



September 25, 2009

The Honourable Dalton McGuinty
Premier and Minister of Research and Innovation
Room 281, Main Legislative Building
Queen's Park
Toronto ON M7A 1A1

**RE: MEMORANDUM FROM DR. ROBERT KYLE, COMMISSIONER &
MEDICAL OFFICER OF HEALTH, DATED SEPTEMBER 10, 2009
RE: TOWN OF FORT ERIE RESOLUTION
OUR FILE: L00-00**

The Regional
Municipality
of Durham

Clerk's Department

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Pat M. Madill, A.M.C.T., CMM I
Regional Clerk

Honourable Sir, please be advised the Health & Social Services Committee of Regional Council considered the above matter and at a meeting held on September 23, 2009 Council adopted the following recommendations of the Committee:

"a) THAT the following resolution of the Town of Fort Erie dated May 25, 2009, with respect to amendment of the *Ombudsman Act* to authorize the Ombudsman to investigate public complaints about hospitals, be endorsed:

"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 than \$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

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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 request 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; and

September 25, 2009

- b) THAT the Premier of Ontario, Minister of Health and Long-Term Care, Speaker of the Ontario Legislature, Durham's MPPs, Ontario's Ombudsman, Chief Medical Officer of Health, alpha, and all Ontario boards of health and municipalities be so advised."



Pat M. Madill, AMCT, CMM III
Regional Clerk

PMM/lf

- c) The Honourable D. Caplan, Minister of Health & Long-Term Care
S. Peters, Speaker of the Ontario Legislature
R. Johnson, MPP (Haliburton-Kawartha Lakes-Brock)
W. Arthurs, MPP (Pickering/Ajax/Uxbridge)
C. Elliott, MPP (Whitby/Ajax)
J. O'Toole, MPP (Durham)
J. Ouellette, MPP (Oshawa)
J. Dickson, MPP (Ajax/Pickering)
A. Marin, Ombudsman of Ontario
A. King, Chief Medical Officer of Health
L. Stewart, Executive Director, alpha
Ontario Boards of Health
Ontario Municipalities
R.J. Kyle, Commissioner & Medical Officer of Health