

# Chiefs of Ontario



## HEALTH SECTOR UPDATES

### Health Forum 2023





- The Health Sector has welcomed a few new faces to the COO Health team over the year and we are almost at a full staff complement.
- With the hiring of additional staff, we are in the beginning stages on the Health Human Resource strategy. Staff have begun reviewing background documents, and having introductory meetings internally to ensure a comprehensive approach is taken on this. Future updates will be provided on this work.
- We recently held a strategic planning session with both the HCU and the OCCOH, it was a very fulsome discussion and one of many that we will be having to further develop a strategic plan.
- The Leadership Council, have developed a new advocacy strategy, and will be attempting some targeted advocacy with some health items, LTC and the privatization of services are some of the items to be discussed, and we will be supporting them on a technical level.
- With the acceptance of the federal health funding proposal, we have will be advocating, along with leadership, for any future discussions to include First Nations leaders and experts.

**A LIST OF ALL HEALTH SECTOR STAFF CAN BE FOUND IN YOUR AGENDA BOOKLET**



# **DISTINCTION-BASED INDIGENOUS HEALTH LEGISLATION (DBIHL)**

# Background



- Prime Minister of Canada mandated the Minister of Indigenous Services (ISC) to "co-develop distinctions-based Indigenous health legislation, backed with the investments needed to deliver high-quality health care for all Indigenous peoples".
- The September 2020 Speech from the Throne affirmed the Government of Canada's commitment to "expediting work to co-develop distinctions-based Indigenous health legislation with First Nations, Inuit and the Métis Nation."
- In support of this work, the 2020 Fall Economic Statement announced \$15.6 million over 2 years, starting in 2021.
- To co-develop distinctions-based Indigenous health legislation, Indigenous Services Canada will work collaboratively with First Nations, Inuit and Métis Nation partners. Engaging provinces and territories and their main health authorities will also be a necessary aspect of the co-development process.
- Engagement for the co-development of distinctions-based Indigenous health legislation was officially launched at the January 27 and 28, 2021 National Dialogue on Addressing Anti-Indigenous Racism in Canada's Health Systems.



# Current Status



- While there have been a few more meetings regarding DBHIL in the few months of this calendar year, there continues to remain a significant gap of information and communications from ISC.
- *Chronology includes:*
- “Open Dialogue Session” (February 23<sup>rd</sup>, 2022) which COO staff was unable to attend due to conflict with our Annual Health Forum
- Draft Report provided to First Nations in May 2020 and subsequently shared with the COO Health Coordination Unit (HCU) and Ontario Chiefs Committee on Health (OCCOH) in June 2022
- As part of their Annual General Assembly, the Assembly of First Nations (AFN) hosted a special Health Legislation dialogue session on July 4, 2022, which was open to all First Nations and AGA delegates
- On September 1, 2022, ISC released the second draft of the “What We Heard” report which summarizes the most recent feedback from First Nations/Inuit/Metis who participated in engagement sessions
- Health Director Tobi Mitchell and Senior Health Advisor Lily Menominee-Batise attended a virtual “Co-Analysis Working Group” meeting on September 7, 2022, to review the 10 key themes identified in the What we Heard document. This working group is a joint committee facilitated by ISC and includes Pan-Indigenous representatives (First Nation/Metis/Inuit) on a national level





# Issues



- Despite these recent meetings, and as per previous COO Health Coordination Unit and Ontario Chiefs Committee on Health Briefing Notes, there continues to remain a number of unanswered questions and significant areas of concern:
- What will be the structure of the proposed “co-analysis” process and who will be involved in negotiations?
- First Nation Leadership have already expressed issues regarding “co-development” (as per the All Ontario Chiefs Conference Resolution 13/19)
- Where and how is “distinction-based” truly being recognized? We are not Indigenous – we are First Nation. In previous discussions with ISC, First Nations across Canada also expressed the need for separate legislation which respects our distinct voice and distinct Treaty Rights
- There is now an extension to 2024 with the Department of Justice requiring work to be completed by Spring/Fall 2023. How will First Nations be guaranteed a voice and influence in the implementation and evaluation of any proposed Legislative pieces?
- In addition, should First Nations and Indigenous Services Canada achieve a mutual level of understanding and agreement on new Health Legislation standards, how will enforcement and compliance be addressed? First Nation authority and capacity for remediation is critical.

# UPDATES



- On January 13, 2023, the Minister of Indigenous Services Canada officially released the “What we Heard” document based on engagement sessions with First Nation, Inuit and Metis. A copy of this document is available on the COO Health Portal
- ISC has also indicated that they are still interested in receiving input from First Nations in Ontario to contribute, if you haven’t done so already. The link to the engagement guide is [Engagement guide: Co-developing federal distinctions-based Indigenous health legislation \(sac-isc.gc.ca\)](https://sac-isc.gc.ca)
- On February 27, 2023, the COO Health Secretariat will be hosting a hybrid session in conjunction with ISC (Headquarters and Ontario Region) and AFN specific to the proposed DBIHL from 7:30am – 5pm



# **FIRST NATION DIGITAL HEALTH ADVISORY (FNDHA)**



**CHIEFS  
OF ONTARIO**



# FNDHA - Background



- FNDHA is a national joint committee with Indigenous Services Canada and Canada Health Infoway
- It is comprised of First Nation representatives from the various jurisdictions across Canada and Chaired by the Assembly of First Nations
- The mandate FNDHA is to create a forum to solicit informed and collaborative recommendations on how to enhance First Nation access to digital/virtual health services



CHIEFS  
OF ONTARIO

# FNDHA – Current Status



- While Ontario has a robust digital health process for First Nations through the First Nation Digital Health Ontario (FNDHO), this is not the case for many other Regions
- Recent work has focused on the development of a National Business Case which was drafted in May 2022
- A meeting was hosted by AFN and ISC in Toronto, Ontario, with participation of most of the First Nation regions. Resulting recommendation is to have a 3<sup>rd</sup> party consultant continue work on development and validation of the draft Business Case, due March 2023

# Mental Health and Addictions



## Stories From Our Roots

OFNYPC and COO Health Sector collaborating on proposal development for a First Nations Youth-directed suicide awareness program, and expansion of Youth photovoice training programs, to be funded by the Ontario MOH for 2022/23.

## Pandemic Response

COO collaboration with RNAO, NAN, and CAMH, to continue a series of webinars on Traditional healing and impacts of COVID-19 for health care providers. Six sessions have been presented to date.

Research:

- Opioid Use and Related Harms: Communications and Project Liaison has been engaged, has begun work with Steering Committee for Recruitment of Circle of Lived Experience to take an active role in the knowledge sharing activities and updates on research related to Opioid Use for First Nations communities; progress impeded by challenges with attaining quorum at meetings
- Mental Health Systems Performance Measurement Final report completed – Report to be released early Spring 2023

## Resolution 18/18: Health Human Resources Strategy

As recommended by the MHAWG, a cross-government/cross-sectoral approach was the basis for a two-year proposal to ISC which was approved in March 2022; a Project Lead position has been posted but has had no candidates to date. Work will involve a Task force to identify needs and advocate for training resources, and to develop a comprehensive and responsive First Nations workforce to address mental health and addictions through traditional and western approaches.



**CHIEFS**  
OF ONTARIO

# The Year Ahead:



- Pending final determination of the future of trilateral process, will work to develop approaches to address regional priorities to effectively address Mental Health and Addictions issues common to Ontario First Nations
- Implementation of Health Human Resource Strategy Task Force with cross-sector and cross-government collaboration; monitor ongoing needs for additional Mental Health and Addictions treatment and access to services in light of impacts of IRS and COVID-19;
- Advocate for First Nations involvement in implementation of policies and strategies such as the Roadmap to Wellness and First Nations Mental Wellness Continuum Framework; access to funding initiatives from federal and provincial government.
- Collaborate with RNAO to develop renewal of Partnership and identify joint priorities;
- Liaise with Public Health Working group to identify and advocate for expanded wholistic mental health supports;
- Continue to participate at AFN Mental Wellness Committee.
- Continue to advocate for strong relationship building between all levels of government.



# LONG TERM CARE



# PROVINCIAL



- Bill 7, More Beds, Better Care Act, 2022 received royal assent on August 31, 2022.
- Bill 7 applies to alternate level of care (ALC) patients who occupy hospital beds while they wait for an available bed in a long-term care home of their choosing.
- If a bed is unavailable in a patients long-term care home of choice, they will be pressured to take a bed in another available facility until a bed opens up in the home of preference.
- Bill 7 is straightforward in its goal of removing the requirement that hospitals must receive consent before carrying out actions such as determining a patients eligibility for a long-term care home, selecting a home and authorizing their admission to a home.
- If consented, patients in Southern Ontario can be transported up to 70km from their homes and up to 150km in Northern Ontario.
- Patients will be charged \$400 per day if they choose to remain in hospital beginning on November 20, 2022.
- The Leadership Council will be advocating for an exemption to Bill 7 for First Nations to ensure that citizens will not be forcefully removed from their communities while awaiting bed placements.





# FEDERAL:

- Budget 2019 provided \$8.5M for Indigenous Services Canada (ISC) to work with First Nations on developing a new and more holistic long-term and continuing care strategy that could cover the full spectrum of services from supports for people living with disabilities, aging in place approaches, to improvements to facility-based care, and could include services for those previously served under Jordan's Principle
- Chiefs of Ontario is assisting ISC in facilitating the engagement process for Ontario First Nations. Proposals were submitted by organizations and communities interested in participating in the engagement. Engagements are now complete and we are currently awaiting on the last couple reports to roll in.
- ISC is working with the Ontario Native Welfare Administrators Association (ONWAA) and the Northern Ontario Research, Development, Ideas and Knowledge (NORDIK) to facilitate the amalgamation of these distinctions-based and regional engagement reports into a singular national summary report. The reports were presented at a "validation workshop" with engagement partners on February 22 & 23, 2023 in Sault St Marie.
- The Chiefs of Ontario has submitted a proposal to ensure the Long Term Care needs of Ontario First Nations remains prevalent in the National process through coordinating the development of a roll-up report for the Ontario region for submission. Work on this will be completed through July 31, 2023.
- Work will begin in fiscal year 2023-2024 to develop policy options for cabinet submission on the implementation of a new continuum of long-term care services.



# HOME AND COMMUNITY CARE

- The Ministry of Health has created a new legislative framework to guide the delivery of home and community care services in the Province.
- This includes the proclamation of Bill 175, the Connecting People to Home and Community Care Act, 2020 and the recent filing of O. Reg. 187/22, under the Connecting Care Act, 2019.
- The Home Care and Community Services Act, 1994 and its regulations will be repealed and no longer in force. The provisions of the new Home and Community Care Services Regulation came into force May 1 and September 1, 2022.
- Under this new legislative framework, the Ministry of Health has added two new services for delivery for Indigenous patients; Traditional Healing and Indigenous Cultural Support Services. It is a requirement in the regulation that Traditional Healing and Cultural Services be delivered by Indigenous persons or organizations.
- The Ministry of Health has proposed updating funding agreements with communities to make technical changes in language and to include the new funded services in the agreements
- The ministry is working with First Nations communities to update their funding agreements to reflect the new legal framework where relevant. Following meetings with First Nations home and community care coordinators in December 2022, the Ministry of Health struck a sub-working group comprised of interested communities.
- A total of 25 communities have volunteered for the sub-working group and have attended a total of 4 meetings through January and February 2023 to participate in a joint review of key themes and provisions in the new Regulation to determine if/how they can be applied to the ministry-community agreements. They reviewed things such as scope of services, service eligibility and care coordination amongst others.
- The next step is to report back to all communities for their consideration and input. It is the Ministry's hope to have the new agreements in place by April 1, 2024 latest.



# **TRILATERAL FIRST NATIONS HEALTH SENIOR OFFICIALS COMMITTEE**



- The Trilateral First Nations Health Senior Officials Committee (TFNHSOC) was a regional trilateral table comprised of First Nations, Federal and Provincial Senior Officials created to strengthen government-to-government relations and address First Nations health challenges. The table met quarterly to focus on mutually identified priority areas.
- TFNHSOC has not met since the Provincial election in 2018. All parties agreed that a full review of the table was necessary to determine the efficacy and relevance of moving forward with the TFNHSOC. In September 2021, Consulting Matrix was hired to perform the review.
- Consulting Matrix spent months reviewing and analyzing critical documentation and interviewing current and past representatives in order to analyze the distinct First Nations, Provincial and Federal perspectives. This included representatives of the Mental Health and Addictions Working Group and Public Health Working Group.
- A detailed report with options for moving forward was completed and presented in June 2022. The Ontario Chiefs Committee on Health is to deliberate alongside their HCU technicians to make a formal decision regarding the future of TFNHSOC





# **PUBLIC HEALTH & EMERGENCY MANAGEMENT**



**CHIEFS**  
OF ONTARIO



- **COVID-19.** Completion of Communiques-Updates to Leadership and Health Directors-topics inclusive of Bivalent Vaccines, Fall COVID Safety Measures, Pandemic Planning, etc.
- **Relationship Building:** Opportunity to advise the Chief Medical Officer of Health-Report on strengthening the Ontario Public Health System by participating on the CMOH Advisory Committee. Advancing opportunities for relationship building with Public Health Units, PHAC, OPHA, CPHA, Public Health Ontario, and RNAO.
- **Membership:** Participates as Ontario representative on the National Public Health Experts Committee (AFN). Member of Communicable Disease Working Group (FNIHB) and Indigenous COVID-19 Working Group. Member of the Advisory Committee: Chiefs of Ontario COVID-19 Lessons Learned Project.
- **Facilitates** Trilateral Briefings with First Nations PTO Health Directors, MOHLTC, FNIHB-OR, IAO, COO, and others as required. Topics included: vaccination awareness, testing, masking, pandemic planning resources, etc.
- **Education and Advocacy:** For communities to enhance health determinants through a strengthened First Nation-led public health model.
- **Research:** Member of Educating for Equity Working Group: CIHR Project Agreement COO, Western U. Thunder-Bay Regional Health Centre



## **Emergency Management:**

- Participates in Emergency Management Joint Calls (Fire and Flood)
- Participates as a member of the Joint Emergency Management Service Committee (JEMS)
- Provides briefings to the Ontario Regional Chief in relation to Emergency Events affecting First Nations.
- Supports communities when requested in their preparedness efforts against threats to health. This may include updates to all-hazard emergencies and pandemic plans.
- Provides education opportunities for students registered within an Indigenous studies program through a practicum placement in either Public Health or Emergency Management.

**Public Health Future Direction and Next Steps: To be determined** pending mandate received from OCCOH and TFNHSOC Evaluation outcome.

# **NON-INSURED HEALTH BENEFITS**



**CHIEFS  
OF ONTARIO**



- Health has expanded its' NIHB navigators from 2 to 4. The new NIHB navigators were introduced via communique to First Nation Health directors at the end of September 2022.
- In support of Resolution 21/25, *Non-Insured Health Benefits Program Improvement*. Health has written corresponding to ISC and AFN calling for immediate changes to the NIHB program, reform of the Joint Review and the establishment of an Ontario region NIHB review process.
  - Health is actively seeking follow-up responses from the AFN and ISC on its letters.
- Health is working with NIHB-Ontario Region on establishing an Ontario Region – Technical Table on NIHB. Health is hoping to start the table in Spring 2023.

# JORDAN'S PRINCIPLE



CHIEFS  
OF ONTARIO





- Health has been actively monitoring the Jordan's Principle file from the developments in on-going Canadian Human Rights Tribunal proceedings and the work being undertaken at the Final Settlement Agreement negotiation on the long-term reform of First Nation Child and Family Services and Jordan's Principle (January 2022).
- Health regularly meets with ISC-Ontario Jordan's Principle Team to address and advocate for changes to how Jordan's Principle is being implemented. As well, Health also advocates for Jordan's Principle improvements at national level tables such as the Jordan's Principle Operation Committee.
- In support of Resolution 21/05, *Ontario First Nations Jordan's Principle Operation Committee*. Health held a meeting at the end of the November 2022 to begin discussions with First Nation technicians on identifying First Nation priorities for a technical table on Jordan's Principle. ISC-Ontario Jordan's Principle Team joined the meeting to begin listening and understanding First Nation priorities for Jordan's Principle.



FOR FURTHER INFORMATION, PLEASE  
CONTACT:

TOBI MITCHELL, COO DIRECTOR OF  
HEALTH

[Tobi.Mitchell@coo.org](mailto:Tobi.Mitchell@coo.org)

Nia:wen/Thank you