Legal & Legislative Services

May 28, 2009
Sent by fax: 416-325-7578

The Honourable Dalton McGuinty
Premier of Ontario
Legislative Building, Room 281
Queen’s Park, ON M7A 1A1

Honourable and Dear Sir:

Re: Petition Province to include hospitals under jurisdiction of Ombudsman

At the Council Meeting of May 25, 2009, the following resolution was passed, respecting the above referenced matter:

WHEREAS the Ombudsman is the "citizen representative" and the Office of the Ombudsman is responsible for responding to complaints affecting government organizations save and except hospitals, long-term care facilities and children’s aid societies, and

WHEREAS the Office of the Ombudsman has been advocating since 1975 to include hospitals under the jurisdiction of the Ombudsman, but to date, Ontario remains the ONLY Province in Canada who’s Ombudsman has no jurisdiction over hospitals and long-term care facilities, and

WHEREAS hospitals spend more that $20 billion in public money every year in Ontario, and

WHEREAS whether overseeing the police, the military or the Provincial Government, Mr. Marin has stated one of the beliefs that’s closest to his heart is that these bodies don’t exist for their own ends. They exist to serve the public. The public also has great expectations of the checks and balances that exist to keep the system functioning as it should, and

WHEREAS the historical reason for not including hospitals under the Ombudsman Act is extremely weak and is based on the fact they do not fall under the definition because they have their own elected boards, and

WHEREAS a municipal “board of directors” is directly elected by the public and the hospital board is not, and

WHEREAS the Office of the Ombudsman is quoted as saying, “Ontario is the only province in Canada whose Ombudsman does not have a mandate to oversee hospitals. Despite this, the Ombudsman’s Office receives many serious complaints about hospitals every year that cannot be investigated. A total of 276 complaints about hospitals were received in fiscal 2007-2008.”, and

WHEREAS the time has come for the Government of Ontario to include hospitals under the jurisdiction of the Ombudsman Act to ensure a high level of health care, fiscal responsibility, accountability, openness and transparency;

NOW THEREFORE BE IT RESOLVED by the Municipal Council of the Town of Fort Erie that it hereby petitions the Premier of Ontario to take the necessary steps in a timely manner to amend the Ombudsman Act to include hospitals under the jurisdiction of the Ombudsman, and further

THAT: In the event the Premier responds negatively, the Municipal Council of the Town of Fort Erie respectfully requests and expects a full and complete explanation as to why the Province will not amend the Act as requested, and further

THAT: This resolution be circulated to all municipalities in the Province of Ontario for support, and further

THAT: The appropriate persons be so notified of this action. (CARRIED) .../2

Our Focus: Your Future

Mailing Address: The Corporation of the Town of Fort Erie
Municipal Centre, 1 Municipal Centre Drive
Fort Erie, Ontario, Canada L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone (905) 871-1600 Fax (905) 871-4022 Web-Site: www.forterie.on.ca
NOW THEREFORE BE IT RESOLVED by the Municipal Council of the Town of Fort Erie that it hereby petitions the Premier of Ontario to take the necessary steps in a timely manner to amend the Ombudsman Act to include hospitals under the jurisdiction of the Ombudsman, and further

THAT: In the event the Premier responds negatively, the Municipal Council of the Town of Fort Erie respectfully requests and expects a full and complete explanation as to why the Province will not amend the Act as requested, and further

THAT: This resolution be circulated to all municipalities in the Province of Ontario for support, and further

THAT: The appropriate persons be so notified of this action. (CARRIED)

Enclosed please find copies of letters sent to the Ombudsman, Andre Marin and all municipalities in the Province of Ontario.

Although the resolution speaks for itself, the timing could not be more prudent than now to include hospitals in the Ombudsman Act, especially with the uncertainty surrounding the massive restructuring of health services currently underway in Ontario. The public has no right of recourse to lodge complaints about hospital care or services, and to expect a fair and independent investigation. Such action leads to recommendations to improve care and services. Premier McGuinty, the LHIN Boards are famous for chanting “Right Care, at the Right Place, at the Right Time.” We believe including hospitals in the Ombudsman Act will provide the “Right Voice, at the Right Place, at the Right Time.”

We thank you for your considerations herein and are available to assist where appropriate. Please keep us informed of your progress in a realistic manner and not through a form letter. As stated in the resolution, in the event you determine not to move forward, Council respectfully requests and expects a full and complete explanation as to why the Province will not amend the Act as requested.

Yours very truly,

Carolyn J. Keen, A.M.C.T.,
Town Clerk
ckett@forterie.on.ca
C/JK/dlk

c.c. The Honourable David Caplan, Minister of Health and Long Term Care Fax: 416-326-1571
The Honourable Dwight Duncan, Minister of Finance Fax: 416-325-0374
Andre Marin, Ombudsman
Andrea Horwath, Leader of the NDP Fax: 416-325-2770
Kim Craitor, MPP Fax: 416-325-0818
Tim Hudak, MPP and PC Leader Candidate Fax: 416-325-0998
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Randi Hillier, MPP and PC Leader Candidate Fax: 416-325-2166
Frank Klees, MPP and PC Leader Candidate Fax: 416-325-1573
Dr. David Henry, o/b Fort Erie Doctors Fax: 905-871-1221
Dr. Ray Dawes Via email: raydawes@dawes.ca
John T. Teal, Co-Chair, Mayor’s Task Force NHS Improvement Plan Fax: 905-871-9151
Wayne H. Redekop, Co-Chair, Mayor’s Task Force NHS Improvement Plan Fax: 905-894-5356
Betty Lou Souter, Chair, NHS Fax: 905-323-3800
Juanita Gedhill, Chair, LHIN Fax: 905-945-1992
Rick VanSickle, City Editor, St. Catharines Standard Fax: 905-684-6032
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