

April 23rd, 2007

Delivered via Courier and e-mail

Mr. Trevor Day, Clerk
Standing Committee on Social Policy
Legislative Assembly of Ontario
Room 1405, Whitney Block
Queen's Park, Toronto, ON M7A 1A2
trevor_day@ontla.ola.org

Dear Mr. Day,

The College of Midwives of Ontario is pleased to submit the following response to the amendments and acts addressed by Bill 171. As the body that regulates the midwives who provide care to in excess of 9,000 women and their infants in Ontario each year, we support the Bill in principle and commend the government's efforts in bringing this important legislation forward.

We would like to begin by stating that we concur with the comments provided by the Federation of Regulatory Health Colleges of Ontario, which we believe has adequately represented the general and the more technical benefits of the proposed legislation, and has made suggestions that we feel are valid and useful.

There are a number of proposed amendments that we view as being positive steps for both our members and the public. In particular, we were pleased to see that:

- the College will be authorized to pass regulations with regards to drug categories;
- up to two years has been allowed for the proclamation to come into force in order to allow for necessary adjustments to the College's regulations and processes;
- there is provision for confirming publicly whether or not the College is investigating a member where there is "compelling public interest" to do so;
- the time frame for investigating complaints has been increased;
- a member's non-cooperation is explicitly defined as professional misconduct;
- fines for breaches have been increased in order to make them more of a deterrent;
- "harm" has been defined as "serious bodily harm" with the intent to include and address psychological harm.

With regards to profession-specific benefits and limitations to the proposed amendments, we would submit the following:

The Ambulance Act (Schedule A)

We would recommend that midwives, as primary care providers, be empowered to provide care to women and infants during ambulance transfer; be able to direct the ambulance to a particular facility; and be able to give orders to ambulance personnel regarding the care of a woman or infant.

Maximum Term of Council Members

We are concerned that an absolute maximum of nine years is being proposed as the limit that any one individual could serve on Council. Since we are a relatively small College, this limitation could make it difficult to find members who are willing and qualified to serve.

We would recommend that the maximum years of service on Council be reconsidered, and that members who will have reached their maximum number of years of service at the end of the transition period not be removed summarily from their positions.

Information Gathering for Health Human Resources Purposes

While we applaud the government's efforts to collect the very relevant data needed for informed health human resources planning, we are concerned that the requirement to collect this data through the College may have significant cost implications.

We would welcome the opportunity to work with the government on developing our capacity for information gathering, but would ask that provision be made by the Ministry to directly defray the costs of this work.

Transparency

While we are pleased with the changes to the way that the College will be required to store and present information to the public, we are anxious that Code ss. 3.1(2) permit the College to refuse bulk requests for electronic information about its members.

Omissions

Regulation-Making Process

We feel strongly enough about the need to improve the Ministry's regulation-making process that we would like to reiterate the concerns expressed in the Federation submission. Delays, particularly to regulations that deal with clinical standards of practice, not only impede our ability to effectively carry out our statutory duties but represent real and significant impediments to the protection of the public.

Of particular concern is the fact that this already over-burdened system will now not only be required to address changes for each one of the twenty-one colleges necessitated when Bill 171 is proclaimed into force, but to bring into being the regulations for four new colleges and five new professions at the same time.

We would ask that reassurances about the operational issues be provided, along with an opportunity for participation in making improvements to the system.

Public Members

We believe that issues relating to the selection and education of public Council members must be addressed and were disappointed to see that they were not.

We would ask that the Ministry provide information regarding proposed programs or projects that will be targeted at improving the selection and education process in order to allow public members to contribute more fully to Council.

Scope of Practice

While we appreciate that this Bill has made significant steps in many areas, we are disappointed that it does not address the need for proposals to set up processes to deal with scope of practice issues, controlled acts, or inter-professional collaboration.

There are a number of specific scope of practice amendments that are required to bring the regulations guiding the practice of midwives in Ontario in line with the accepted clinical standards of midwives in other regulated jurisdictions in Canada.

We are seeking reassurance that the government has the capacity to deal with the volume and scope of changes that will result from the proposed amendments, and look forward to working collaboratively to make these required changes in a way that is efficient and timely.

We are optimistic that, once proclaimed and enacted, Bill 171 will enhance the College's ability to serve both the public and our members. We look forward to working with the Ministry to see the needed changes put into operation.

Sincerely,

Original Signed

Mylene Shields, BHSc, RM
President

c.c. Federation of Regulatory Health Colleges of Ontario
Ontario Midwifery Program
Health Professions Regulatory Policy And Programs Branch - Regulatory Program Unit
College of Midwives of Ontario Council