

November 27, 2019

COR/2019/083515

Dear Applicant:

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: HCS/145/2019]

On October 29, 2019, the Department of Health and Community Services (the Department) received your request for access to the following records:

*“Any and all messaging prepared for the fall sitting of the house of assembly.
This includes key messages for the Minister and binders.”*

I am pleased to inform you that a decision has been made by the Department to provide access to the requested information.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (the *Act*). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act*.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact the undersigned by telephone at 709-729-7010 or by email at MichaelCook@gov.nl.ca.



Government of Newfoundland and Labrador
Department of Health and Community Services

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Cook".

Michael Cook
Manager of Privacy and Information Security
/Enclosures

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42 , the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).

**QP Issue Note
Health and Community Services
October 16, 2019**

ISSUE: Cataract Surgery

The Department of Health and Community Services announced its plan to allow all ophthalmologists to perform cataract surgeries using hospital operating rooms and their own approved clinics. There will be no out-of-pocket cost to patients whether they choose a hospital or an approved clinic for their surgery.

ANTICIPATED QUESTIONS:

When will these surgeries start?

When will people be reimbursed for paying out of pocket for these surgeries?

KEY MESSAGES:

We are in the final stages of developing the criteria to ensure clinics meet appropriate standards for patient safety and care.

The payment structure has been negotiated with the Newfoundland and Labrador Medical Association.

People who paid out of pocket for cataract surgeries will be reimbursed. Details regarding the reimbursement process will be released in November.

Approved by:

Andrea McKenna, Assistant Deputy Minister
Karen Stone, Deputy Minister
Hon. John Haggie

**QP Issue Note
Health and Community Services
October 16, 2019**

ISSUE: Eye Injections

Physicians, patients, and patient support groups are calling on government to remove the maximum dosage cap on intravitreal injections. The CNIB issued a news release calling the cap shortsighted and the cause of unavoidable blindness because ongoing treatment is available for all Canadians except in Newfoundland and Labrador, which is the only province that puts a cap on treatment.

ANTICIPATED QUESTIONS:

Will you remove the cap?

When will it be lifted?

KEY MESSAGES:

We are reviewing the evidence and considering removing the cap on Lucentis. We are also exploring options to provide Avastin as a first line treatment.

We met with the CNIB to discuss their perspective and we heard their concerns about treatment options for those with eye diseases.

Any decision we make on Lucentis and Avastin will be done in consultation with physician stakeholders and community partners.

Approved by:

Paul Smith, Assistant Deputy Minister
Karen Stone, Deputy Minister
Hon. John Haggie

**QP Issue Note
Health and Community Services
October 16, 2019**

ISSUE: Medical Transportation Assistance Program

There are numerous complaints about the Medical Transportation Assistance Program since it was transferred to the department. Backlogs developed, claim processing times increased, and people were unable to get through via the dedicated phone line. These issues have since been addressed.

ANTICIPATED QUESTIONS:

Why are people having such a difficult time accessing medical transportation services?

Why are people waiting so long to receive payments for reimbursement?

KEY MESSAGES:

We acknowledge the challenges and apologize for any delays people may have experienced.

We are committed to improving the program and service delivery.

We have made significant progress and we will continue to do so.

Approved by:

Paul Smith, Assistant Deputy Minister

Karen Stone, Deputy Minister

Hon. John Haggie

**QP Issue Note
Health and Community Services
October 16, 2019**

ISSUE: Doctor Recruitment and Retention

Media regularly report on doctor shortages and the impact these shortages are having in communities throughout the province. There have been repeated calls for government and the regional health authorities to do something to address the shortages. The Newfoundland and Labrador Medical Association have called on government to work with them and hire more doctors.

ANTICIPATED QUESTIONS:

Why are there so many vacancies?

What is government doing to improve recruitment and retention?

KEY MESSAGES:

Recruitment and retention is challenging here, just as it is across Canada. There are 1,231 doctors practicing in Newfoundland and Labrador. We are above the national average. Our issue is access.

Work is ongoing with the regional health authorities, the Newfoundland and Labrador Medical Association, Memorial University and the Family Practice Renewal Program to find solutions that work. Different things work for different communities.

We are speaking with frontline staff in some clinics to understand the issues facing them. We are also setting up community advisory committees throughout the province. Work to address these shortages includes establishing primary health care teams province-wide, building up Telehealth, expanding the role of virtual care, and enhancing the bursary program to help keep medical school residents and graduates working here at home.

Approved by:

Andrea McKenna, Assistant Deputy Minister
Karen Stone, Deputy Minister
Hon. John Haggie

**QP Issue Note
Health and Community Services
October 16, 2019**

ISSUE: Seniors' Advocate Report

On Wednesday, September 25, 2019, Dr. Suzanne Brake released her report entitled Long May Your Big Jib Draw: Setting Sail. Since her office was first created in 2017, Dr. Brake has visited with many seniors and seniors' groups throughout the province. The report is a summary of her findings. It contains 12 actions related to health care.

ANTICIPATED QUESTIONS:

Is the department moving on these 12 actions?

What is the department doing to help seniors in the province?

KEY MESSAGES:

We have reviewed the report and appreciate the work of Dr. Brake. The Office of the Seniors' Advocate plays an important role in conveying the real concerns facing seniors in our province.

Significant work is already underway on the recommendations in the report.

We will continue to work with Dr. Brake, seniors in our communities, community groups, and the regional health authorities to address the concerns of seniors.

Approved by:

Heather Hanrahan, Assistant Deputy Minister
Karen Stone, Deputy Minister
Hon. John Haggie