

Bill 10

The Regional Health Authorities Amendment Act

(Health System Governance and Accountability)

.....

Spring 2021



Definitions

Definitions under the Act:

- **health authority** means any of the following:
 - (a) the provincial health authority,
 - (b) the cancer authority,
 - (c) a regional health authority
- * Not under legislation, but we also call these 7 organizations Service Delivery Organizations (SDOs)
- **health corporation** means
a corporation which owns, operates or maintains a hospital or personal care home
- **health care organization** means a person or group of persons that delivers health services, but does not include a health authority, health corporation or health care provider;

Purpose:

Summary of Bill 10

- Rename The Regional Health Authorities Act to:
 - The Health System Governance and Accountability Act
- The major legislative change related to the health system transformation
- Begins with the existing Regional Health Authorities Act and amends it significantly
- Outlines the roles and responsibilities for:
 - The five Regional Health Authorities;
 - CancerCare Manitoba; and
 - Shared Health
 - all exist as separate legal entities
 - all of these organizations are peers
 - Shared Health is not a superior organization to the others
- All seven of these organizations have the same accountability structure under the act
- Outlines the respective authority of each organization
- Provides that all seven of these Health Service Delivery Organizations are integrated into the health system governance structure and subject to the same accountability framework

Purpose:

Summary of Bill 10

- The Bill will repeal The CancerCare Manitoba Act and continue CancerCare Manitoba as the cancer authority under the renamed Regional Health Authorities Act.
- The Bill will repeal The Addictions Foundation Act on a date fixed by proclamation.
- Upon the repeal of The Addictions Foundation Act, the Addictions Foundation (AFM) will no longer exist as a separate entity and the Bill will transfer the operations, property, liabilities, etc. of AFM to Shared Health.
- If it is determined that some components of AFM's programming may be better transitioned to RHAs, the Bill will enable these components to be transitioned to the RHAs.
- The Bill will also repeal the outdated Hospitals Act.

Purpose: Summary of Bill 10

- The Amendments will:
 - Make Shared Health a provincial health authority
 - Shared Health has 3 delegated functions from the department
 - Shared Health becomes a statutory corporation (rather than a corporation under the Corporations Act which Diagnostic Services of Manitoba previously was)
 - Enable the Lieutenant Governor in Council to transfer provincial responsibilities relating to the delivery of health services to a health authority and to transfer operations, activities and property from one health authority to another if necessary

Purpose:

Summary of Bill 10

- Provides a robust accountability framework for RHAs, CancerCare Manitoba, and Shared Health, including requiring them to enter into accountability agreements.
- Enables the standardization of service purchase agreements (SPAs) between the health authorities and health corporations:
 - Allows for a distinct format for faith based however, while that is there in the legislation, we have been able to establish a single integrated SPA with the support of faith-based organizations that participated in the process

Provincial Health Authority

Shared Health

Provincial Health Authority (Shared Health) – Key Duties

Shared Health has 3 delegated functions from the department:

- 1) Prepare for the minister's approval:
 - (i) successive five-year provincial clinical and preventive services plans respecting the delivery of health services in Manitoba, and
 - (ii) annual updates to those plans and any additional updates required by the minister;
 - 2) Develop provincial health human resources plans for approval by the Minister
 - 3) Prepare for the minister's approval an annual provincial capital plan that is based on the provincial clinical and preventative services plan (PCPSP), assist other health authorities in preparing capital proposals and oversee major, publicly funded health capital projects;
- Shared Health's role is to recommend these plans to government with involvement and engagement of SDOs and Service Providers. Shared Health's board does not approve the CPSP, Health Human Resources Plan or the Capital Plan.
 - Shared Health Board of Directors oversees the operations of Shared Health and approves Shared Health's **own** annual strategic and operational plans.
 - The Shared Health Board of Directors does not approve the plans of the other service delivery organizations.

Provincial Health Authority (Shared Health) Responsibilities

- Developing and recommending **clinical standards** for the delivery of health services in the health system to the department
- The Clinical Governance processes that Shared Health is developing for use by all SDOs will help support the widespread adoption of provincial clinical standards.
- Administering and delivering, or providing for the delivery of, provincial health services in accordance with the Act, the provincial clinical and preventive services plan and the authority's approved strategic and operational plan;
- Administering and delivering, or providing for the delivery of, **provincial administrative and support services** determined by the Minister.

Provincial Health Authority (Shared Health) – Key Duties

- Because it also delivers services, Shared Health will prepare a strategic and operational plan (SOP) for Ministerial approval and manage and allocate resources in accordance with the Act and the authority's approved strategic and operational plan;
- Shared Health's board approves **this** SOP, because its Shared Health's own plan of how it proposes to run its own operations.

Cancer Authority

CancerCare Manitoba

Cancer Authority

CancerCare Manitoba - Responsibilities

- Administering and delivering, or providing for the delivery of, health services relating to the prevention, diagnosis and treatment of **cancer in accordance with the provincial clinical and preventive services plans (PCPSP)** and the authority's approved strategic and operational plan;
- **Facilitating or conducting** cancer research
- **Participate in** the preparation and updating of provincial **clinical and preventive services plans (PCPSP)**;
- **Participate in** Provincial Health Authority (Shared Health) **provincial administrative and support services**

Cancer Authority

CancerCare Manitoba – Key Duties

- Prepare a strategic and operational plan for Ministerial approval and manage and allocate resources in accordance with the Act and the authority's approved strategic and operational plan;
- Establish clinical standards for the delivery of health services related to the prevention, diagnosis and treatment of cancer, and update those standards; (the Clinical Governance processes established by Shared Health and used by all throughout the province will support this)
- Deliver directly, and cooperate with others, including government departments and agencies, in the delivery of cancer-related health services;

Cancer Authority

CancerCare Manitoba – Key Duties

- Report cases of cancer and record, compile and analyze data relating to cancer;
- Facilitating or providing public education regarding cancer prevention, diagnosis and treatment; and
- Studying hazards arising from the use of ionizing radiation equipment and radioactive materials in Manitoba and developing measures to address those hazards.

- Monitor and evaluate
 - (i) the delivery of cancer-related health services by itself and the other health authorities, and by health corporations, and
 - (ii) compliance by it and, by the other health authorities and by health corporations, with the PCPSP, provincial objectives and priorities, clinical standards insofar as it relates to cancer-related health services

5 Regional Health Authorities (RHA)

Interlake Eastern RHA
Northern RHA
Prairie Mountain Health
Southern Health/Santé Sud
Winnipeg Regional Health Authority

RHA - Responsibilities

- Each RHA is responsible for administering and delivering, or providing for the delivery of, **health services in its health region in accordance with the Act, the PCPSP** and the authority's approved strategic and operational plan.
- **Participate in** the preparation and updating of provincial **clinical and preventive services plans (PCPSP);**
- **Participate in** Provincial Health Authority (Shared Health) provincial **administrative and support services**

RHA Key Duties

- Prepare a strategic and operational plan for Ministerial approval and manage and allocate resources in accordance with the Act and the authority's approved strategic and operational plan
- Promote and protect the health of the population of its health region and develop and implement measures for the prevention of disease and injury in accordance with the provincial clinical and preventive services plan;

RHA Key Duties

- Monitor and evaluate
 - (i) the delivery of health services by it and by any health care organization or health corporation delivering health services on its behalf, and
 - (ii) compliance by it, and by any health care organization or health corporation delivering health services on its behalf, with the PCPSP, provincial objectives and priorities, regulatory standards and clinical standards;

Additions to the Legislation

- Enhanced Accountability
And Clarified Authority

Accountability Agreements

- Each Health Authority / Delivery Organization will be required to enter into an accountability agreement with the Minister that is for a term of at least one fiscal year;
- Any non-compliance with the accountability agreement by the health authority is a failure by the organization to properly carry its responsibilities and duties or exercising its powers under the Act – can result in Ministerial directions to health authority;
- Transparent: Agreements to be posted on Manitoba Health, Seniors and Active Living (MHSAL) and Health Authority websites.

Accountability Agreements

Agreements must include terms:

- ensuring that the health authority will operate within the annual budget allocated to it by the Minister;
- requiring any operating agreement or service purchase agreement entered into by the health authority with a health care organization or health corporation to be in a form approved by the minister;
- ensuring that funding provided by the health authority for salaries of the executive management of health care organizations and health corporations will be in accordance with guidelines approved by the minister;
- requiring the minister's approval before the health authority assumes any debt or payment obligations from a foundation or other third party; and
- addressing any other matters directed by the minister.

Other Relevant Items

Strategic and Operational Plans

- To be submitted by each Health Authority for each fiscal year, within the time and in the form specified by the Minister
- The plan must be consistent with the PCPSP, provincial health human resources plan, and the provincial capital plan

Strategic and Operational Plans

Plans must:

- (a) state the authority's objectives and priorities (which must incorporate any applicable provincial objectives and priorities) for the provision of health services for which it is responsible;
- (b) describe how the authority proposes to administer and deliver or provide for the delivery of the health services for which it is responsible and how it proposes to measure its performance in carrying out that responsibility;
- (c) include a comprehensive financial plan, which must include a statement of how the authority's financial, human and other resources will be allocated; and
- (d) deal with such other matters and contain such other information as the minister requires.

Ministerial Authority – Agreements

- Establish the form and content of Service Purchase Agreements (SPAs)/Operating Agreements and resolve outstanding matters re: content
- Establish provincial objectives and priorities for the provision of health services
- Establish standards respecting the provision of health services and operation of health care facilities by regulation
- A single SPA has been implemented in LTC, Community Health Agencies and Acute Care in the spirit of these provisions
- To avoid the situation we are correcting in this Amendment, SDOs must use the SPA format – they cannot create their own.

Ministerial Authority

- Approve requests from Health Authorities and non-devolved hospitals to purchase, lease or accept by donation:
 - (a) equipment that will result in increased operating or capital costs; or
 - (b) computer or telecommunications software or equipment, whether or not it will result in increased operating or capital costs.

Ministerial Authority

- Approve health authority borrowing
- Approve the purchase or lease of real property by health authorities
- Approve the disposition of facilities, where public capital funding has been provided
- Issue directions re: terms and conditions of employment of health authority CEO and designated senior management and review employment agreements for compliance
- Approve rehiring of retired health authority senior management by the health authority

Ministerial Authority

- Appoint inspectors with authority to conduct inspections to determine compliance with the Act
- Inspectors conduct inspections re: the operation and management of health authorities
- Appoint an official administrator to take over the operations of a Health Authority
- Appoint an interim manager to take over the operation of a non-devolved hospital or PCH

Summary

Alignment with Health System Transformation Program Principles

- Simplification of the system – single legislation
- Consistent with the health transformation principles of role clarity and improved accountability
- Role clarification (of Ministry, RHAs, CCMB, Shared Health)
- Separates commissioning and delivery functions
- Reduces the number of organizations in the system

Bill 10

The Regional Health Authorities Amendment Act (Health System Governance and Accountability)

Questions