their members, that was a real shock for me. The college is there to protect the public, and that we have to pass a law that will mandate the members of the college to co-operate with their college is kind of a sad state of affairs.

This being said, I fully support it. If we need the legislative power for this to happen, then I will support it. I'm just really saddened that members of health colleges don't see it as their duty to collaborate with their college.

**The Chair (Mr. Shafiq Qaadri):** Are there any further questions or comments?

**Mr. Bas Balkissoon:** The bill was brought forward by the government as a result, as it was said before, of some problems with cosmetic surgery. We see the bill as improving patient safety and the health care system all together. The opposition has moved an amendment which the government will support. We think that overall it will help the college in executing its job as an investigator.

**The Chair (Mr. Shafiq Qaadri):** If there are no further questions or comments or queries, then we'll proceed to the vote. Those in favour of the PC motion before the floor? Those opposed? PC motion carried.

I'll now proceed to consider, with your permission, sections 1 to 3, inclusive, for which no amendments have been received. Those in favour? Carried.

Shall the title of the bill carry? Carried.

Shall Bill 141, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Carried.

Is there any further business before this committee?

I appreciate how challenging committee meetings can be, but I thank you for your endurance. Committee adjourned.

*The committee adjourned at 1539.*







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