

February 14, 2020

COR/2020/085390

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/018/2020]

On February 7, 2020, the Department of Health and Community Services (the Department) received your request for access to the following records:

“A list of briefing materials prepared for the deputy minister or the minister for the month of January 2020.”

As discussed, the list excludes cabinet secretariat briefing material. I am pleased to inform you that a decision has been made by the Department to provide access to most of the requested information as follows:

- Decision/Direction Note - Contract Transfer from Young's Ambulance Service to Collins' Ambulance Service
- Information Note - Proposed Advanced Care Paramedic Training Program
- Decision Note - Proposed Changes to Income Test Financial Assessment Policies
- Information Note - Awarding of the Agnes Cowan Hostel Demolition Tender
- Meeting Note - NL Association of the Deaf, January 21, 2020
- Meeting Note - Meeting with [REDACTED] s. 40(1) - Conversion Therapy, January 15, 2020
- Decision/Direction Note - Posters to promote uptake of home based dialysis modalities
- Decision/Direction Note - Secondment to support Dementia Care Action Plan and quality improvement initiatives in the Long Term Care Program
- Decision/Direction Note - Temporary Part Time Health Consultant position to advance occupational and physiotherapy service delivery improvement opportunities
- Information Note - Canadian Institute for Health Information Provincial/Territorial Data Quality Report

- Decision/Direction Note - Opioid Dependency Therapy (ODT) Sessional Request from Western Health
- Information Note - Canadian Union of Public Employees news release pertaining to conditions of work in long term care facilities
- Decision/Direction Note - The Gathering Place - Request for Additional Funding
- Information Note - Service Level Agreement and Home Support Agency Standards
- Meeting Note - NAPE - Staff shortage long term care, January 29, 2020
- Decision Note - Electronic Software Solution Home Support Program

Access to the remaining information contained within the records has been refused in accordance with the following exceptions to disclosure as specified in the Access to Information and Protection of Privacy Act (the Act):

Disclosure harmful to the financial or economic interests of a public body

35. (1) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose:

(d) information, the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in significant loss or gain to a third party; or

(g) information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body.

Disclosure harmful to personal privacy

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

Please advised that one information note was withheld in its entirety under s. 35(1)(d)(g).

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



Government of Newfoundland and Labrador
Department of Health and Community Services

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.

Sincerely,

A handwritten signature in black 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).