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Speaker: Honourable Derek Bennett, MHA

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The House met at 1:30 p.m.

SPEAKER (Bennett): Order, please!

Admit strangers.

Good afternoon, everyone. First, I'd like to welcome Jeana Bowen who is watching us via webcam this afternoon from home. Jeana is being acknowledged in a Member's statement this afternoon.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

SPEAKER: Today we'll hear statements by the Members for the Districts of Lake Melville, Mount Pearl - Southlands, Mount Pearl North, Placentia - St. Mary's and Grand Falls-Windsor - Buchans.

The hon. the Member for Lake Melville.

P. TRIMPER: Try to imagine leaping into the air, kicking a small, stuffed seal with one foot and then landing balanced on the same foot. Now picture yourself in a packed arena and representing your community at the prestigious Labrador Winter Games.

This is the seal kick, one of the most popular yet most difficult challenges for Labrador's athletes.

In March, we witnessed an amazing performance by 17-year-old Abi Hanrahan Miller from Happy Valley-Goose Bay. With each jump and each round, the crowd became increasingly boisterous, lifting the athletes ever higher. Eventually, the competition was down to three, then two and finally Abi secured the victory. However, the question that remained was whether her energy and that of the crowd could combine for a new games record.

All will remember the roar, when this five foot, three inch, Grade 12 student summoned the collective determination to leap almost two feet above her and kick that

seal at seven foot, two inches, rewriting the 40-year history of this competition.

SOME HON. MEMBERS: Hear, hear!

P. TRIMPER: Recently back from a powerlifting competition in Istanbul, Abi is now preparing for university and a career in nursing.

I ask you all to watch very carefully. Let's see what glass ceilings this young woman will kick through next.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Mound Pearl - Southlands.

P. LANE: Mr. Speaker, the annual Royal Newfoundland Regiment Memorial High School Hockey Tournament is the largest high school hockey tournament in the province, hosting approximately 900 players, coaches and officials, along with hundreds of fans.

The invitational tournament is run by a board of directors composed of former members of the Royal Newfoundland Regiment and other volunteers, and it commemorates the Regiment's rich legacy in Newfoundland and Labrador, including its hockey heritage.

This year's tournament was held at the Paradise Double Ice Complex from April 24 to 30 with an official opening and closing ceremony, skills competition, 50/50 draws, kit shop, recruitment display and so much more.

No strangers to this auspicious tournament were repeat and defending Beaumont-Hamel Cup champions, Mount Pearl's own O'Donel High Patriots. As in the past two years, the Patriots came to play and went undefeated throughout the round robin and the playoffs to capture the three-peat.

I would ask all Members of this hon. House to join me in thanking members of the Royal Newfoundland Regiment and all the volunteers who made this tournament run so smoothly and congratulate the players and coaching staff of the O'Donel High Patriots on their third consecutive Beaumont-Hamel Cup.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Mount Pearl North.

L. STOYLES: Speaker, John Atkins is CEO and founder of JAC, a fully digital marketing agency headquartered in Mount Pearl which focuses on marketing, advertising, programming and graphic design.

With satellite offices in Toronto and Halifax, JAC caters to a diverse clientele, not only at the local level but on the national and international stage as well. Some clients include Easter Seals Canada and the First Nations Health Authority.

John has won many awards since opening his company some 15 years ago. His hard work and dedication has not gone unnoticed. John has been recognized as a five-time Atlantic Canada Top 50 CEO success story. His 45 international awards for web design, branding and marketing has easily earned him a place in *Atlantic Business Magazine* Hall of Fame as a 2020 inductee.

John has brought his skills and international success to set up operations in his home community of Mount Pearl. He has done Mount Pearl proud and indeed all of Newfoundland and Labrador.

Speaker, I ask all Members to join me in congratulating Mr. John Atkins in what is a most impressive career.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Placentia - St. Mary's.

S. GAMBIN-WALSH: Speaker, Jeana Bowen lives in Riverhead, St. Mary's Bay with her father and cat, Lucy. The youngest of four children and the only daughter of Richard and the late Cecilia Bowen.

Jeana has overcome many obstacles in her 40 years. She was born with bilateral cataracts and 5 per cent vision. At the age of five, her family moved to Western Canada so she could attend a school specific to the needs of visually impaired students.

Jeana is an individual with epilepsy and as a child would have upwards of 100 seizures a day. In 1986, a physician prescribed a medication that has enabled Jeana to be seizure free for 36 years. In 2001 when she completely lost her vision, her dad retired and Jeana and her parents moved home. Jeana has experienced a life-saving surgery.

Since returning to Newfoundland, she has been very active; participating as the first blind female athlete from Newfoundland and Labrador in the Canadian Council of the Blind Atlantic Sports games; curling with Brad Gushue; camping at Max Simms; hiking on the beach in St. Mary's; singing and attending community events. Jeana's motto is to live life to the fullest.

Pleas join me as I honour Jeana Bowen.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much, Mr. Speaker.

I rise in this hon. House today to recognize a group of kids who continue to dance their

way to success. Lesley Oake School of Dance has been operating in Grand Falls-Windsor since 2009 and has grown in numbers, talent and accomplishments.

Hosting children and young adults from ages 5 to 19, Lesley Oake School of Dance has created an environment of both fitness and expression. Entertaining crowds for many years, this reputable dance school currently has a competition team of 60 dancers. These high-level dancers have danced their way through many competitions here in the province as well as dancing through the streets of Disney. On July 27 of this year, I am proud to say these skilled performers will be dancing in Times Square and Broadway in the heart of New York City.

One of the longest-serving most dedicated dancers is enjoying his last year. I'm so very proud of my son, Declan, who has devoted two-thirds of his entire life to the beautiful art of dance.

I ask all hon. Members to please join me as I pay tribute to Lesley Oake and her amazing dancers who give it their all. Keep dancing.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Statements by Ministers.

Statements by Ministers

SPEAKER: The hon. the Minister of Tourism, Culture, Arts and Recreation.

S. CROCKER: Speaker, I rise today to celebrate an incredible showing by Newfoundland and Labrador talent at this weekend's East Coast Music Awards in Halifax.

This province took home 12 awards in total. The calibre and the diversity of the nominees and winners from this province is a reminder of the amazing talent, dedication

and skills that grow and flourish in our arts and cultural communities.

Please join me in congratulating: Kellie Loder, Fans' Choice Entertainer of the Year and Songwriter of the Year; Mallory Johnson, Country Recording of the Year; The Fortunate Ones, Folk Recording of the Year; Yvette Lorraine, Inspirational/Gospel Recording of the Year; Big Space, Jazz Recording of the Year; Jing Xia, Roots/Traditional Recording of the Year; Mary Beth Waldram, Artist Management of the Year; The Ship Pub, Venue of the Year; Cecil Johnson, Video Director of the Year; the Flummies, Stompin' Tom Connors Award; Rawlins Cross, the Dr. Helen Creighton Lifetime Achievement Award.

Speaker, Newfoundland and Labrador artists are excelling locally, nationally and globally and we are committed to creating an environment where they continue to succeed and thrive.

In 2024, we will continue to do so as we celebrate the Year of the Arts. Special initiatives will include an Arts and Letter category recognizing the 75th anniversary of Confederation, one-time development funding for our arts community and work towards a new theatre right here in St. John's.

But most importantly, Speaker, we will celebrate Newfoundland and Labrador's cultural sector and its many social and economic contributions to our province.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

I'd like to thank the minister for an advance copy of his statement.

We, too, want to congratulate some of our province's best at this year's East Coast Music Awards on winning 12 awards this weekend in Halifax. I want to personally acknowledge two residents of Conception Bay South, Miss Mallory Johnson and Cecil Johnson, who were winners, as the minister outlined, along with all of the other award winners.

When you look at the diverse nature of our award winners you see the talent, dedication and commitment from an array of individuals, groups and businesses. Their contributions have led to a flourishing arts and cultural community that is known, not only on the East Coast, but throughout the world.

We support the special initiatives like the Arts and Letters category, recognizing the 75th anniversary of Confederation and development funding for the arts community but question the lack of consultation around the new theatre in St. John's. On this side of the House, we, too, celebrate the Newfoundland and Labrador's cultural sector and many social and economic benefits it brings to our province.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker, and I thank the minister for an advance copy of his statement.

I would also like to take this opportunity to congratulate the winners and nominees of this year's ECMAs, and a special shout-out to Labrador's own The Flummies, enriching our artists and supporting our culture and industry.

We call upon government to focus on supports for artists at a community level so we can see more Newfoundlanders and

Labradorians seeing themselves walking the red carpet at the ECMA and other world events.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Further statements by ministers?

The hon. the Minister of Justice and Public Safety.

J. HOGAN: Thank you, Speaker.

Speaker, this is Emergency Preparedness Week, a time dedicated to encouraging residents to take action in order to be better prepared to protect themselves, their families and their communities during an emergency.

This year's theme is "Be Prepared. Know Your Risks," and our hope is that residents will take the time to become more familiar with the range of potential emergencies. Resources are available at gov.nl.ca/beprepared.

Everyone has a role to play when it comes to emergency preparedness. Residents should always have a basic emergency kit available and should be prepared for at least 72 hours, with food, water, batteries, a portable radio and prescription medications.

As a province, we know all too well the power of Mother Nature. Whether it be a snowstorm, a forest fire or a hurricane, it is important that we are all prepared for an emergency anytime, anywhere.

Experience has shown that individual preparedness goes a long way to helping people cope better – both during and in the aftermath of a disaster.

I would also like to take this opportunity to thank all emergency responders, including those within the public service, who were

instrumental in our province's response to the forest fires in Central Newfoundland and during Hurricane Fiona.

Speaker, I challenge all Members of this House to lead by example. Let's do our part to be prepared and encourage all residents of this province to do the same.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Mr. Speaker, and I'd like to thank the hon. minister for an advance copy of his statement today.

On behalf of the Official Opposition, I would like to recognize this week as Emergency Preparedness Week. It is a good reminder to all of us in this province to have a basic emergency kit with the essential medicine, supplies and water available in the event of a disaster, emergency or severe weather statement.

This week is also a great opportunity to thank our emergency responders, who often put themselves in harm's way to help us all. To the many firefighters, search and rescue personnel, paramedics, police officers and emergency responders, both volunteer and professional, I offer my sincere thanks and appreciation from the Official Opposition.

As the minister referenced the recent devastating forest fires in Central and the tragic Hurricane Fiona, I must urge the minister to make sure the province has a full fleet of water bombers to address future forest fires this season and to expedite the process for people to receive the needed disaster assistance funding which they need to move forward after Fiona.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

I thank the minister for the advance copy of his statement.

It is vital to identify potential fire hazards and unsafe conditions, both at home and at work. Being prepared and knowing the risk can save lives – the lives of our friends, family and our emergency responders who risk their lives to ensure our safety.

We also call on government to know the risks and be prepared for increasing impacts by taking climate change seriously. Government has an important role to play in identify the risks of harm due to climate change and to take appropriate mitigating measures. We must all work together to ensure we have safe places to live, to work and to play.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Are there any further statements by ministers?

Oral Questions.

Oral Questions

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Thank you, Speaker.

It has been over a month since the crab standoff started. Harvesters and plant workers are looking to the Premier for action to break the impasse.

Speaker, in 2016, the former premier famously held a 12-hour meeting to resolve a dispute. Why does the Premier refuse to make the same extraordinary effort to save our historic fishery?

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

D. BRAGG: Thank you, Speaker.

I assure the Member opposite we have been there. Minister Davis's shop has been there to assist the FFAW and ASP in resolving this situation. As I said the last couple of days in this House, for two Fridays in a row we thought we had an agreement. That fell through when it came to Saturday or Sunday; that's very unfortunate. According to media reports, the FFAW is about to submit another proposal to ASP. Let's look forward to that and hopefully find a positive resolution to end this dispute.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Thank you, Speaker.

We welcome any proposals by any proponent involved here, but we've been told by the industry that the Premier hasn't been directly involved and he's the leader of the people of this province and every issue should be a priority for him here.

SOME HON. MEMBERS: Hear, hear!

D. BRAZIL: Speaker, this is incredible. Last week the Premier would not even answer a question and now he thinks he can save a billion-dollar industry with tweets. As long as the parties are not talking, we will never get a deal.

Can anyone here tell the people of the province what has this Premier done to get the crab boats back in the water?

SPEAKER: The hon. the Deputy Premier.

S. COADY: Thank you very much.

I thank the Member opposite for the question.

I can say with confidence that the Premier has been involved. We know, and the Minister of Fisheries has indicated same, that he has been involved and he was very much involved last Friday in trying to broker a deal.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

We can't have Members shouting back and forth; I can't hear the minister speak.

The hon. the Deputy Premier.

S. COADY: This is a very complex and difficult issue for the entire province and we look forward to a potential resolution. We're very, very happy to see that there is some dialogue happening. The minister is doing an exceptional job and we support him in his efforts. All of us here in Newfoundland and Labrador support him in his effort to bring resolution.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Thank you, Speaker.

(Inaudible) see leadership from who's in charge in Newfoundland and Labrador, and that's the Premier of Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

D. BRAZIL: Speaker, leadership is more than tweets and photo ops. The Premier's hands-off approach has allowed this dispute to drag on for over a month and now threatens the very existence of rural Newfoundland and Labrador.

Why is a European conference more important to this Premier than saving our historic fishery?

SPEAKER: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Mr. Speaker, I have to take exception to the hon. Member across from me attacking something that he knows nothing about. From my perspective, I know where the Minister of Fisheries has been; I know where the Premier has been. I'm happy that he's asking questions in the House of Assembly.

I know we're at the table; I know what we're trying to do with staff. The department of Labour from the beginning, even prior to the negotiation period, had a senior negotiator working with both parties to try to find a resolution, whether that be a formula, whether that be getting to the table to bring the deals closer together. I'm very encouraged that they're bringing forward offers at this point. That's exactly what we want and what we're encouraging to do: Talk to each other.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Thank you, Speaker.

I tell you what I do know. I know the Premier hasn't been in the room trying to come up with a resolution to this particular issue for the people of Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

D. BRAZIL: Speaker, doing nothing helps no one. The Furey government pumped hundreds of millions of dollars into the Terra Nova and West White Rose Projects. Again, the Premier was personally involved and this was a market issue.

In their hour of need, why is the fishery less important than the Newfoundland and Labrador offshore industry?

SPEAKER: The hon. the Minister of Environment and Climate Change and Minister Responsible for Labour.

B. DAVIS: Mr. Speaker, I can't be any clearer. From the department of Labour and Department of Environment we've been working diligently with both parties to get them a resolution that's good for the people that we all represent. Everyone in this House wants a deal. Everyone in this House wants the crab fishery to start. That's what we're doing.

The Fish Price Setting Panel was established by both parties. They recommended people. We ratified their choices. It's their panel. What we're trying to do is make sure that they get back to the table so negotiations can happen. That's the only way a deal ever happens when negotiations are off: talk.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Official Opposition.

D. BRAZIL: Mr. Speaker, this is too important.

The Premier should be front and centre. The Minister of Fisheries, no doubt, has a responsibility but the Premier has to be front and centre in what's happening here in Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

D. BRAZIL: Speaker, again, the Premier picks and chooses who gets a meeting with him and his personal attention. Liberal campaign contributors never have any problems.

Should this not be offered the same to the FFAW and the ASP?

SPEAKER: The hon. the Minister of Environment and Climate Change and Minister Responsible for Labour.

B. DAVIS: Mr. Speaker, categorically incorrect.

The Premier has been at tables a hundred times with these parties – a hundred times. Well, I won't say a hundred; dozens of times. I really try to clarify – dozens of time with the parties. Both the Minister of Fisheries, Minister Responsible for Labour, we've been at the table trying to encourage people.

Whenever they've asked, we've tried to get them to the table, whatever it be. Whether it's meetings about before the industry, when we're trying to get a deal back to the people of the province, we're going to continue to work with the parties. That's what the Minister of Fisheries is doing. I'm very proud to serve with the Minister of Fisheries.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

He should be at a table in St. John's and not down in the Netherlands. That's probably what our leader is looking for.

Speaker, teachers, staff and families at Frank Roberts Junior High have spoken out about the deplorable conditions at the 54-year-old school. Overcrowded classrooms, no cafeteria and no ventilation all contribute to a poor learning environment.

Speaker, the Liberal government has known about these issues for years. Why hasn't anything been done?

SPEAKER: The hon. the Deputy Premier.

S. COADY: Speaker, I cannot let the preamble go. The Premier has been front and centre of every issue in this province since he became Premier.

SOME HON. MEMBERS: Hear, hear!

S. COADY: You've just heard two ministers – actually, three with me – indicate that the Premier has been involved in this very important fisheries dispute. He is in the Netherlands today on another very important issue: hydrogen. He is leading a very important delegation on this, but trust me when I say he is completely engaged. We all know that there is modern communications making him readily available. He continues to be available and I would say to the Member opposite, the Member is completely wrong in this.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

You know it's an equally important issue here in this House of Assembly that I'm asking the question about right now and it's about the children and the teachers that are in my district.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: Respectfully, if the Deputy Premier wants to get up in her place on the soapbox and talk about what the Premier is doing, I'm asking a serious question. The Minister of Education, the people in my district want answers to and I'll ask it again.

Thank you.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Opposition House Leader.

B. PETTEN: Thank you.

Speaker, teachers, staff and families at Frank Roberts Junior High have spoken out about the deplorable conditions at the 54-

year-old school. Overcrowded classrooms, no cafeteria and no ventilation all contribute to a poor learning environment.

Speaker, the Liberal government has known about these issues for years: Why haven't they done anything?

This is the second time.

SPEAKER: The hon. the Minister of Justice and Public Safety.

J. HOGAN: Thank you, Speaker.

I just want to comment on what the Member opposite said is that we weren't responding to the question. But the fact is if they do a preamble and make a statement and the statement is incorrect, we have a responsibility to respond in the House of Assembly, the people's House, to make sure that the record is corrected.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Minister of Justice and Public Safety.

J. HOGAN: (Inaudible) and ask questions, the relevant ministers will get up and answer the questions.

If they want to stand up and say things that are incorrect, like the Premier is not involved in the fishery dispute, we have an obligation. The Minister of Finance –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

It is the minister's turn to speak; you asked your question. You had the preamble –

AN HON. MEMBER: (Inaudible.)

SPEAKER: It is not a point of order; he is responding to the question. You have 17 more seconds.

The hon. the Minister of Justice and Public Safety.

J. HOGAN: I'm just waiting for it to be quiet to give my answer.

Unfortunately that they don't like the answer again. This seems to be a pattern when I stand up; they get louder when they don't like the correct answer.

We do have an obligation to correct the record. If they want to do preambles instead of questions, we'll respond to the preambles but we want the preambles to be factual before we respond to questions, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: I'm asking questions about children, students and teachers in my district. You should have the respect to provide me an answer.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

B. PETTEN: Not this nonsense.

The Government House Leader doesn't own this House; the Speaker does.

SPEAKER: Order, please!

Address the Chair, please.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

B. PETTEN: I'm after doing it twice, Mr. Speaker. This is three times trying to get an answer to a question for the people in my district. And yeah, do you know what? I deserve an answer and they do, too.

This nonsense that is going on in this House is terrible.

SPEAKER: Order, please!

Move on with your question.

B. PETTEN: It is an important issue.

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Man, I tell you, you wonder why we get sick of politics.

Speaker, teachers, staff and families –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

B. PETTEN: – at Frank Roberts Junior High have spoken out about the deplorable conditions at the 54-year-old school. Overcrowded classrooms, no cafeteria and no ventilation all contribute to poor a learning environment.

Speaker, the Liberal government has known about these issues for years. Why hasn't anything been done?

Please give me an answer.

SPEAKER: The hon. the Minister of Education.

J. HAGGIE: Thank you very much. I'd like to thank the Member opposite for an advance notice of his question; he did actually bring it up at Estimates the other day.

Frank Roberts is an older school, there's no doubt about it. Over the course of its

lifetime, it has had a wing added. It had an extensive envelope refurbishment completely around 14 or 15 years ago. As a result of some of the comments that were made by the Member to my predecessor, a module was attached to the cafeteria area.

There is still, as I understand it, some work there to be completed. But certainly we're conscious of the concerns of the Member opposite and with the NLESD. We'll deal with them. We have a great opportunity now to look at all our infrastructure as we bring the schools into the department.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Speaker, pictures last week circulated on social media show a bag of Lysol wipes chewed apart by rats that was on the teacher's desk. I have more pictures today showing new couches in the teachers' staff room that are chewed up by rats. So the envelope is not working, the repairs are not working and the modular is a portable on the side of the gym; that's not fixing problems with rodents and air quality, Mr. Speaker.

So the former minister toured the building last year with me and saw the issues first-hand – some of these issues. Again, why is the new school not announced in the budget?

SPEAKER: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Mr. Speaker.

Our concern, among other things, is for the immediacy of some solutions. My predecessor had been to the school, put in place some remediation. We have a pest problem in a variety of large buildings

across St. John's, particularly this time of the year. I recall from my previous portfolio issues with the Health Sciences Centre and the like. There are remedial measures in place with pest control concerning these.

In terms of the other issues with the school, it is an old school but it is a safe school and we will continue to work with the principal and with the district to deal with the issues as they arise.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Speaker, I guess all the Liberal districts don't have schools built yet. That's what we're waiting on. When they're all done, we'll get ours over here.

Speaker, it's been well over a year since the Liberal government launched the market sounding for ferry services to propose changes in marine operations. At the time, the minister said – quote – the time has come where you need to seriously look at the ferry services. Speaker, this was supposed to be to build on significant changes recommended in the Greene report.

Can the minister provide an update?

SPEAKER: The hon. the Minister of Education.

J. HAGGIE: Sorry, in some respects, to keep on with the theme here, but I'm not sorry in others. The Member opposite had a preamble there about schools in Liberal districts. I would suggest he talks to the Leader of the Opposition about Portugal Cove-St. Philip's.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

I guess we all know where the Premier lives as well and that's why it got there.

SOME HON. MEMBERS: Hear, hear!

L. O'DRISCOLL: Speaker, the Greene report noted vessels are operating at 80 per cent below capacity and some routes are completing 20 per cent of trips without a single passenger on board. After a year of study, rural and remote communities are experiencing great anxiety that they may lose their ferry.

Can the minister indicate if he is going to make any changes or scrap the whole thing?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: Thank you, Mr. Speaker.

Ferry service is a very important service to the people that live in those isolated communities. We have a responsibility to balance in providing that service and being responsible for the taxpayers of Newfoundland and Labrador.

The market sounding is part of the discussion process that we're going through right now, in terms of dealing with the vessels that sail with no passengers on them. We're looking at that in totality right now and we'll be addressing that in the very near future, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Anyway, if they're not careful over there, they're soon going to answer a question.

It sounds like we have another regionalization plan: Scare everyone and do nothing. Speaker, two years ago the former minister and current Minister of Tourism warned – quote – cuts are on the horizon, which upset ferry users and blindsided communities.

Aside from raising fares, has the Market Sounding report accomplished anything except worrying ferry users and communities that rely on them?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: I'm not sure what the Member is talking about in terms of scare tactics, but I'm going to guarantee you if the people of this province had to sit and listen to his attitude, they wouldn't want to do anything, Mr. Speaker.

In terms of the ferries, it's no different. We do have a plan. It's like the Member always says, well, get 'er done. It's not as easy as that, as to get it done.

In terms of the ferry users and the committees, there is a good communications plan in terms of allowing the committees to know what's going on. It's very important. It's a very important process for the committee users to know in terms of planning for their communities. But, again, it's a balancing act and we're working on the plan.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Last week, I asked the minister, not once but twice, if she's going to make changes to the pay equity legislation as recommended by the Newfoundland and Labrador Federation of Labour. Each time I asked, the minister dodged the question.

So one more time: Will the minister bring in any of the legislative changes recommended, yes or no?

SPEAKER: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Speaker, and I thank the hon. Member for the question.

I'm happy to say that the public consultations have concluded now, as well as our online surveys for our consultation for pay equity legislation, as well as pay transparency. I will remind the hon. Member that it's important to hear from all stakeholders, not just one particular group. This is about making the best legislation possible for women and gender diverse and all people here in Newfoundland and Labrador.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, the minister refuses to answer the specific question. There have been legislative amendments recommended to strengthen the pay equity legislation. It's fine to say consultations have taken place, but why won't the minister give an answer if she will make changes to pay equity legislation, please.

SPEAKER: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Speaker.

Again, I remind the hon. Member and, of course, all Members on that side of the House that this time last year there was absolutely nothing done on pay equity in Newfoundland and Labrador. Nothing done

by a previous administration. We know this has been talked about since the '80s, before I was born, Speaker.

But I'm happy to say it's this government that's actually moving the dial forward on pay equity legislation in Newfoundland and Labrador as well as pay transparency, starting in the public sector and then we will be moving into the private sector.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, the Opposition have been very vocal and pressuring the government very much on this.

SOME HON. MEMBERS: Hear, hear!

H. CONWAY OTTENHEIMER: For five years, Speaker, the women of this province were given lip service and nothing but excuses when it came to pay equity legislation by this government. Even though pay equity legislation is in place, it is simply weak and it does not go far enough. Suggestions and good suggestions have been made to strengthen it, but the minister won't commit to them.

Will women in Newfoundland and Labrador have to wait another five years before they truly achieve pay equity and pay transparency?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Speaker.

I would say the Member opposite is certainly well aware of weak legislation and

I'll remind her that they didn't bring in any legislation with regard to pay equity or pay transparency here in the province. We are doing more than any administration. We're happy to do so. We're having the right public consultations. This is across-government approach and, of course, we're going to bring in the best legislation including consultations with all stakeholders here in Newfoundland and Labrador.

Just to add to the theme about schools, I will remind the Members opposite about Coley's Point Primary school. You talk about neglect to a school. When their administration was in power, flush with cash, they did nothing to support a school in Bay Roberts.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Speaker.

Speaker, this time last year we were told that the position for the CEO of the Public Service Commission had gone through advertisement, interviews and a recommendation was being made. Yet, there was still an acting CEO of the Public Service Commission.

Can the minister please explain why?

SPEAKER: The hon. the Deputy Premier.

S. COADY: I'm very pleased to stand in this House and talk about how we've strengthened the role of the Public Service Commission. We worked very hard over the last couple of years, giving the Public Service Commission additional responsibilities. We've made great advancements and, as the Member knows, who was in Estimates, there has been much advancement including now we're moving towards a new program, Speaker, that will

be rolling out in the next number of weeks to strengthen our recruitment efforts within the public service.

I will say to the Member opposite, the acting commissioner is doing an exemplary job, as are all commissioners, and we will look forward to continuing as we evolve in this process of strengthening the public service of having additional commissioners added.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Cape St. Francis.

J. WALL: Speaker, I'm glad to hear of the advancements and the progress, but the Public Service Commission is responsible for ensuring merit-based hiring in government. Yet, the head of the commission, a former Liberal candidate, has been acting since 2018.

How does the minister justify ignoring the hiring process for the very head of the commission which is supposed to ensure fair hiring practices for the province?

SPEAKER: The hon. the Deputy Premier.

S. COADY: Thank you very much.

As I've said to the Member opposite and I'll say to the people of the province, we've been strengthening and improving the Public Service Commission. There have been a lot of changes within the Public Service Commission. We've moved some things out of Treasury Board into the Public Service Commission. We've strengthened the activities of the Public Service Commission.

I've said that the commissioners are doing exemplary work, outstanding work and, as we progress with the changes and with the improvements to the Public Service

Commission, we'll be making changes, of course, to the hiring of the commissioners.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Speaker.

Motor Registration has blindsided automobile dealers in this province with a new application process and requirements for dealers, many of whom have been in business for decades.

Speaker, why is the minister trying to force smaller and independent automobile dealers out of business?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I'm very pleased that recently we proclaimed the dealer web regulations and we're giving dealers more than a month to get their ducks in a row so that they can use our new online system to make things easier. No more paper processes, Mr. Speaker.

We're really excited about this advancement, which is going to make everything more efficient for everyone.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Speaker, there's much more to this than just an online process. We have dealerships in the province now who have been operating for decades who have to get another code of conduct letter and all this kind of nonsense as well.

Speaker, new paperwork and licensing requirements are not what small business needs. In fact, one dealer I spoke to is an exclusive wholesaler for our province's sales, yet the minister's new restrictions for municipal zoning approvals will put him out of business – another one out of business.

Speaker, why is the minister wrapping these small businesses in red tape?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I will correct the Member. Code of conduct is not nonsense, categorically.

SOME HON. MEMBERS: Hear, hear!

S. STOODLEY: This is a process that exists. I have not heard from any dealers but I'm happy to chat with them. I believe the deadline is June 8 where they need to be registered in our new online system, between now and June 8 I believe it is. We're very excited about this new online opportunity which is going to make everything more efficient for the dealers and for government.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Speaker.

No, a code of conduct is not nonsense. But having people who have been in business for 30 years with a reputable business should not have to go through all this again. It's going to tick them off.

Speaker, many of these dealers have been in business for years, fully licensed and approved by the minister's department and do not feel it is fair now to be forced to get

approvals and costly permits from municipal authorities. Some dealers who have a PO box versus a physical address will no longer be allowed.

Again, why is the minister forcing long-standing dealers to close?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

So, as I mentioned, we changed the dealer regulations and now dealers will be communicating with our department through a dealer's web, we call it. Many dealers are already using a previous version of that. We are upgrading to a new version.

I haven't heard from any dealers. I'd be happy to chat with them further if they have concerns. I have not had any concerns brought to me as minister, Speaker. They have until June 8 to register. That's still a ways away and I'm looking forward to working with dealers to making a more efficient process for the people of the province.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, another young person from my district – only 29 years old – has lost his life due to struggles with his mental health. Many young people in our province do not receive the supports that they need and feel the system has abandoned them.

Will the minister pledge to make mental health supports in our province more readily available to those that need them?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

Any time we hear of a situation, as the Member just raised, it is sad for every Member of this Legislature and, in fact, every member of the province. My condolences to anybody involved with the family of that individual.

Mr. Speaker, in this year's budget, we've committed another \$5 million towards mental health and addictions. We just released the *Towards Recovery* plan. There are 54 recommendations. All of those recommendations are in the process of being implemented, Mr. Speaker. We've put a number of initiatives in place, such as the FACT teams, ACTT, Doorways and Bridge the gapp and so on.

We've made great strides in providing mental health services to the people of Newfoundland and Labrador, but there is much still to be done.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

I've received many calls over the last number of weeks from all over the province from different individuals who are trying to book appointments for different services. Whenever they call, they're being told to call back in a couple of months; we're booked up. They call back in a couple of months and they get scheduled for another couple of months along. They've asked a simple question: Can they be put on a cancellation list? When someone cancels, can they be called? They're being told no.

I ask the minister responsible: Why does something simple like this not be in place?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

I'm not sure if the Member is talking about general health appointments or mental health appointments, Mr. Speaker, but I can say to the Member, we are well aware of a wait-list for all health care services in the province. We are working towards reducing the wait times.

We put a number of initiatives in place such as Heart Force One, the same-day joint replacement to reduce wait times and we will have an announcement, Mr. Speaker, in the very, very near future on how we can help further reduce wait times in this province.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

Speaker, we're all proud that Newfoundland and Labrador stepped up to offer refuge for Ukrainians fleeing the invasion of their homeland. A year ago, when the Minister of Immigration was getting his first headlines for bringing Ukrainians here, there was already a housing crisis in this province.

Knowing this, why did this government not plan ahead and build public housing to help alleviate the crisis for all residents of the province, knowing that we had a growing shortage?

SPEAKER: The hon. the Minister of Immigration, Population Growth and Skills.

G. BYRNE: Mr. Speaker, the hon. Member may not be aware that when it comes to responding to a crisis, to an emergency, you do not necessarily get advance notice and planning to be able to do that. When Russia invaded Ukraine on February 24, 2022, we had a responsibility to act and act immediately.

I hear what the hon. Member is suggesting to us or saying to us, which is we should not have accepted any Ukrainians in Newfoundland and Labrador until we had housing for each and every one of them. Mr. Speaker, what I can say to you is that we have now 1,600 Ukrainians in market housing in Newfoundland and Labrador, none in social housing, and we will put all in market housing in very short order.

SPEAKER: The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: During the Estimates Committee meeting on April 3, the Minister of Immigration, Population Growth and Skills stated that it would be really helpful for the employer to assist the housing question, in answering the housing question and support their perspective employee with answers to the housing question.

Now it would seem that the minister is more interested in grabbing headlines and leaving the hard work to everyone else.

Will the minister concede that this is an admission of a failure on the part of his department, himself and his government to address the public housing crisis that was growing long before our newcomers arrived?

SPEAKER: The hon. the Minister of Immigration, Population Growth and Skills.

G. BYRNE: No, Mr. Speaker, this is an admission that the hon. Member has done very little, if not nothing, to support in this particular provincial-wide initiative.

When we say and, as I said in Estimates, it is always helpful for employers to embrace the needs of their would-be perspective employees, we mean that. Whether it be assistance with their overall standard of

living, with their family life, with their mental health issues, we need employers to be engaged in the overall well-being and balance of their employees.

That is something that I think is infinitely reasonable and responsible. Is that a suggestion that the employers are left alone in this process? Absolutely not. He clearly did not listen to any statement that has ever been made, which is the Government of Newfoundland and Labrador and the people are leading this initiative.

SPEAKER: The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Speaker, it's often so much verbiage it's hard to tell what I should be listening to.

During the same Estimates Committee meeting, the Minister of Immigration, Population Growth and Skills stated: We need to identify employers who are prepared to pay a fair rate on a year-round, full-time basis.

So I ask the minister, would he clarify or define what he means by a fair rate? Is it the legislated poverty wage we now have, the barely better than \$15 an hour wage that we're hoping to get or is it an actual liveable wage which we calculate to be around \$21 an hour that a person can actually live on?

SPEAKER: The hon. the Minister of Immigration, Population Growth and Skills.

G. BYRNE: Because, Mr. Speaker, I speak positively of the presence and the contribution of Ukrainians in Newfoundland and Labrador, I'm admonished by this hon. Member because he would have it that the Ukrainians are not successfully integrating into our society. He would have it that

they're not making a successful contribution towards society.

When I say to you, Mr. Speaker, that a fair wage should be provided by the employers, I mean the wage that over 600 Ukrainians are now earning by 245 employers in this province.

SOME HON. MEMBERS: Hear, hear!

G. BYRNE: There are 245 employers that have hired Ukrainians in this province, contributed to our economy and that momentum will continue.

SOME HON. MEMBERS: Hear, hear.

SPEAKER: The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

In accordance with section 56(1) of the *Automobile Insurance Act* I hereby table –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

I can't hear the minister speak.

Could you start over, please?

The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

In accordance with subsection 56(1) of the *Automobile Insurance Act*, I hereby table

the Board of Commissioners of Public Utilities 2022-2023 automobile insurance report.

Thank you.

SPEAKER: Are there any further tabling of documents?

Notices of Motion.

Answers to Questions for Which Notice has Been Given.

Answers to Questions for which Notice has been Given

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I just wanted to correct the information I provided around the Dealers Web. So the bill in question, we passed in June 18, 2020, Bill 18. Most of the information that would have been required was in that bill. We did consult with the Dealers Association and with a range of dealers. The changes have to be in place by June 19, so they have another six weeks to get their processes in place. A memo was sent out, which sparked the question, I assume.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Any further answers to questions for which notice has been given?

Petitions.

Petitions

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

We, the undersigned, are concerned citizens of Newfoundland and Labrador who call upon the House of Assembly to urge the Government of Newfoundland and Labrador to ensure that vacant Newfoundland and Labrador Housing Corporation housing units in Nunatsiavut are repaired and made available to those in need in a consistent and timely fashion.

Nunatsiavut Government is dealing with a housing crisis and facing huge financial barriers to building new houses. A single-serviced lot now costs \$250,000 without the house.

Inadequate housing negatively affects our Inuit population in a variety of ways including children, welfare, families, health and justice. These areas are highlighted in the Canadian government's Call to Action in Truth and Reconciliation's final report. Further, in 2016, the federal and provincial governments committed to follow the United Nations Declaration on the Rights of Indigenous Peoples.

One of the declarations states that Indigenous peoples have the right to adequate housing. The systemic housing insecurity in Nunatsiavut clearly demonstrates that there is significant work that must be done before Inuit in Northern Labrador can access this right. For example, seven vacant Newfoundland and Labrador Housing units are identified in Nain and some of the houses have been vacant for up to 10 years, despite the need for safe and affordable housing in this community.

Nunatsiavut's housing crisis poses detrimental risk to the health and safety of community members. For instance, inadequate housing is tightly intertwined with contracting life-threatening communicable diseases such as tuberculosis. The lack of housing for low-income families also place barriers to parents, undermining their ability to provide for their children in a safe, secure

environment. Lack of housing also poses problems for family members who have a criminal record.

Every housing unit is important to provide relief to the housing crisis.

So, Speaker, I read this petition out yesterday, and I do apologize for reading it quite quickly but in actual fact there are a couple of points that I want to make in my limited three minutes. This petition is only dated in the fact that the cost of a building lot is gone from \$250,000 up to \$275,000 to \$310,000 now, so it's very costly.

But is not dated is the seven vacant houses in Nain that are mentioned in this petition. In actual fact, I have an update here of the Newfoundland and Labrador Housing that's vacant in Nain – seven houses. I also have a letter that actually goes back two years ago on behalf the Nain Safe House – that's a shelter for women – that there are seven vacant houses in Nain and they want them repaired can people can access them.

The only thing that's dated is that this government has not done anything to improve the vacant houses and I have people in Hopedale calling me and saying, why are you just talking about the vacant houses? In actual fact, the houses that people are living in are in disrepair because there is no upkeep, there are no repairs and there's no maintenance. The only thing dated is the fact that this government is not doing anything to repair houses and get them back in circulation.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Children, Seniors and Social Development for a response.

J. ABBOTT: Speaker, thank you.

As I said yesterday and as I said before when the Member tabled the same petition, we are working as we speak on those units. They will be ready this year for the residents of Nain.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Thank you, Speaker.

Again, I'm glad to see that the minister is so happy to see me stand up, because I know he supports this petition and I hope he'll speak to it again today.

These are the reasons for this petition:

The residents of Noels Pond are concerned with the increased ATV traffic on Wheeler's Road, a 0.8-kilometre stretch of road that runs through the community.

Wheeler's Road is mostly a dirt road and it connects two highly travelled ATV trails in the area. Residents, particularly in the summer, have their homes covered in dust and in the spring and fall the road turns to mud.

The road was last paved in 1976 and only 0.3 of a kilometre was paved at that time. The road is a mess and needs paving and upgrading in a desperate fashion.

Therefore, we petition the hon. House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to pave Wheeler's Road to ensure the safety of its residents and ATV users.

Speaker, the minister responsible for Tourism, the minister responsible for Transportation, both know the importance of this new form of tourism to our province. ATV tourism has become a new way for

people to come to our province and to actually explore the trails and the great trails that we have here. It's only in the last couple of days I saw an article on the news where Corner Brook were opening up some of its streets to ATV users. The Town of Stephenville has already done it.

This particular road that I am talking about is being used by ATV users, but it is creating a bit of a problem because it is a dirt road. It is maintained by the Department of Transportation and Infrastructure. It is only 0.8 kilometre but the ATVs have a tendency to speed up on that road and what the residents are concerned about is their children that play on that road.

They'd like to see the road paved so that it can be maintained, signs can be put up and, at the end of the day, both ATV users and the people that live on that particular road can all enjoy a nice, safe place.

Thank you, Speaker.

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

This petition deals with the tuition freeze at MUN; I think this brings the number up to just about 2,000 signatures in total.

The Government of Newfoundland and Labrador ended Memorial University's historic tuition freeze, resulting in a tuition increase of 150 per cent for domestic students. The cost of a degree is over \$25,000, compared to the \$10,000 the students paid during the years when the province froze tuition fees.

The average undergraduate tuition for international students has increased by 97 per cent, meaning they will pay \$41,000 more for their Memorial University degree than they did before the cuts. This means that Memorial University will be the most

expensive university in Atlantic Canada for international students.

Students are currently facing unprecedented threats to accessible and affordable education in Newfoundland and Labrador. Young people and families across this province and country are terrified for their futures, as their ability to access even a marginally affordable post-secondary education is being ripped away. Low-income students and folks from marginalized backgrounds are watching as their opportunity to attend university disappears.

Residents of Newfoundland and Labrador believe that historic commitments to funding accessible and quality post-secondary education must be honoured and protected to ensure prosperity for future generations that wish to study in the province.

Investments in post-secondary education and affordable tuition have supported the growth and health of diverse communities across Newfoundland and Labrador for over 22 years. Cuts to post-secondary education have jeopardized the growth of these communities.

Education is a public right that all students, both domestic and international, have the right to a quality and accessible education in the province.

Therefore, we petition the hon. House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to uphold the province's historic commitment to accessible education by committing to free education for all and eliminating all differential fees, eliminate all student debt for existing provincial student loans, sustain the college and Memorial University with healthy funding levels that secure good jobs and uplift the post-secondary sector.

It was very clear, Speaker, from that town hall that we attended that the first step, if nothing else, is to roll back the cuts, reinstate the funding and roll back the tuition freeze. In the end, we know we have an aging population so we need to be attracting and retaining young people here. University is that investment; it's a way of attracting and retaining young people and also innovation for the future.

This is an investment in the future. I'll keep bringing this; we have more to come. But so far I think the number is about 2,000 and growing.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Orders of the Day.

Orders of the Day

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Motion 6.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, for leave to introduce a bill, An Act to Amend the Lands Act, Bill 40, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that Bill 40, An Act to Amend the Lands Act, be now read a first time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

Motion, the hon. the Minister of Fisheries, Forestry and Agriculture to introduce a bill, "An Act to Amend the Lands Act," carried. (Bill 40)

CLERK (Barnes): A bill, An Act to Amend the Lands Act. (Bill 40)

SPEAKER: This bill has now been read a first time.

When shall the said bill be read a second time?

J. HOGAN: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 40 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Motion 7.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Minister of Digital Government and Service NL, for leave to introduce a bill entitled, An Act to Amend the Occupational Health and Safety Act, Bill 41, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the Government House Leader shall have leave to introduce a bill, An Act to Amend the Occupational Health and Safety Act, Bill 41, and that the said bill be now read a first time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

Motion, the hon. the Minister of Digital Government and Service NL to introduce a bill, "An Act to Amend the Occupational Health and Safety Act," carried. (Bill 41)

CLERK: A bill, An Act to Amend the Occupational Health and Safety Act. (Bill 41)

SPEAKER: This bill has now been read a first time.

When shall the said bill be read a second time?

J. HOGAN: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 41 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Thank you, Speaker.

I call from the Order Paper, Order 8, second reading of Bill 29.

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I move, seconded by the Minister of Transportation and Infrastructure, that Bill 29, An Act to Amend the Architects Act, 2008, now be read a second time.

SPEAKER: It is moved and seconded that Bill 29, An Act to Amend the Architects Act, 2008, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Architects Act, 2008." (Bill 29)

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

The *Architects Act, 2008* establishes a self-governance framework for the Architects Licensing Board of Newfoundland and Labrador. The Architects Licensing Board of Newfoundland and Labrador is a self-regulatory organization and one of four self-regulatory organizations whose legislation that I administer.

As per the act, those who have passed the prescribed exams and meet the conditions of the Architectural Licensing Board are entitled to be licensed as an architect and to provide architectural services. Under the act, in the absence of a licence, a person may not work as an architect and provide architectural services.

Speaker, I personally have been thinking of this about accountants. So you can't be a chartered accountant or a professional accountant. There are rules around, kind of, when you're talking about chartered accountant, for example. So it's the same kind of thing for architect. Architect is a protected title and currently, in the legislation, architect is protected and architectural is protected.

The act establishes a governance and disciplinary structure to ensure that the services provided by an architect meet appropriate, professional standards. When those standards are not met the disciplinary process, as prescribed in the act, is available to address that situation.

Section 34 and 40 of the act prohibit the use of the word "architecture" or "architectural" by a person other than a licensed architect when describing or referring to their functions or service. This aspect of the act was intended to protect the public interest,

only allowing those licensed to provide architectural services to use the term. This intention was not to negatively impact the career path or earnings of a person who is not providing architectural services as an architect.

Speaker, for many years, these sections of the act were not actively applied to architectural technologists. Many architectural technologists work with architects or in architectural firms. Pursuant to the legislation, though, they do not provide architectural services unless a licensed architect directly supervises them but, Speaker, architectural technologists may work independently or provide technical assistance to professional architects and civil design engineers.

Architectural technologists conduct research, prepare drawings, architectural models, specifications and contracts, and supervise construction projects. They are employed by architectural and construction firms and government. Many graduates from the three-year architectural engineering technology program at the College of the North Atlantic use the title architectural technologist.

On May 30, 2022, the Architects Licensing Board of Newfoundland and Labrador issued a bulletin to its members and to the general public emphasizing the restrictions of the use of the word "architecture" and "architectural" by a person other than a licensed architect. The bulletin identified various occupations to which this would apply, including architectural technologists.

Obviously, that was what it was in the legislation. So, of course, they are enforcing the legislation as per is their role. So architectural technologists came to me with strong concerns about not being able to use the term "architectural" in their job title, explaining that this could have negative impacts on their careers, earning and labour mobility. In addition, concerns were expressed from representatives from the

architectural engineering technology program at the College of the North Atlantic and from Memorial University about the continued value of the architectural engineering technology program if strict adherence to sections 34 and 40 of the act were applied.

So I note that the architectural technologists are recognized as a distinct occupation by the National Occupation Classification system, where we have Canada's national system for describing occupations.

If anyone who's interested in learning more about architectural technologists, the federal government, they have a NOC classification, 2251, architectural technologists and technicians, and you can read more about how the federal government classifies them, what kind of jobs they do, what kind of training is required. So what we are proposing aligns with the federal government's NOC classification for architectural technologists, Speaker.

Speaker, my officials met with both the Architects Licensing Board of Newfoundland and Labrador and the architectural technologists several times to resolve this matter. The proposed amendments were developed through a collaborative approach with all the parties. I note the Architects Licensing Board reached out to me and copied all Members of the House, and I think they would like to have strict adherence and ownership of the term "architectural." Speaker, that doesn't really align with the national classification and the legislation of other provinces. So we feel like what we're proposing today is a good balance to allow architectural technologists to work under an architect or if they have the appropriate training, then they can work as an architectural technologist.

So we're proposing to remove the restriction around the word "architectural" and put some caveats around that as per our proposed legislation. Specifically, the

amendments would allow a person who is holding a diploma or degree from an accredited architectural technology program to use the term "architectural technologist," and it would allow a person to continue to use the term "architectural technologist" if that person has a minimum of five years' experience providing architectural services under the direct supervision of an architect.

In addition to the changes we're proposing, the proposed legislation has a few additional pages because we're just updating all the language to be gender-neutral.

Thank you, Speaker. I'm happy to discuss this further and looking forward to answering any questions.

Thank you.

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much, Speaker.

I thank the minister and her department for bringing forward this legislation.

Currently, as the Architects Act is written, only a person who is licensed under the act, licensed as an architect can use the word "architect" or "architectural" in describing their job function or services. I'm assuming that would be on résumés or, like they said, describing their job or their job description moving forward.

This means that individuals who are commonly known as architectural engineering technologists or architectural technologists, the two are interchangeable, and cannot use that title as of right now. If they do, they are at risk of a fine. A lot of these are college students just finishing up their schooling, Speaker, they're coming out and they can't afford a \$5,000 fine or whatever it is right now.

Architectural engineering technologists often work with an architectural firm anyway. Most of the architectural engineering technologists in the province are graduates of the architectural engineering technology program right here at CNA. The way the legislation is currently written means that a graduate of this program cannot call themselves by the program they just completed and we think that is unjust and we agree with the government on this.

The bill will fix this problem; it amends the legislation so that the person who has obtained a degree or diploma from an architectural technology program or has 5 years' experience providing services under an architect can use architectural engineering technologists to describe their occupation or title. I think that is very important, again especially coming from the students who are just coming out of school right now; they're going to be more than proud to have that on their résumé.

In addition to this change above, this bill will also encompass gender-neutral language, which is very important in any bills that are presented nowadays, and fixes references to the court system to accurately reflect Supreme Court.

An architectural engineering technologist often works with an architect or architectural firm, although they may also work in other relevant businesses. Architectural engineering technologists are often the employees of a firm who draw all the construction drawings, blueprints, measure existing buildings to determine what shape and condition an existing building is in, complete reviews of existing buildings to ensure they meet the fire and building code – which we all know is very important – coordinate engineers and tradespersons for construction projects and fill out forms for permits and applications – all relevant stuff, Speaker.

While architects who deal with the clients are involved in the aesthetic, artistic style of building and have the professional licensing to stamp and sign legal documentation construction documents, architectural technologists are the ones who work with engineers to determine how the building is constructed, thus an architect will usually have a team of specialized architectural technologists. Many architects do not actually draw the blueprints – it is important to remember – but they review and approve them so their name is on it at the end of the day. It can be called a vision and execution relationship between these two.

Essentially, at least, architectural technologists are involved in every new commercial or industrial new construction or renovation. Most of the architectural engineering technologists in the province of graduates of the architectural engineering technology program at College of the North Atlantic; however, some may have completed training outside of the province but we still think it is important to have them here and have them working in the meantime.

Entitlement to provide architectural services – and this is the way the current legislation is written, Speaker, which is going to be changed here today: “Except as otherwise provided in this Act, only a person who is licensed under this Act is entitled” – this is the official wording of the current legislation –“(a) to take or use the title ‘architect’ either singly or in connection with another word, name, title or designation, except ‘naval architect’ or ‘landscape architect’;(b) to use the word ‘architecture’ or ‘architectural’ either singly or in connection with another word in describing or referring to his or her functions and services, other than where used to describe building materials and trades; or (c) to engage or offer to engage in the provision of architectural services for a fee or commission or for a direct or indirect payment or profit or hope of reward.

“(2) The board may, with the approval of the minister, make regulations respecting the conditions under which a person who is licensed to provide architectural services in another province or territory of Canada, or in another jurisdiction, may provide architectural services in the province.”

The new legislation will be added and we’re quite comfortable with it. “Nothing in this Act shall prohibit or preclude a person from using the word ‘architectural’ in connection with a title or designation where the person (a) has obtained a degree or diploma from an accredited architectural technology program; or (b) has at least 5 years’ experience providing architectural services under the direct supervision of an architect and is providing architectural services under the direct supervision of an architect.”

I believe this is good legislation. I’ve reviewed it as well and I’ve talked to a few people. So what this doesn’t do and it shouldn’t do is to take an architect who has a technology degree and put them as the main architect on any project. That’s not what this bill is intended for, I’m sure, but the fact that these young people that come out of school have that architect in their name, whether it be architect technologist or whatnot, they should be allowed to put that on their résumé, they should be able to put that in their job title moving forward because it’s very important and they should be very proud of what they’ve done. Or, in subsequence, if they’ve had five years’ experience they should be able to use the word architect and that’s what this does today.

So I believe we’re in support of this legislation that’s brought forward today and I will have some questions when we get to Committee.

Thank you, Speaker.

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I won’t belabour it much. We are in agreement on this, that the use of “architectural” in the job title of someone who did the architectural technologist program, either at CNA or any other institution that is recognized by the Technology Accreditation Canada, we agree with the changes. We think it’s in line with the rest of the country at this time.

People work very hard for those diplomas and they should be allowed to use their job title in their name publicly. Changes like this are forthcoming and good, and we’re glad to see that there was consultation from Service NL with both sides on this to make sure that one didn’t infringe on the other degree and job profession of architects.

So I won’t belabour the point any much longer. We agree with this and we’re glad to see this change.

Thank you.

SPEAKER: Seeing no other speakers, if the minister speaks now we’ll close debate.

The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I thank Members opposite for their feedback and comments. I also want to thank architects for the important work they do. They’re incredibly valued. Most buildings that we occupy and live in and spend our time in are built by architects, so I just want to thank architects for all the important work they do and thank architectural technologists.

I’m happy to answer any questions in Committee.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Is the House ready for the question?

The motion is that Bill 29 now be read a second time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

CLERK: A bill, An Act to Amend the Architects Act, 2008. (Bill 29)

SPEAKER: This bill has now been read a second time.

When shall the bill be referred to a Committee of the Whole?

L. DEMPSTER: Now.

SPEAKER: Now.

On motion, a bill, "An Act to Amend the Architects Act, 2008," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 29)

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you.

Speaker, I move that this House do now resolve itself into a Committee of the Whole to consider Bill 29.

SPEAKER: Did you have a seconder to that?

L. DEMPSTER: Seconded by the Minister of Education.

SPEAKER: Thank you.

It is moved and seconded that I do now leave the Chair for the House to resolve itself into Committee of the Whole to consider Bill 29.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 29, An Act to Amend the Architects Act, 2008.

A bill, "An Act to Amend the Architects Act, 2008." (Bill 29)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair is recognizing the Member for Ferryland.

L. O'DRISCOLL: Thank you, Chair.

Is there are list of accredited architectural technology programs that will be considered under this legislation?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Yes.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: What is the process for the architectural technology program to be accredited?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

Some provinces, the architectural technologists have their own regulatory body. We don't have that in Newfoundland and Labrador. But CNA, for example, I think I mentioned in my remarks the CNA architectural program is recognized nationally in terms of architectural technology programs. We would look to the national organizations for any new organization that wanted to offer architectural technology programs.

Thank you.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: The last one: This loophole or unintended consequence has been in the legislation since 2008; were there any architectural technologists negatively impacted during this time?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

I think I mentioned in my remarks that the architects board put out a bulletin stating that they were no longer allowed to use architectural. They were enforcing the act, as is their responsibility. I don't think anyone was negatively impacted, but many individuals professionally working, some working for Memorial University, the College of the North Atlantic, the teachers of the program at the College of the North Atlantic and the students came to me concerned about the program title. They were worried they wouldn't be able to use the job description.

When we looked at the other provinces and we looked at federally the NOC code, restricting the use of the word "architectural" was not in alignment with what the spirit was, the protection of the word "architect" versus working as an architectural technologist.

I'm not aware that anyone was hindered in that process, but the architectural board did certainly send out letters recently saying please stop using the term architectural. So after this change, that won't happen anymore.

CHAIR: Thank you.

Further speakers to the bill?

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against.

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 22 inclusive.

CHAIR: Shall clauses 2 through 22 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against.

Carried.

On motion, clauses 2 through 22 carried.

CLERK: Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against.

Carried.

On motion, enacting clause carried.

CLERK: An Act to Amend the Architects Act, 2008.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against.

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against.

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that this Committee rise and report Bill 29 pass without amendment.

CHAIR: The motion is that the Committee rise and report Bill 29.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against.

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

SPEAKER (Bennett): Order, please!

The hon. the Deputy Government House Leader.

B. WARR: Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 29 without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and directs him to report Bill 29 without amendment.

When shall the bill be received?

L. DEMPSTER: Now.

SPEAKER: When shall the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Speaker, I move that this House do now stand in recess for 15 minutes.

SPEAKER: This House do stand in recess to 3:06 p.m.

Recess

SPEAKER: Is the House ready?

MHA Pardy, are you guys ready?

C. PARDY: Oh yes. We may not look it but we're ready.

SPEAKER: I don't doubt you; I doubt the rest.

Order, please!

The hon. Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Order 11, An Act to Amend the Pharmaceutical Services Act, Bill 32.

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

I move second reading, seconded by the Minister of Finance and President of Treasury Board, of Bill 32, An Act to Amend the Pharmaceutical Services Act.

SPEAKER: It is moved and seconded that Bill 32, the *Pharmaceutical Services Act*, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Pharmaceutical Services Act." (Bill 32)

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

I'm pleased to give second reading on this important act today. The act will allow the

alignment of the *Pharmaceutical Services Act* with the federal *Controlled Drugs and Substances Act*. Most provinces in Canada have already done this.

I'll just give some technical background for Members of the Legislature on what it is we're doing here. The amendment is to update the Tamper Resistant Prescription Drug Pad Program to accommodate the recent federal exemptions granted under the *Controlled Drugs and Substances Act*.

In more detail, the amendments will remove barriers to patient access; permit a prescriber who does not have immediate access to a temper-resistant pad to phone in a prescription to a pharmacy for a patient who requires it; provide for timely access to required prescriptions in a safe manner; increase accessibility for residents of more rural and remote communities; and lessen delays. It will provide that the pharmacist or dispensing physician is authorized to dispense a drug where the prescription is transferred from another pharmacist or dispensing physician. That is primarily if somebody is moved here from outside the province, they can have their prescription transferred. That's the primary example. I guess there would be other examples as well, but they could have their prescription transferred from one pharmacist to the dispensing pharmacist and allow for the dispensing in accordance with the CDSA exemption, and remove any inconsistency with federal legislation.

This will be helpful in providing care to patients in an emergency and outside of emergency situations. For example, transferring an out-of-province prescription would be helpful if the individual was unattached to a family doctor. Currently, the individual would be required to go to a walk-in clinic or an emergency room and have the prescription rewritten, but that's putting an additional burden on an already busy health care system.

Under the Prescription Monitoring Program, prescribers and pharmacists are still required to check the patient's electronic health record. So when the tamper-resistant prescription pad was first introduced, that was some 20 years ago, prior to having the ability to check a patient's electronic health record when prescribing or dispensing opioid medication, for example, to ensure the appropriateness of the medication for the individual involved.

So pharmacists are highly trained drug experts positioned to help ensure appropriate drug use. Pharmacists and other prescribers have access to patient histories, complete medication profiles, access to the individual's electronic health record and they can responsibly and independently manage prescriptions, including opioids within the scope provided by the exemption.

Pharmacists must still ensure that the prescriptions are current, authentic, complete and appropriate before dispensing; validating that a prescription was written by an appropriately registered and authorized prescriber; validating that a prescription received either by fax was sent from the prescriber's office, the prescriber's computer, health institution or other appropriate location or contacting the prescriber or another person at the site of the transmission who can verify the prescription.

Mr. Speaker, there are safeguards and this is essentially modernizing an old system of the tamper-resistant drug pad. We are looking further at the tamper-resistant drug pad and its current effectiveness. We do understand that there may be cases where prescribers still want to use paper. That's where the tamper-resistant drug pad would come into effect and would be used. But in many cases today things are done electronically and it is causing some concern to require that these prescriptions are written on a tamper-resistant drug pad.

Mr. Speaker, according to the results of the national pharmacist survey on exemptions under the CDSA by the Canadian Pharmacists Association published in November of 2021, all provinces, except for Newfoundland and Labrador, were able to accept a verbal prescription, including for opioids or other controlled substances, and all provinces but Manitoba were able to transfer a prescription to another pharmacy.

The Department of Health and Community Services has engaged with the Newfoundland and Labrador Pharmacy Board and no concerns were noted during these consultations. The Pharmacy Board indicated that they frequently received questions and concerns from pharmacists about the tamper-resistant drug pad, particularly the inability to fill or transfer prescriptions from out-of-province prescribers.

Mr. Speaker, this is really modernizing, it's more being able to provide pharmacists and prescribers other avenues to be able to prescribe and fill prescriptions in the province. We will monitor this. We are the last province in the country to do this, but we will monitor it to ensure that safeguards are in place. We will ensure that the safety of individuals in this province is there. But we do have full confidence, not only in prescribers in this province, but in pharmacists in the province who are professionals. We have full confidence that they will ensure that the prescriptions they are filling are prescriptions that should be filled.

Thank you, Mr. Speaker. I look forward to comments from all in the House.

SPEAKER (Warr): Thank you.

The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

Speaker, the Member still had 53 minutes. I might use a little bit more than that, but it is

a pleasure to stand in the House and speak to Bill 32, An Act to Amend the Pharmaceutical Services Act. Just in a nutshell, this bill would amend the *Pharmaceutical Services Act* to amend the definition of prescriber to include pharmacists, midwives and registered nurses; it will also add a definition for dispensing physician; it would also update the Tamper Resistant Prescription Drug Pad Program to accommodate exemptions that were issued under the federal *Controlled Drugs and Substances Act*; it will replace references to Trial Division with the correct reference to Supreme Court; it would update statutory references; and incorporate gender-neutral language.

All important pieces and, on that last point, we do tend to use the word “housekeeping,” and I guess it is but any time you are changing legislation or amending legislation it is important to do it right. I do acknowledge that the minister did mention he has already engaged with the Pharmacy Board and I did as well when this was first announced and reached out and they do not have any concerns related to what is happening here. I do want to thank the minister and his staff; we did have a review of this. He did present the information on this probably two or three weeks ago now, but it was a good to sit down and have a discussion on this.

I just want to give an overview of this. As I mentioned, the Tamper Resistant Prescription Drug Pad Program was introduced in 2005 and it is again a safety issue. It was introduced to reduce prescription drug abuse and diversion by reducing the likelihood of prescription forgeries and/or alterations, and the minister also mentioned that as well.

This focuses in a lot on prescriptions for a specific list of narcotic and controlled drugs that must be typed or written on a tamper-resistant prescription pad. The participation of physicians, dentists, optometrists, veterinarians and nurse practitioners is

mandatory in prescribing the specific drugs included in the Tamper Resistant Prescription Drug Pad Program.

As a result of the requirement for prescriptions to be typed or written on a tamper-resistant prescription pad, a prescriber cannot verbally contact a pharmacy to provide details of a prescription. That’s where we’ve been, and this has caused an issue, of course, in Newfoundland and Labrador during COVID-19 in particular, when you’re trying to transfer prescriptions for newcomers to the province, as the minister has also alluded to.

So prior to the COVID-19 pandemic, the *Controlled Drugs and Substances Act* prohibited pharmacists from receiving a verbal prescription from a prescriber for narcotics and controlled drugs, and from transferring these prescriptions between pharmacies. So in early 2020, Health Canada implemented an exemption to certain requirements of the *Controlled Drugs and Substances Act*. The exemption, among other things, permits practitioners to verbally prescribe prescriptions with controlled substances and permits pharmacists to transfer prescriptions to other pharmacies.

It’s interesting that this exemption is due to expire on September of 2026. But due to the nature of the legislation in other provinces, and I think the minister mentioned we’re one of the last, this Health Canada exemption was pretty straightforward. Not so in Newfoundland and Labrador, hence we’re making changes now. But the bill updates the definition of a prescriber to add midwives and registered nurses and to correct statutory references. It also adds a definition of a dispensing physician and mechanisms certainly are in place to prevent fraud.

As I said, we call it housekeeping, but no less important when we’re making sure legislation is gender-neutral. So government

is making those changes to the language. Some of the noteworthy sections to be added or amended is, of course, in section 2, they're adding a definition of a dispensing physician, which means, "a medical practitioner licensed under the *Medical Act, 2011* who dispenses drugs or drug products in the course of the medical practitioner's practice."

Under that, you have added as well, subsection (p), which gives the definition of a prescriber, which means "a person who is entitled to prescribe drugs under the laws of the province and includes (i) a medical practitioner licensed under the *Medical Act, 2011*, (ii) a dentist or dental surgeon licensed under *Dental Act, 2008*, (iii) an optometrist licensed under the *Optometry Act, 2012*, (iv) a veterinarian licensed under the *Veterinary Medical Act, 2004*, (v) a nurse practitioner licensed under the *Registered Nurses Act, 2008*, (vi) a pharmacist" – and I think earlier in the bill it is defined as licensed under the *Pharmacy Act, 2012* – "(vii) a registered nurse licensed under the *Registered Nurses Act, 2008*, (viii) a midwife registered under the *Health Professions Act*" and that's the list there.

So the point being is everyone who is listed as a prescriber is required to be licensed under the appropriate act. It's not just anyone who is going to be involved here. Looking at section 26: "Notwithstanding subsection (5), a pharmacist or dispensing physician may dispense a drug included in the list established under subsection (2) that is presented by telephone communication where an exemption is issued under subsection 56(1) of the *Controlled Drugs and Substances Act (Canada)* that authorizes a pharmacist or dispensing physician to dispense that drug by telephone."

That's a key piece, as the minister talked about, removing barriers to access, ensuring timely access in a safe manner. It will also help at in addressing those of us who may be in remote areas.

So these steps do ensure better access but, at the same time, doesn't decrease the safety of these drugs being issued. There are a number of other sections in here I can talk to, but I'm just trying to look for something that's more appealing, shall I say. The rest go on and speak to pharmacists and dispensing physicians. So it's very much well laid out here. "A pharmacist or dispensing physician shall only dispense a drug under subsections (5.1) or (6.1) (a) in accordance with the terms and conditions of exemption referred to in subsections (5.1) or (6.1); and (b) for the period of time that the exemption is in effect."

Again, that goes back to what the minister has already talked to, ensuring that they have access to the patient electronic record. So that's a big plus in terms of monitoring this program. As he's already pointed out, our pharmacists are highly trained individuals and all who are outlined here, as being able to prescribe, all highly trained, all licensed under the appropriate act.

That doesn't negate that they have to ensure that each and every prescription that is being prescribed is valid; that all the checks and balances are in place to make sure that individuals are getting the proper medication in the proper time and for proper usage. So it does look after that.

One point the minister did note was around how this can be useful in emergency situations. We try; we know collectively here that emergency rooms are overrun. Part of that is from individuals who are trying to get prescriptions filled.

This program will also reduce those visits to ERs and reduce the waiting times for those who are in those ERs and also lead to a healthier population who are able to get the drugs and the prescriptions they need in a timely manner with no delays.

I do have a number of questions on this. I don't see us not supporting this bill. It

makes sense. It's a step in the right direction, no doubt about it. I do wonder about the exemption end date because we're moving into a time where this makes sense going forward for a lot of the reasons that the minister has already noted.

I'll take my seat and wait for Committee.

SPEAKER: Thank you.

Further speakers to the bill?

The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

This looks like a fairly good amendment and I will try to gauge my notes accordingly so I won't duplicate things that the minister and my colleague have previously said.

It's a good amendment to the act and, as the minister said, largely to update the Tamper Resistant Prescription Drug Pad Program to accommodate the exemptions that were issued during the pandemic.

I find a lot of improvements to a lot of legislation and even to access to programs and supports came about because of the restrictions of COVID. We're looking at some of these amendments now. During the pandemic, doctors' offices weren't open; people had restrictions in terms of being able to access doctors and being able to access their medications for prescription refills. So some of these amendments actually, when we look at the intent of the amendment, was to easing access. Of course, we had to look at making sure the safeguards were in place.

These amendments now are sort of playing catch-up. In the earlier days of the pandemic, Health Canada did provide the exemption to dispensing certain narcotics and controlled substances that allowed prescriptions to actually be filled over the phone, verbally. Also, it allowed some

freedoms for transferring prescriptions from one pharmacist to another.

That was a really good change as they came about that ensured people who needed access to medications also protected themselves against exposure to the virus. This was to ensure that easier access, safeguards were in place and, of course, that exemption came about in March 2020. Of course, it's been extended to September 30, 2026.

The latest update allows for transfers of controlled substance prescriptions between provinces, as the minister spoke about. Of course, this was a temporary measure to maintain access to controlled substances for medical treatments. However, in our province, many pharmacists have reported to the licensing body that the current law prevents them from providing proper care to clients.

So there is a problem in our province. One particular area of concern is for those returning or moving to this province who require treatment but do not have, yet, access to a regular physician. We've seen discussed in this House of Assembly about access to a family doctor or people lining up on Blackmarsh Road only to be cut-off after being in line for a couple of hours. So access is really important. This is something that the pharmacists raised for our province.

There's a contributor for access demand for the physicians in Newfoundland and Labrador. But, I mean, it's really hard to gauge the problem. In most provinces, this presented few problems; however, the legislation going back to our legislation for our province provides another layer of prohibitions that now have to be revisited so that the pharmacist or the dispensing physician can avail of these new measures that were brought in originally by Health Canada.

With the legislation, we're looking at the definition of prescriber. We think this is a

good amendment to include pharmacists, midwives and registered nurses. My colleague also spoke about cutting down on doctors times, so having pharmacists, midwives and registered nurses now considered for being added to the definition of prescriber.

It's really important to note, though, and it could be lost in the discussion, that this amendment does not in itself allow for them to prescribe medications, that power will reside with the regulations and other statutes depending on the profession that they are in. A good example of that is the department is still in talks with the College of Registered Nurses of Newfoundland and Labrador to allow registered nurses to prescribe medications.

So this legislation, this amendment is more of a pre-emptive amendment, meaning that once the professionals are allowed to prescribe, then this will be one piece less of legislation that would have to be reopened.

Looking at the definition of prescribing physicians, there's a bit of humour in it. We're adding the definition for dispensing physicians, but in the previous legislation, the term appeared 27 times even though there was no definition for it. So this is sort of clarifying and tidying up the legislation.

Updating the Tamper Resistant Prescription Drug Pad Program to accommodate the exemptions. There are a couple of other things there: incorporating gender-neutral language, all that kind of stuff. But it's really important for us to note that this legislation does not alter any of the documentation or reporting requirements by pharmacists or dispensing physicians regarding the prescription of controlled substances. That's really, really important because we're looking at that and it should not fuel illicit drug use of controlled substances, nor should it increase the dependency on drugs itself.

Also, looking at a study in 2022 that was published in the *Canadian Pharmacists Journal*, it looked at the affects of the exemptions in Ontario and the authors found that pharmacists availed of the exemption but were prescribing at low rates. So these findings do suggest that there's a change in the pharmacy practice but it was considered that low rates showed that pharmacists were using this exemption as the last line of defence, which is a positive thing.

The exemption led to increased pharmacists prescribing that remained elevated while the rates of lengthier opioid prescriptions decreased and remained low throughout 2020. There's something there that we need to be aware of.

One of the questions we have to ask – this is a good amendment, but why did it take the province so long? Why did it take us so long to introduce the legislation for these changes, particularly in respect to the *Canadian Controlled Drugs and Substances Act*? We're three years into the exemption.

Some of the important things to note – three things that I like to focus on are the expansion of the scope of practice for many health professionals. It's important to raise that by allowing pharmacists, nurse practitioners and registered nurses to write prescriptions, we would make a lot of progress in alleviating the number of doctor visits and emergency visits for people who need to avail of their medications. This would be a good thing that would be very, very beneficial.

While this bill also helps us pave the way for such an expansion, more legislation, regulatory and consultation work must be done before taking the next steps.

The second thing to focus on is better access to mental health and addictions treatment. This legislation is not really dealing with that. This bill does not remove any safeguards for preventing abuse of

controlled substances. But we have to ask, what added measures is this government examining to ensure that patients do not become addicted to medications that they're prescribed?

Also, other environmental factors that we see; stressors, such as financial insecurity, that creates a lot of stress on people; social determinants of health. These are factors that need to be addressed that would have a material impact on the mental health of people in the province and could thereby reduce the risk of substance abuse. There are other things that we need to be looking at as well, not just the legislation, you look at the access to medications.

Of course there's anecdotal evidence of an opioid epidemic actually going on in the province and it's having a lot of effect on crime and our health system. We can also talk about inadequate access to addictions treatments. We see long waits and we see it raised in the House of Assembly a lot. That's something that needs to be considered, not just changing legislation to ensure access to prescription medications.

Looking at the legislation, it doesn't present anything that we see as worrisome. But, like many government initiatives, it doesn't go far enough to address the root cause of our health care crisis. It will go to alleviate some of the issues in terms of our lack of access to doctors and emergency room services. Registered nurses, nurse practitioners and physicians still cannot prescribe medications; that's something that needs to be looked at. Government is once again late to the table with this legislation. These measures could have been brought forward sooner, as soon as the federal government extended the *Controlled Drugs and Substances Act* exemption for five years, rather than just doing it on a yearly basis.

So that's some of the things that we've like to take into consideration as well, but in terms of the amendment it looks like it's a good amendment, Speaker.

Thank you.

SPEAKER (Bennett): Seeing no other speakers to the bill if the Minister of Health and Community Services speaks now, we'll close debate.

The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

I got up just in time for our Law Clerk.

Mr. Speaker, this is obviously not a contentious piece of legislation. The bill is not contentious. We've heard from all three sides of the Legislature, Mr. Speaker.

I will look forward to Committee on this and certainly looking forward to taking any questions from any Members of the Legislature.

Thank you.

SPEAKER: Is the House ready for the question?

The motion is that Bill 32 now be read a second time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

CLERK: A bill, An Act to Amend the Pharmaceutical Services Act. (Bill 32)

SPEAKER: This bill has now been read a second time.

When shall the said bill be referred to a Committee of the Whole?

L. DEMPSTER: Now.

SPEAKER: Now.

On motion, a bill, "An Act to Amend the Pharmaceutical Services Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 32)

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Speaker, I move that this House do now resolve itself into a Committee of the Whole to consider Bill 32.

SPEAKER: Did you have a seconder for that?

L. DEMPSTER: Seconded by the Government House Leader.

SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve into a Committee of the Whole to consider the said bill.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 32, An Act to Amend the Pharmaceutical Services Act.

A bill, "An Act to Amend the Pharmaceutical Services Act." (Bill 32)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Chair.

A couple of questions here: What stakeholders have been consulted for this legislation and what has been their feedback?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Chair.

The Pharmacy Board was consulted and they identified no concerns with the act. They indicated that they frequently received questions and concerns from pharmacists about the tamper-resistant drug pad, particularly the inability to fill or transfer controlled substances without it written on the tamper-resistant pad or to be able to fill prescriptions from out-of-province pharmacists if somebody moves in and the inability to transfer a prescription from outside.

The department also engaged through the mental health and addictions consultant, engaged as well, Mr. Chair, with nurse practitioners involved with opioid dependency treatment within the regional health authorities and the responses received there clearly showed a need to be able to exercise the CDSA exemption in this province.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Chair.

A couple of the changes here in this act dealt with the addition to the definition of

prescriber. I am looking at section 1(2)(p)(vii) and 1(2)(p)(viii). Both have been added; you have registered nurses added and you also have midwives added. Were they consulted in this piece of legislation?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Chair.

We did add registered nurses as a result of the announcement to increase the scope of practice recently to allow registered nurses to prescribe. The chief midwife, Mr. Chair, is an employee of the Department of Health and Community Services. We'd also added pharmacists, based on the increased scope of practice that was recently announced, to allow pharmacists the ability to prescribe for certain ailments.

CHAIR: Thank you.

The hon. the Member for Topsail - Paradise.

P. DINN: So just to elaborate or expand on that. Were the registered nurses consulted and aware of this change in this particular piece of legislation?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: My understanding is, Mr. Chair, in terms of the ability for registered nurses to be able to prescribe, that there was consultation going back over the course of the past two or three years with a number of groups including the Registered Nurses' Union on the ability for nurses to prescribe. That change was made. Obviously, if they're going to prescribe, it had to be reflected in this piece of legislation.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: So I guess my question then becomes: Is the minister satisfied that the

registered nurses are okay with this change?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Chair.

I do believe they are. The Health Accord NL called for the increased scope of practice of all health disciplines in the province. So, obviously, before nurses can prescribe there is some training and upgrading that needs to happen. Whether or not an increased scope of practice impacts the issues that were raised by the Registered Nurses' Union, those issues will be resolved through collective bargaining.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: Well, I'll cut to the chase on the (viii) when it comes to midwives. Is the minister satisfied that the midwives are satisfactory to this change as well?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yes, I am.

CHAIR: Thank you.

The hon. the Member for Topsail - Paradise.

P. DINN: Thank you.

How many professionals in this province will these changes impact?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I mean, that's difficult to say right now. We are growing the midwife program in the province, looking to recruit additional midwives. So as we recruit additional midwives, that will change the number.

In terms of registered nurses being able to prescribe, it entirely depends on whether a registered nurse wishes to prescribe and completes the training that is required to allow them to prescribe. Outside of that, it would involve a number of pharmacists in the province. The pharmacist that doesn't have to prescribe or take that on, it is entirely within their own purview to determine whether they want to have the ability to diagnose the ailments that were allowed with the scope of practice or to prescribe within the increased scope of practice. So it's largely upon these professional bodies and the professionals within the pharmacy association, the registered nurses and the midwives.

CHAIR: Thank you.

The Member for Topsail - Paradise.

P. DINN: Just related to that, when you were answering around registered nurses, you did mention scope of practice there. With regard to the pharmacists – and you may have touched on it in your last response – does this expand the scope of practice for pharmacists?

CHAIR: The Minister of Finance and President – oh, sorry.

The Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Chair, that was a blast from the past.

Mr. Chair, we've already announced the scope of practice for pharmacists some two or three weeks ago. So this takes into account that that scope of practice has been increased.

CHAIR: Thank you.

The Member for Topsail - Paradise.

P. DINN: I also mentioned this when I was up first speaking to this bill: What's

government's perspective on the exemption expiring in 2026?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: That's the current date that it's set to expire. It was already set to expire and extended. If this is working well for all provinces and improving the delivery of health care, I do anticipate that the provincial, federal and territorial ministers will have discussions around that and whether or not the CDSA exemption should be further extended or indefinitely extended.

CHAIR: The Member for Topsail - Paradise.

P. DINN: Thank you.

Related to that – and I know you've talked about it – have there been any discussions to date with Health Canada on whether this exemption will continue past 2026?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Not at this stage. We are three years and a bit away from that particular time frame. We are just signing on to this, so it would be premature, I think, for this province to say. We have looked at other jurisdictions and looked at how this was working in other jurisdictions. We feel that this is the right move, but ask me again 18 months or 24 months from now and we'll determine whether there are bumps in the road and whether they can be smoothed out or we want to change direction. But this is the right move at this particular time and if issues arise we'll deal with them.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you.

Does government have any data on how many people in Newfoundland and Labrador who have – well, you can look at it

two ways – negatively been affected or positively been affected by this change coming?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: That information, I think, is more anecdotal. In speaking with the pharmacy board, they've received numerous complaints over the years regarding the tamper-resistant drug pad. So that will alleviate those concerns.

Again, we've modernized; the electronic medical records are now accessible. When the tamper-resistant drug pad was first introduced, that was not an option. So I guess you evolve over time.

At one point we'd all arrive here on horse and buggy, but times change. So we do have access now to electronic medical records, which may or may not see an end to the tamper-resistant drug pad.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: So that touches on another issue around security of information and the opportunities for fraud. Have other provinces seen an increase in forgeries or fraudulent prescriptions, do we know?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Not to my knowledge and, again, I've outlined in my speaking notes, previously, the steps that a pharmacist would have to go through. In addition to having access to the patient's electronic health record, they have to validate that a prescription was written by an appropriately registered and authorized prescriber. They have to validate that a prescription received by fax was sent directly from a prescriber's office, a prescriber's computer or health institution or other appropriate location. Contacting the prescriber or other person: if

there is any concern, they would contact the prescriber or another person at the site of transmission who would verify the prescription.

So there are safeguards in place. One would hope that with electronic health records and moving into the health information system, which is another reason to look at this today as well, we are moving into the health information system where all health providers will have access to a patient's medical records when needed.

I don't know if we can say with certainty that we should eliminate any risk of fraud in prescription writing, but I would certainly hope that based on the medical records and the health information system, outside of a hacker getting in and writing a prescription, that prescription would be legitimized through the health information system and reduce any risk of fraud.

CHAIR: Thank you.

The hon. the Member for Topsail - Paradise.

P. DINN: Thank you for that, and you did in your preamble mention a number of instances there for validating prescriptions, so I thank you for that.

We're all very much aware of the issue we have with family physicians and that in this province. I do ask: Has the lack of family doctors in the province impacted the ability of newcomers to transfer medication to this province or to obtain new prescriptions?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Whether it's due to a primary care provider or not, people coming to the province – and it was noticed during COVID. For example, we did have people moving back to the province because of the fact this province had fewer cases and probably better management of COVID than other jurisdictions. We did see an influx of

people returning back home and if they had prescriptions in the jurisdiction they left because of what was happening through COVID, they were having difficulty getting that prescription transferred or refilled here and would have to go to an emergency department.

We have seen evidence of the difficulties and that probably goes back a decade or longer since the tamper-resistant drug pad was introduced. If somebody moved to this province from another jurisdiction, they couldn't transfer their prescription from the province they were in to this province, which would've created concerns. We are looking at not only this, the virtual physician coverage, the increased scope of practice for pharmacists, increased scope of practice for other health professionals, the Family Care Teams are all designed to reduce the stress on our emergency departments for individuals who don't have access to a primary care provider.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: I note on the Government of Canada's website on their Q & As or frequently asked questions they note that prescriptions under this exemption can be transferred to another province or territory. To the question I've asked previously, when we're talking about newcomers, individuals that are arriving from the Ukraine or from wherever, have we had any concerns with them? Or do we see any concerns with them in terms of transferring their medications?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: This would be for individuals within Canada, of being able to transfer their prescriptions. I'm not sure the same would hold true for any jurisdiction globally and the reliability of those prescriptions. We do know that, throughout Canada, pharmacists follow a similar scope of practice, similar

licensing and similar regulations. So to have it transferred from one province to another, there are safeguards in place where they may or may not be in place going from another jurisdiction globally.

CHAIR: Thank you.

The Member for Topsail - Paradise.

P. DINN: So thank you for that.

Related to that, I would guess that – well, I don't want to guess, but if you have a newcomer here to the province, I suspect that newcomer would have to be attached to a clinic or attached to a doctor and only at that point would they become able to avail of this process.

CHAIR: The Minister of Health and Community Services.

T. OSBORNE: No, I wouldn't say that because nurse practitioners can write prescriptions and a newcomer to the province, once they contact 811 for example, outside of controlled substances, a nurse practitioner can prescribe through 811.

Individuals, no matter where they're living in this province, even if they don't have access to a primary care provider, can get a prescription written through 811. This now allows prescription through 811 to go to a pharmacy without it having to be written. Although the nurse practitioners through 811 wouldn't be able to prescribe controlled substances, obviously by the nature of those medications.

CHAIR: The Member for Topsail - Paradise.

P. DINN: Thank you for that; that was the exact clarification I was looking for there.

How many verbal prescriptions does government expect to see per year with this change?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I wish I had that crystal ball but I think time will tell. This is making a health service more accessible, especially in rural and remote areas. So I think maybe the more uptake there is on this, the better it's working and the more accessible health care is becoming to the people of the province.

CHAIR: Thank you.

The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, for that.

My next question was going to talk about the expected breakdown of type or class of drugs, what are we seeing there, but – well, I'll let you answer; I assume I know the answer already.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Again, what I'll do is I will thank the Member for advance notice of his question, 12 months from now, because I think I'll be able to answer that in a much better way 12 months from now.

CHAIR: Thank you.

The hon. the Member for Topsail - Paradise.

P. DINN: Just going to the – that clock is funny. I haven't left nine-something for awhile. I'll keep going anyway.

T. OSBORNE: You're doing such a good job.

P. DINN: Okay, I see.

CHAIR: We reset it all the time.

P. DINN: Gotcha.

I'm just looking at, because we talk about preventing fraud and the like, I wanted to ask this: What mechanisms or what measures are in place to help monitor and inspect compliance to this exemption?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: The validating process that we outlined previously for pharmacists, there are safeguards put in place for pharmacists now. Those safeguards are continuously updated and regulations are continuously updated. But we outlined the validation process that's in place currently, what's changed, I think, since 2005 is the access to a patient's electronic health record, which makes this today – I'm not sure this Legislature would have done this in 2005 when the tampered-resistant drug pad was in place. But the fact that medications now through the electronic health record, the prescriber and the pharmacist would both have access to that, provides a safeguard in and of itself.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: Okay and this is potentially my last question. It's probably more curiosity than a question. I'm looking at the section I spoke to first off, which was section 1(2) and it's the definition of prescriber where we list off so many occupations. It's just curiosity. When I go down through that list, you have a dentist or dental surgeon licensed under the *Dental Act, 2008*; an optometrist licensed under the *Optometry Act, 2012*; a veterinarian licensed under the *Veterinary Medical Act, 2004*; a nurse practitioner licensed under the *Registered Nurses Act, 2008*. Then we come to a pharmacist and then we go past the pharmacist and talk to a registered nurse licensed under the *Registered Nurses Act, 2008*; and a midwife registered under the *Health Professions Act*.

I'm just curious to why we wouldn't have a pharmacist as licensed under the *Pharmacy Act, 2012* there.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I'm not sure. That's a regulatory question but we'll get you an answer.

CHAIR: Thank you.

T. OSBORNE: I will say to the Member they were excellent questions. You're an excellent Opposition Member and I wish that you will remain in Opposition for many years.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Further questions?

The hon. the Member for Torngat Mountains.

L. EVANS: Not often I say this; I actually hear the minister's sentiments. I think you are a good Opposition Member there, Paul, and probably would make a good minister in the future.

Chair, the reason why I said that is most of my questions have been asked. I just have a general question here to the Minister of Health.

Why did it take so long for government to introduce these changes, particularly with respect to the *Controlled Drugs and Substances Act*? We're three years now into the exemptions and only allowing our health care professionals to avail of them now.

So can you just give us an overview of why? Did you have some concerns? Were there some issues there with actually bringing in this amendment?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Chair.

I'm not sure I can answer that question. You know, sometimes it's better to be first and sometimes it's better to wait and see how it's working in other jurisdictions. That may be the case here.

One of the things that will be able to be verbally prescribing is opioids or controlled substances, so when this was first brought to my attention, a number of months ago, I wanted to make sure that the safeguards were there because of controlled substances. Now, it was only brought to my attention, obviously, since becoming Health Minister six or seven months ago. I did have some questions myself. I went back and got officials and through consultation with the Pharmacy Board and others to ensure that the safeguards were in place and wanted to look at how it was working in other jurisdictions.

So I'll take this opportunity to thank the staff in the department who have followed through on easing my concerns in that regard and ensuring that patients in this province would be safeguarded and that there were validating processes and so on in place.

But I can't answer as to why. Sometimes we're first in the country in terms of regulations or legislation or initiatives and sometimes we're further down the line. Some provinces will be first in any changes and some provinces – not every province can be the first province to introduce a change. I'm not sure of the timing; I can't answer that.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you. Chair.

Yes, and I realize when you're dealing with prescriptions and access to narcotics and controlled substances you have to ensure that all safeguards are addressed before introducing changes.

The Member, my colleague, had asked most of my questions. I wasn't quite sure what your answer was in terms of the consultations, but did you consult with, say, for example, the Medical Association, the physicians?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I will get the details on that for you. My understanding is, yes, the physicians were consulted with, but I will get the information on, I guess, the timing of the consultation with that group as well.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

I don't have any more questions, but it was just pointed out to me that when I was speaking originally on the bill I did say registered nurses, nurse practitioners and, I think, I said not pharmacists but physicians could not prescribe. So I just want to correct my statement that I said during the debate.

CHAIR: Thank you.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 15 inclusive.

CHAIR: Shall clauses 2 through 15 carry?

The Chair is recognizing the Member for Topsail - Paradise.

P. DINN: Just one final question and it is within these clauses, if I can.

I'm just looking at subsection 26(8) and we talk about, "Where a prescriber's licence is suspended or cancelled by the prescriber's supervising professional body, or a prescriber stops practicing in the province, the prescriber shall return all tamper resistant prescription drug pads to the minister within 3 days of that suspension, cancellation or change of practice."

My question, I hope, is a very simple one. But how do we know, because we've added so many other prescribers here, how do we know if the number of pads they had are being returned? Do we keep an inventory of what's been issued and what we get back when it comes to these tamper-resistant pads?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: My understanding is they do. I mean, these are tamper-resistant pads so there would be control on these particular pads. Otherwise, I guess, the very nature of the pad, there wouldn't be any benefit to the pad unless there were controls on the pad, because the tamper-resistant pads do deal with controlled substances.

CHAIR: Thank you.

CLERK: Clauses 2 through 15 inclusive.

CHAIR: Shall clauses 2 through 15 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 15 carried.

CLERK: Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act to Amend the Pharmaceutical Services Act.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 32.

CHAIR: The motion is that the Committee rise and report Bill 32.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

SPEAKER (Bennett): Order, please!

The hon. the Member for Baie Verte - Green Bay and Chair of the Committee of the Whole.

B. WARR: Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 32 without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that they have considered the matters to them referred and directed him that Bill 32 passed without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Speaker, I call from the Order Paper, Order 9, An Act Respecting the Regulation of Mortgage Brokerages and Mortgage Brokers in the Province, Bill 30.

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Speaker, I move, seconded by the Minister of Municipal and Provincial Affairs, that Bill 30, An Act Respecting the Regulation of Mortgage Brokerages and Mortgage Brokers in the Province now be read a second time.

SPEAKER: It is moved and seconded that Bill 30, An Act Respecting the Regulation of Mortgage Brokerages and Mortgage Brokers in the Province, be now read a second time.

Motion, second reading of a bill, "An Act Respecting the Regulation of Mortgage Brokerages and Mortgage Brokers in the Province." (Bill 30)

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

What a tongue twister the title is, so I'm going to try not to say it too much.

Speaker, the heart of this bill is really consumer protection. We know that people in our province, when they buy a house, most people get a mortgage and it's the single, biggest financial transaction they'll make. Getting a mortgage, the security for the house is a huge transaction. This bill, Speaker, we're very pleased to present today to significantly improve the consumer protection of those buying houses in Newfoundland and Labrador and getting a mortgage.

Real estate transactions, obviously, they affect a large portion of individuals in every region of our province. Most of them involve obtaining a mortgage. A modern and robust regulatory framework is necessary to deliver consumer protection to homebuyers while also ensuring the needs of the mortgage broker industry, ensuring these are taken into account.

According to the Canadian Real Estate Association in 2022, some 5,972 residential properties were sold in Newfoundland and Labrador. This is an increase of 22 per cent of sales in 2021 and was the highest number of annual residential sales ever recorded in the province. Most, if not all, of these properties were purchased through a mortgage transaction.

Thousands more homeowners in Newfoundland and Labrador either refinance or renew an existing mortgage annually. According to the CMHC 2021 Mortgage Consumer Survey, 41 per cent of Canadian mortgage consumers used a mortgage broker to take care of their mortgage negotiations.

So, Speaker, when you get a mortgage, you can get a mortgage through a mortgage broker and that's what we're talking about here. If you get a mortgage through a bank, then the federal *Bank Act* would apply. So we're not talking about mortgages through a bank; these are mortgages exclusively through a mortgage broker, of which 42 per cent of mortgages are going through a broker.

As a result of rising interest rates and tighter mortgage rules, more borrowers are seeking mortgages from lenders other than major banks. As consumers seek to navigate changes in the home buying and borrowing market, it's important that we have a regulatory framework that functions to properly protect consumer interests.

So, Speaker, when I was elected in 2019, one of the first pieces of legislation that this

House debated and so I kind of dug into – not as a minister – was the Real Estate Trading Act. We talked a lot about buying houses and real estate agents and the rules around real estate agents. In doing that, in 2019 we made changes and modernized that act to benefit both consumers and real estate professionals. That is now a modern and robust legislation providing consumer protection to homebuyers and sellers while also recognizing the professional needs of real estate brokers and salespersons.

Then we made further improvements to that act in Bill 14 last fall. So one of the items that were cleared up in the Real Estate Trading Act was the elimination of potential conflicts of interest in the circumstance where a real estate broker or salesperson is also acting in the capacity of a new mortgage broker on the same transaction. Although this particular matter was addressed, the necessity for a review of the *Mortgage Brokers Act* was highlighted and to establish a comprehensive regulatory regime to protect residents purchasing homes.

So the *Mortgage Brokers Act* was proclaimed in this province in 1976, and other than in 2010, there have been no substantial updates and it does not reflect the growth of the mortgage brokering profession nor the increased usage of mortgage brokers by consumers. In September 2021, the provincial government sought input from the mortgage brokering industry, customers of the mortgage brokers and the public regarding proposed amendments to the *Mortgage Brokers Act*. So we did extensive consultation in 2021, Speaker.

So based on feedback and analysis from these consultations to establish stronger legislation with enhanced consumer protection reflecting increased importance of a mortgage brokering relationship to homebuyers, the current *Mortgage Brokers Act* is being repealed and replaced by legislation that is more comprehensive.

Mortgage brokers of Newfoundland and Labrador offer mortgages through financial institutions such as banks, trust companies and mortgage finance companies or private lenders. Current legislation does not reflect the growth in the industry or the expectations of consumers. In particular, it lacks adequate requirements related to recent expectations for transparency and accountability of industry participants. The proposed act, entitled the *Mortgage Brokerages and Brokers Act*, would transition from a registered framework to a licensing regime consistent with best practice. This approach to the regulation of mortgage brokers has already been adopted in six other provinces, including Nova Scotia and New Brunswick. Prince Edward Island doesn't have any mortgage broker legislation.

Corporations, partnerships and sole proprietorships are registered as mortgage brokers under the current act. Those entities would be required to be licensed as mortgage brokers under the proposed act. Currently, individuals working in a business that is a registered mortgage broker are not required to register. This makes it impossible to regulate all mortgage-brokering activities and to sufficiently protect consumers utilizing mortgage-brokering services. Under the new act, these individuals would be required to be licensed as mortgage brokers, subject to the applicable licensing criteria. The required licensing fee of \$200 that we are proposing would be the lowest fee for mortgage brokers in Canada.

Speaker, a key element of the legislation is the educational requirements that will be established for mortgage brokers. Minimum levels of education in the mortgage-brokering field will be required for a person to become licensed as a mortgage broker. A transition period will be provided in the legislation to allow appropriate time for mortgage brokers to obtain the necessary educational requirements. Continuing education is also a requirement, continuing

to educate themselves about changes in the mortgage-broker industry or real estate markets will ensure that mortgage brokers are better prepared to deliver the best service to clients, to residents of Newfoundland and Labrador.

Speaker, my department has received calls and emails over the years expressing concerns that the mortgage broker with whom they may be dealing have not provided them with clear information or sufficient options to help them make an informed decision about choosing a mortgage. This legislation establishes stronger disclosure requirements to ensure that homebuyers are provided all necessary information to help them make an informed decision. These disclosure requirements will also ensure homebuyers are provided multiple options to make a mortgage decision.

Speaker, in addition to these key elements, the proposed act would authorize the development of a code of conduct, require mortgage brokerages to carry errors and admissions insurance, require mortgage brokerages that receive monies in trust to maintain trust accounts, require licensees to determine the mortgage that is most suitable for the borrower and authorize administrative penalties for specific contraventions to the legislation.

As I noted earlier, the purchase of a home or condominium may be the largest transaction a person will make in their lifetime and we want to ensure that consumers have the best protection possible so they can feel comfortable with their purchase and their purchase process.

Speaker, my mortgage was with a mortgage broker and when I was going through that transaction, my privacy was breached by the mortgage broker. So this I certainly something that I've had a key interest in and that will be kind of remedied when we get to the code of conduct. I'm sure that most mortgage brokers keep up to date on the

industry and are providing really good professional service to their clients, but we really need to make sure that all mortgage brokers, given the nature of these transactions, we need to make sure that all mortgage brokers provide service of a certain standard, Speaker. That's what we're really here to do today.

So I'm very pleased to debate this with my colleagues and answer any questions in Committee.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much, Speaker.

It's a terrible situation when your privacy is breached or when you have a bad experience with buying a home. I want to thank the minister and her department for bringing this legislation forward so it doesn't happen to somebody in the future.

What we're looking at today is this new legislation that's going to come in and protect consumers. First, we need to look at, of course, what is a mortgage broker or brokerage. A mortgage broker or brokerage is an intermediary who brings mortgage borrowers and mortgage lenders together but who do not use their own funds to originate mortgages. They help borrowers connect with lenders and seek out the best fit in terms of the borrower's financial situation and interest rates needs. The mortgage broker or brokerage also gathers paperwork from the borrower and passes that paperwork along to the mortgage lender for underwriting and approval purposes. The broker or brokerage earns a commission from either the borrower, the lender or both at closing.

Speaker, the *Mortgage Brokers Act* was initially proclaimed in 1996 with various

amendments since, the last being in 2013. Bill 30 would repeal the *Mortgage Brokers Act* and enact the *Mortgage Brokerages and Brokers Act*. Yes, it's definitely a mouthful, like the minister said. This legislation would move oversight of mortgage brokers and brokerages in the province from a register to a superintendent, which has far more oversight and ability to oversee the industry. They would have the ability to vary, suspend or cancel a licence, they would have the ability to impose administrative penalties and they would have the ability to inspect documents of course.

Not dissimilar to the updates made to the Real Estate Trading Act, it authorizes the new superintendent to maintain a register of mortgage brokers and brokerages licensed under the act, similar to the system like Companies and Deeds Online. Currently, mortgage brokerages authorize mortgage brokers in this province and government does not know how many mortgage brokers are currently practising in Newfoundland and Labrador. It requires mortgage brokers to obtain a licence and outlines the requirements for obtaining said licence.

This legislation also outlines the duties of brokers and brokerages. It prohibits a broker or brokerage from providing the mortgage on a property they may also be acting as a realtor for – of course, that can run into a conflict of interest so we're happy with that – and establish requirements for how mortgage brokerage or brokers can advertise.

If we look at the bill that's being presented here today, it requires the minister to appoint a superintendent of mortgage brokerages and mortgage brokers, which we're looking forward to. This legislation will set the powers and duties of the superintendent. I'm sure that could be a vast array of powers, of what they may have and I'm looking forward to those in Committee as well; authorize the superintendent to issue mortgage brokerage licences and mortgage broker licences;

require the superintendent to maintain a register of mortgage brokerages and mortgage brokers licensed under the Act; establish the requirements for obtaining a mortgage brokerage licence and a mortgage broker licence; require a mortgage broker to obtain a mortgage broker licence to carry on the business of brokering mortgages; require a mortgage broker to obtain a mortgage broker licence to engage in brokering mortgages; prescribe duties of licensees. They would also prescribe the circumstances where the superintendent is authorized to vary, suspend or cancel a licence. They would also require a mortgage brokerage that receives trust money to maintain a trust account, which we know is very important for oversight; establish requirements for advertising by mortgage brokerages and mortgage brokers; prohibit a person who is registered under both the act and the *Real Estate Trading Act, 2019* from providing services under both acts in respect of the same trade, which again would be a conflict; authorize the superintendent to impose administrative penalties for prescribed contraventions of the act and the regulations; and authorize inspections for the purpose of administration and enforcement of the act and the regulations.

We're looking forward to this legislation. Of course, any legislation that protects consumers within the Province of Newfoundland and Labrador I think we can definitely get behind and definitely support. We try to look out for the little guys as much as possible and in these circumstances it's no different.

I look forward to the debate and I will have more questions in Committee.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER (Warr): Thank you.

The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I don't want to belabour this too much because I agree with my colleagues here and the minister that this is a good change forward. The previous act came into force originally in 1967 and the last time it was amended was in 2013. It's long overdue for an update. A lot of brokerages and stuff, even you can see in some of the consultations, were agreeing that there are some things that needed to be changed, things like establishing a code of conduct and that. Also, this now will close a lot of loopholes that were there, especially when it came to a broker working on both the real estate side and the mortgage broker side of a transaction. So we're going to close a lot of those loopholes and stuff. This goes almost in parallel with what was done with the Real Estate Trading Act.

I'm glad that we're going to clean this up and to make it more transparent for all those involved. Another thing, too, like the minister said, there are people out buying their home (inaudible) and they want to make sure the process goes smoothly, it's transparent and that there are a set of rules and stuff that everyone has to follow. There have been a lot of cases of individuals having bad experiences in this industry and questioning some of the motives and moves that were made by potential brokers and brokerages.

I won't stand here too much longer. We can go to Committee on this, but I do agree that this is a positive step forward for people of this province.

Thank you.

SPEAKER: Further speakers?

If the hon. the Minister of Digital Government and Service NL speaks now she will close the debate.

The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

I really appreciate the feedback and comments from everyone and looking forward to answering lots and lots of questions in Committee.

Thank you.

SPEAKER (Bennett): Is the House ready for the question?

The motion is that Bill 30 be now read a second time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

CLERK: A bill, An Act Respecting the Regulation of Mortgage Brokerages and Mortgage Brokers in the Province. (Bill 30)

SPEAKER: This bill has now been read a second time.

When shall the bill be referred to a Committee of the Whole?

L. DEMPSTER: Now.

SPEAKER: Now.

On motion, a bill, "An Act Respecting the Regulation of Mortgage Brokerages and Mortgage Brokers in the Province," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 30)

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move that this House do now resolve itself into a Committee of the Whole to consider Bill 30.

SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into Committee of the Whole to consider the said bill.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Trimper): Order, please!

We are now considering Bill 30, An Act Respecting the Regulation of Mortgage Brokerages and Mortgage Brokers in the Province.

A bill, "An Act Respecting the Regulation of Mortgage Brokerages and Mortgage Brokers in the Province." (Bill 30)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Chair.

In this act, business day means a day that is not a Saturday, Sunday or holiday. Public holidays are defined in the *Labour Relations*

Act but holidays are not. Can the minister elaborate on this? Are these federal, provincial and/or municipal holidays or are any of these?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: That's an excellent question. A business day would include provincial holidays, but I will confirm that shortly. If we could come back to that, I'll just confirm with my team.

Thank you.

CHAIR: Okay, thank you.

The Chair recognizes the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

For the purpose of this act, a person brokers mortgages if the person engages in one or more of the following activities, any of the activities prescribed in the regulations. Have the regulations been developed? If so, can we get a copy? If not, when can we expect them to be developed?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you.

The regulations have not been drafted yet, so I imagine it will be a few months and then we'll give the real estate teams around the province a notice of proclamation. So they have not yet been drafted.

In terms of the business day, is there a section – never mind, sorry. I'm still working on that answer, the first answer.

Thank you.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

The superintendent may establish a code of conduct. When does the minister expect a code of conduct to be established?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you.

The code of conduct would be established and come into proclamation with the regulations or the regulations would have that – if not when the regulations come into force and the act comes into force, then a future date. But all that would be specified in the regulations.

We would take a similar approach, I think, than we have for the real estate code of conduct. I don't anticipate any delays, so I think when the legislation comes into force and the regulations are in the *Gazette* and are in force then the code of conduct would be in force.

CHAIR: Thank you.

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much, Minister.

Have any other jurisdictions been looked at as a model for a code of conduct?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Absolutely, yes. We've been looking primarily at the other Atlantic provinces. They have similar regulatory regimes. Although I have to say, we are kind of behind the other provinces in this in having acts around up-to-date mortgage brokerage and brokerage legislation. PEI does not have any mortgage brokerage legislation, but other provinces do have codes of conduct and we will look to theirs.

CHAIR: The hon. the Member for Grand Falls-Windsor-Buchans.

C. TIBBS: In the act it says set continuing education requirements. What type of education requirements are being considered at this time?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you.

That's an excellent question. We see the other Atlantic provinces have a similar kind of training program that is offered online by, I believe, the Mortgage Professionals Canada. They offer training online. We're looking at something similar. I can just give some more information. To be a mortgage broker you do kind of an overview section about the mortgage industry, the legal overview of regulatory framework. There is another module about mortgage math and all the mathematical calculations that go into mortgages.

Then a third part with little modules is about the mortgage process. One is understanding the mortgage process, completing the mortgage application, qualifying the borrower mortgage products, submitting the application and then appraisals and then a closing process.

Then there's another part with another module around protecting consumers and increasing industry professionalism. That would be for mortgage brokers. Then for mortgage brokerages they would have to do their mortgage broker course and then there are a few other extra modules around setting up your brokerage. Because obviously if you're a brokerage, you have additional responsibilities and you oversee the brokers. Kind of that management, compliance, record keeping, complaints, disclosures, fraud, advertising. Information about the rules that apply to the mortgage brokerage. Those are currently delivered and available through the Mortgage

Professionals Canada and we would look to leverage what those other Atlantic provinces are doing through that that already exists today.

Thank you.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much for the answer, Minister.

In the act, “The superintendent shall maintain a register of mortgage brokerages and mortgage brokers on the department’s website which shall include”

When does the minister expect the registry to be operational?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you. That is an excellent question.

So that would be operational when the regulations and the legislation come into force. We have the technology; we just have to make a few tweaks, so we don’t have to wait for the technology to have that registration process in place.

Just to answer the first question about holidays: Holidays are defined in the *Interpretation Act*. So we can go check the *Interpretation Act*, which outlines the government holidays.

Thank you.

CHAIR: Thank you.

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

Will this be a part of the CADO or listed separately?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

I believe by CADO the Member is referring to the Companies and Deeds Online registry. So if someone is starting a mortgage brokerage and it is a company then the same company rules would apply. Yes, if you’re starting a company, this is not exclusive of any of the requirements under the Corporations Act.

Thank you.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

“A person applying for a licence under paragraph 7(1)(a) shall submit to the superintendent ... the fee set by the minister.”

What will the fee be for brokers and brokerages alike?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you.

So at the moment we are proposing a \$200 fee for brokers, which would be the lowest in the country. And \$400 for brokerages, which would also be the lowest in the country. Those are the same fees as we charge for the real estate agents and the higher level real estate corporations. So that is what we’re proposing.

CHAIR: Thank you.

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

“... proof, satisfactory to the superintendent, that the principal broker has successfully completed the education requirements prescribed in the regulations”

Will an exam or exams be required for those seeking a licence, similar to the Life Licence Qualification Program? Will they be administered at public institutions?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

So the individuals would be required to do training and they would also be required to become licensed. So there would be a few documents they'd have to provide during the online application form, when they become licensed, just like real estate brokers would do now. I'm not aware of a test, but I'll let the House know if I'm incorrect. I don't think there would be a test but they do have to complete these training modules.

CHAIR: Thank you.

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

What educational requirements are common in other jurisdictions? Anything different than what you outlined earlier?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

We would be proclaiming and requiring the training when the regulations are completed, which hopefully won't be too long. So this could change, but right now what we're proposing is what Nova Scotia and New Brunswick currently offer, which exists through Mortgage Professionals Canada and is of a Canadian standard that

would apply to mortgage brokers and mortgage brokerages in Canada.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you for that, Minister.

“In addition to the requirements in subsection (1), a mortgage brokerage shall (a) file an annual report in the form set by the superintendent”

Will this report be available online through the registry?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

They would be required to submit annual report online through our new online process. That would be minimal in nature and those reports would not be available.

Thank you.

CHAIR: Thank you.

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much, Minister.

“The superintendent may require mortgage brokers to file an annual report in the form set by the superintendent” as well.

Will this report be available online through the registry?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: No.

CHAIR: Any further questions for the Member for Grand Falls-Windsor - Buchans?

The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Chair.

The superintendent may “vary, suspend or cancel a licence”

Can the minister provide some context on what varying a licence would entail?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

That’s a good question. The superintendent would be responding to complaints or if someone was not operating within the code of conduct or the regulations. Potentially, they could get a licence where they can continue transactions that they’re currently helping clients with but not be able to accept new clients, for example.

That’s just one example of how they could vary a licence.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you, Minister.

“A licensee is required to act in the best interests of a borrower and shall (b) determine the mortgage that is most suitable for the borrower in accordance with the regulations”

What will be considered when determining what is the most suitable for the borrower?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

I think the spirit here is that the mortgage broker will be required to give, offer and be transparent about what mortgage options they have available. I’m not saying anyone

is doing this and we don’t know at the moment, but there could be instances where mortgage brokers are only recommending mortgages to clients where they personally make a higher commission, for example. Or maybe they’re not even checking multiple rates, they’re just offering one rate to the client and the client doesn’t really know how many different options the mortgage broker has checked.

So things like that we’re trying to be mindful of so that the consumers’ interests are paramount. Obviously, the mortgage broker should make some money, but the mortgage broker can’t choose a mortgage for the consumer based on, for example, the percentage of commission they’re going to make, over the benefit to the consumer.

CHAIR: The Member for Grand Falls-Windsor - Buchans.

C. TIBBS: I couldn’t agree more with the minister. We need to make sure that our consumers are taken care of.

“A mortgage brokerage shall not advertise the business or any products or services offered by that business unless the advertisement (a) indicates the name of the business as set out in its licence”

Will this include business trade names?

CHAIR: The Minister of Digital Government and Service NL.

S. STOODLEY: Yes, I would imagine that the brokerage would need to include the name that is registered with our department on their licence. That would ensure that if a consumer has questions or issue with the advertisement that they could reach out to our superintendent who would then work with the mortgage brokerage or mortgage broker.

Thank you.

CHAIR: Thank you.

The Member for Grand Falls-Windsor - Buchans.

C. TIBBS: I have just but one more question for the minister and I want to thank her for her time.

“Where the superintendent is of the opinion that a person has committed, as specified by regulation, a contravention of this Act or the regulations for which an administrative penalty applies, the superintendent or a person authorized by the superintendent may, in writing, notify that person that the person is to pay to the government of the province an administrative penalty of an amount set out in the notice for each day or part of a day the contravention occurs or continues to occur.”

What type of penalties and what amounts are being considered at this time, Minister?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

The idea here is that there is a financial penalty to the mortgage brokers but we don't want to have these individuals go to court. We don't want to tie up the court process. So, ultimately, the superintendent could take away someone's mortgage. Now, obviously if there's criminal activity, then that's different. But if, for example, a code of conduct is violated, then the superintendent could issue a financial penalty.

With an administrative penalty, if they didn't pay it, then the government could recoup it in the future. That would then go to my collections team who would then call to collect on it. If they got a tax refund, it would be taken that way. The regulations will specify the limits of the potential administrative penalties and I would imagine that they'll be similar to the real estate ones that we have in place currently for the Real Estate Trading Act.

Thank you.

CHAIR: Thank you.

Any further questions?

The hon. the Member for Labrador West.

J. BROWN: Thank you, Chair.

Just one question. One of the reasons for the question I have is when you're at a mortgage brokerage and your mortgage broker's licence is tied to the mortgage brokerage that you worked for, if you cease employment with them, your licence is also cancelled.

I'm just wondering: What is the rationale for doing that if that individual never had any wrongdoing or anything like that and wants to move on to another brokerage? Is there a reason why they're going to cancel their licence?

CHAIR: The hon. the Minister of Digital Government and Service NL

S. STOODLEY: Thank you.

That's an excellent question. I think it's more of like a transfer. Their licence would be transferred to the new brokerage. I guess there would have to be a cut-off and you would have to be transparent with your clients in terms of which company you're getting the mortgage with, if it's brokerage A or brokerage B. I think that would be the same for your real estate agent. If you're moving from one real estate agency to another, your licence would have to move with you.

So that would require, I guess, notifying us. You have to cancel, but then you just – you would move it with us. I'm sure there will be a way to do that.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: Thank you, Chair.

That's my only question.

Thank you.

CHAIR: Any further speakers?

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 40 inclusive.

CHAIR: Shall clauses 2 through 40 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 40 carried.

CLERK: Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: Against?

Carried.

On motion, enacting clause carried.

CLERK: An Act Respecting the Regulation of Mortgage Brokerages and Mortgage Brokers in the Province.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: Against?

The title is carried.

On motion, title carried.

CHAIR: Shall I report Bill 30 without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed Bill 30 without amendment, carried.

CHAIR: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 30 carried without amendment.

CHAIR: The motion is that the Committee rise and report Bill 30 carried without amendment.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: Against?

It's carried.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

SPEAKER (Bennett): Order, please!

The hon. the Member for Lake Melville and Deputy Chair of Committees.

P. TRIMPER: Thank you, Speaker.

The Committee of the Whole reports that they have reviewed Bill 30 and we have carried that bill without amendment.

SPEAKER: The Deputy Chair of Committees reports that the Committee have considered the matters to them referred and directed him to report Bill 30 without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow?

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Order 10, Bill 31, An Act to Amend the Patient Safety Act.

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

I move second reading, seconded by the Minister of Finance and President of Treasury Board, Bill 31, An Act to Amend the Patient Safety Act.

SPEAKER: It is moved and seconded that Bill 31, An Act to Amend the Patient Safety Act, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Patient Safety Act." (Bill 31)

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

I'm pleased to introduce this bill, An Act to Amend the Patient Safety Act, to align the province's efforts to transition health care in correctional facilities from the Department of Justice and Public Safety to the Department of Health and Community Services.

It was recommended by both the *Towards Recovery* action plan as well as the *Deaths in Custody Review*. The *Patient Safety Act* governs quality assurance processes in the province's health care system. It applies to health care providers under the authority of the Provincial Health Authority.

The act makes certain reporting mandatory and standardizes the requirements for reporting an occurrence, conducting quality assurance activities and disclosing information to patients and their families. It also grants quality assurance activity committees the power to require health care providers to participate in a review or an investigation of the occurrence by providing information documents or records that are considered relevant by the committee.

The correctional officers and other correctional staff are responsible for supervision of persons lawfully confined across the province. They play an important role in the delivery of health care services, including securing emergency medical assistance or escorting individuals to an

outside medical appointment. It is imperative that the quality assurance protections in the act also apply to those staff members and correctional officers.

The bill will also ensure that correctional officers and other persons employed or under contract with the Department of Justice and Public Safety at a correctional facility will be required to participate in quality assurance activities and be subject to the same quality assurance standards as health care providers within the Provincial Health Authority. It will require them to participate in quality assurance activities only with respect to the provision of health services. An incident that does not involve the provision of health services would not fall under the scope of this legislation.

It's important to ensure that these individuals feel comfortable sharing information as a quality assurance measure and, therefore, the act currently protects health care providers who disclose relevant information in good faith during an investigation and should also cover the individuals employed within a correctional facility.

So this act would ensure that that same protection is provided to them. The bill will also promote the safety of patients receiving health care in a correctional setting by ensuring that these patients will be afforded the same quality assurance protections with respect to health care that they receive as though they were a patient in any other health services facility in the province under the Provincial Health Authority.

Mr. Speaker, I think that this is a good act. Again, it was recommended by both the *Towards Recovery* action plan, as well as the *Deaths in Custody Review*.

I look forward to debate by all Members of the Legislature.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

I thank the minister for the briefing that we had on this, I'm going to say, about three weeks ago. Well done by his staff. So we're talking about the amendment to the act respecting patient safety and quality assurance in the province. I think the minister was to the crux of the point when he talked about promoting safety to those patients within correctional facilities to ensure that it is the same that's afforded to any patient in any other health facility. To me, that seems to be common sense. As my father would say, sometimes, common sense is not so common. I guess in this particular case it is.

So ensuring that they get the same quality care. It's interesting; the minister did speak to those who were in these correctional facilities receiving the proper health care. I know correctional officers, I know those in the police force and such, and they do have to transport inmates to health facilities. So this is a good piece to ensure that they are getting the same treatment as anyone would expect.

When I look at this, the bill would amend the *Patient Safety Act* to do a number of things: to add definitions for correctional facility and staff member. As the minister mentioned, it's a transition from Justice to Health and the update would include correctional officers within that.

It would also authorize a quality assurance activity committee to require a staff member to provide information, documents or records that relate to a close call or occurrence that is being reviewed or investigated. It goes further to ask for clarification that health care workers, persons under the authority of a regional health authority and staff members are required to provide information, documents

or records to a quality assurance activity committee that they consider necessary.

It would also include a staff member in the list of individuals and entities that are protected from legal action for releasing information in good faith in accordance with the act. And, of course, as all our legislation is being updated, it's incorporating gender-neutral language to our legislation.

The *Patient Safety Act* came into force in 2017. When the standing legislation came into force, health care for inmates at correctional facilities was the responsibility of the Department of Justice. It is now the responsibility of Health and Community Services vis-à-vis the Health Authority.

It adds new definitions to include workers at correctional facilities and it requires certain mandatory reporting of patient safety concerns. It standardizes the requirements for reporting an occurrence, conducting quality assurance activities and disclosing information to patients and families. It protects individuals from reprisal or legal liability arising from participation in an investigation, that would include the workers at these correctional facilities. It protects information related to quality assurance from disclosure. And as I already mentioned, we call it housekeeping, but I guess everything we do when it comes to legislation is important and of course it's going to change the language in the act to be more gender neutral.

So just looking at some of the sections within the act that are particularly important here is the addition of a definition of correctional facility. As per this amendment it, "means a place of lawful confinement in the province including a jail, prison, lockup, place of imprisonment, camp or correctional institution where health services are provided, but does not include penitentiaries under the control of the Government of Canada." Of course, in this province, we don't have any penitentiaries that are under

the control of the Government of Canada, so this applies to our own HMP as well.

It also defines a staff member now. It includes a staff member because we are talking about another facility here. Actually, we're talking about a number as I already described. So a staff member now, covered under this amendment would mean, "correctional officers and other persons employed by or under contract with the Department of Justice and Public Safety at" – as predefined here – "a correctional facility."

Then it's going to talk about the quality assurance activity committee, which is a big piece of this amendment. Under section 10(4) it says: "For the purpose of carrying out its duties and responsibilities under this Act, a quality assurance activity committee may require the following persons who have information, or the custody or control of a document or record, relating to a close call or an occurrence being reviewed or investigated to provide the information, document or record in accordance with the regulations." They would include a health care provider, a person under the authority of the regional health authority and a staff member.

That's important because there are instances and occurrences that occur in these correctional facilities that you really need to know what happened, what occurred, what was involved in order to properly provide the health care that's needed. So that's key to this act.

I think that summarizes a lot of what this amendment is for, this bill. I believe the minister did well in describing what it's about. I look forward to Committee.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

I'm just going to talk briefly and try to avoid duplication. Bill 31 is an amendment to the *Patient Safety Act*. The reason for the act being amended is to clarify roles of the health care professionals and correctional facility staff when an incident or a close call is being investigated by the quality assurance activity committee. That's very, very important because the *Patient Safety Act* serves a very, very important purpose. Its goal is reducing and mitigating preventable harm within the health care system.

That's really important; something that's there to help us has to make sure that there's a reduction of harm within the health care system.

Just looking at the overall legislation now, just skimming through to avoid duplication, overall the legislation gives patients and their families the statutory right to recommendations that are a result of a quality assurance activity related to an adverse event.

The minister spoke briefly on that and he talked about to promote the safety within a correctional facility. The amendment addresses that. To provide those in custody with the same assurances when receiving health care. That's so important.

So how do we ensure that people in correctional facilities, inmates are receiving the same level of care? A big part of that has to do with the quality assurance activity committee and if there is an incident, to make sure that the investigation is done properly and effectively. They have to ensure that all those involved do provide all documents and information, but also those providing the information are protected as well.

The responsibility for delivering health care service in prisons is now being transferred from the Department of Justice to the Health and Community Services. Therefore, the act must be amended to recognize the role to

correctional officers in the delivery of health care to inmates.

The amendment also has to clarify that health care workers, persons under the authority of a regional health authority and the staff members are required to provide information, documents and records that a quality assurance activity committee considers necessary. That's what I mean, to make sure there's an investigation that's done properly to ensure that people in the correctional facilities are getting the same level of care, as we'd expect the general population.

This legislation is important because it will compel workers, including correctional officers and other correctional facility staff, to provide information or documents they may have in relation to an investigation or a close call or other incident by the quality assurance activity committee. I also mentioned it provides them with legal protection from releasing such information as directed under this act, as long as they have acted in good faith.

A couple of questions arise when you're going through the legislation; just general ones, I won't be asking them in Committee. If a correctional officer was so vital to the delivery of the health care in prisons, why were they excluded from the obligations and protections of the act before now? Also, looking at the legislation, from what we see, this legislation does not alter the reporting requirements or how information is handled or released.

It is important to look at some of the concerns. When we're looking at the concerns, the first thing that comes to mind is the number of adverse events. In 2019, when the Newfoundland and Labrador Centre for Health Information was preparing to upgrade its health information system, there was a report done and it was noted that approximately 17,178 adverse patient incidents occurred annually in Newfoundland. That is three times the

national average. That's 300 per cent more than the national average. That's so, so important. That's why the legislation is important; that's why these amendments are important.

Just looking at the relevance to patient safety. Also, one of the things we need to look at is the treatment of prisoners inside the correctional facilities. It's not just about making sure events are properly investigated; it's not just about making sure they have proper access to medical care. When we look at prisoners and people in custody, there's a lack of mental health and addictions supports. We just have to look at the Auditor General's report. We have to look at the recent report that was issued through NAPE. There's difficulty in providing healthy accommodations. We look at all of the complaints. Last year, we were looking at the issues raised by NAPE with the overall conditions about the sweltering heat in the cells, inmates protesting. So these are all important.

There's not that much in this legislation that would be considered questionable. I don't see any reason why we can't support this legislation, but it's more important that we also make sure that the broader issues about patient care and especially for those inmates in provincial custody are addressed.

Quality assurance activity committees can do the all the investigations and produce all the reports. At the end of the day, it's not going to serve any purpose as long as this government is not taking steps to properly address the mental health and physical health issues for our inmates in custody. We've got to make sure the Health Accord is properly rolled out, the social determinants of health. We have to look at the competency of human resource plan for health sector.

Speaker, in actual fact, people would probably be in support of this amendment.

SPEAKER: Seeing no other speakers if the Minister of Health and Community Services speaks now, we will close debate.

The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

I guess just to address some of the concerns raised, I know that the institutional issues in terms of the heat and conditions hopefully will be addressed with the construction of a new facility. I'm not sure how you address some of those but that would be, I guess, in Justice and Transportation and Infrastructure. The intent of this bill is not to deal with the institutional issues but to provide the health protections to those that are incarcerated by ensuring that the responsibility for the health issues are transferred from Justice to Health and Community Services.

So that was recommended by *Towards Recovery* as well as the *Deaths in Custody Review*. The protections provided to correctional officers – while correctional officers won't be administering health to inmates, they will be providing assistance in ensuring that emergency responders are called if and when need be or physicians are called if and when need be.

They are arranging the delivery of health services; they are not health practitioners themselves. There may be times when they respond or try to provide some assistance on the ground while waiting for an emergency responder, but the review or the ability of those individuals to provide information through a review will provide protection to the staff and correctional officers as well, the same as it provided to staff and health practitioners through the act that this is now coming in under, the same protections that are provided to staff of the Provincial Health Authority.

SPEAKER: Is the House ready for the question?

The motion is that Bill 31 now be read a second time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against?

Motion carried.

CLERK: A bill, An Act to Amend the Patient Safety Act. (Bill 31)

SPEAKER: This bill has now been read a second time.

When shall the bill be referred to a Committee of the Whole?

L. DEMPSTER: Now.

SPEAKER: Now.

On motion, a bill, "An Act to Amend the Patient Safety Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 31)

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move that this House do now resolve itself into a Committee of the Whole to consider Bill 31.

SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider Bill 31.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against?

Motion carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 31, An Act to Amend the Patient Safety Act.

A bill, "An Act to Amend the Patient Safety Act." (Bill 31)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair is recognizing the Member for Topsail - Paradise.

P. DINN: Thank you, Chair.

I know that the minister's comment talking about some of the institutional issues being addressed with the new facility and I understand this amendment is not related to that, but I do hope that the new building, the new infrastructure, will certainly taken into consideration any changes that are required from a health and safety perspective.

To this bill at hand, can the minister tell us have there been any close calls or occurrences at the correctional facilities that have happened since the original *Patient Safety Act* came into force?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I'm not sure. I'm not sure if the Minister of Justice and Public Safety can answer that, but this bill will allow for health services to come under the Department of

Health. It hasn't yet happened, so I'm not in a position to be able to answer that.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you.

I appreciate where he's coming from. It does put in perspective how necessary this is. So having those numbers would have been nice, but I do appreciate where the minister is coming from. That takes away a lot of the questions I was going to ask in relation to that.

But when I'm looking at an incident that happens and forgetting the numbers and that, how would an incident be reviewed or investigated when Justice was responsible for health care?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Again, I'd probably defer that to my colleague, the Minister of Justice and Public Safety.

P. DINN: Can I ask?

CHAIR: Sure.

The Chair is recognizing the Member for Topsail - Paradise.

P. DINN: Thank you.

It probably wasn't fair to be asking the questions to the minister, but to the Minister of Justice and Public Safety, I'm going to put these all in one little package.

I was asking about in terms of occurrences and close calls at correctional facilities that have happened since this act came into effect. How many were there? What are the incidents and have there been any close calls? That type of information around this.

CHAIR: The hon. the Minister of Justice and Public Safety.

J. HOGAN: That's a good question, but that's not information I have in terms of numbers of close calls but it's something I can ask the department and get back to you on that for sure so you can have it.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: I appreciate that and, like you said, it's to frame up the importance of the act that we're doing here.

But maybe the Minister of Justice can give me some information on this: How would an incident be reviewed or investigated when Justice was responsible for health care? How would they investigate something like this?

CHAIR: The hon. the Minister of Justice and Public Safety.

J. HOGAN: So are you asking how it would be reviewed by, for example, the facility right now as opposed to the Department of Justice?

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: Exactly.

CHAIR: The hon. the Minister of Justice and Public Safety.

J. HOGAN: They have policies in place to deal with all of this. It's something that we're working on now with new legislation – not new legislation, old legislation from 2011 that hasn't been enforced yet. Your colleague, the Member for Harbour Main, I believe, asked about that in Estimates.

Obviously, 12 years that legislation has been sitting on the books and hasn't been enforced; we've dug it out, for better for worse, recognized and realized that before

we even bring it into force it's outdated already even though it hasn't existed yet. So we're working on, sort of, bringing that back to life, making a few small revisions in the House.

What that piece of legislation does is it does have policies in there that – my understanding is the facilities in the province are following those policies now, even though it's not the law of the land. We do need to bring it forward and make it officially the laws.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: So maybe this flows back to the Minister of Health and Community Services. Now with these new changes to it, how would an incident now be dealt with?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I would say that it would be a shared responsibility between Justice and Public Safety and the Department of Health. If there is an incident that occurs, the correctional officers and/or staff or contracted individuals that would have knowledge or information of an incident would be required to provide information by a review committee.

Now, the review committee would not be a Department of Health review committee. I think that would still remain under Justice and Public Safety, but if there was a review committee put in place to review an incident, and in terms of that, the only information under the *Patient Safety Act* that we would require the information for is if it pertains to the health of an inmate or an individual incarcerated and the care that was provided to that individual in terms of the health incident.

So that would be the only time that, during a review, they would be required under this

act to provide information or records or documents.

CHAIR: Thank you.

The hon. the Member for Topsail - Paradise.

P. DINN: Just a question on the bill itself. I'm looking at section 2(v) and it's a definition of a staff member: "Staff member" means correctional officers and other persons employed by or under contract with the Department of Justice and Public Safety at a correctional facility."

My question is: Outside of the correctional officers, who else would this include?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So it could include any staff member working within a correctional facility, not necessarily a correctional officer or a contracted individual. They would be considered staff of the Department of Justice and Public Safety or a contracted individual by Justice and Public Safety. But in terms of the *Patient Safety Act* again, the only time that the requirement to provide information would be if it's related to a health incident under this particular act.

CHAIR: The Member for Topsail - Paradise.

P. DINN: The minister in his preamble to this noted the Provincial Health Authority with this act. When I look through this amendment, it refers many times to a regional health authority, every regional health authority, a regional health authority.

Now, I understood April 1 we moved to a Provincial Health Authority. So is the wording in this act correct or should that also be amended?

CHAIR: The hon. the Minister of Justice and Public Safety.

J. HOGAN: Thank you.

I guess the wording is not incorrect. We could amend it. I'd have to go back and look at the rest of the act to see if there are references. I thought if we did amend it, it wouldn't necessarily match up with the rest of the legislation. But to give you some comfort, the *Provincial Health Authority Act*, section 6(2), does talk about the new health authority: The Provincial Health Authority is the successor in law to the regional health authorities.

So if there's any reference to regional health authority in the legislation, and I'm sure it's littered throughout other pieces of legislation, we're not going to clean them all up. We will as we go along, I guess, but that does now refer to the Provincial Health Authority.

CHAIR: The Member for Topsail - Paradise.

P. DINN: One second.

No, I believe I'm good. Thank you.

CHAIR: Thank you.

Further speakers to the bill?

The Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

I also want to acknowledge and thank the minister for, I guess, his attempt at addressing my concerns when I brought our issues surrounding inmate health and inmate health care. Thank you, Minister, for that.

The question that I have is regarding the amendment. We've all sort of said in our own way, the amendment is to clarify the rules of health care professionals and correctional facility staff when an incident or close call is being investigated by the quality assurance activity committee.

I also talked about the number of adverse incidents that came out of that report of

2019 – 17,178 adverse patient safety incidents. I was wondering, how many of those resulted in investigations by the quality assurance activity committee? Has their work resulted in any reductions of these adverse incidents? Because, according to this, they are three times the national average.

CHAIR: The hon. the Minister of Justice and Public Safety.

J. HOGAN: Thank you for the question.

As I said to the Member for Topsail - Paradise, we can get the details of those numbers, that information for you.

CHAIR: Thank you.

The hon. the Member for Torngat Mountains.

L. EVANS: Okay, that's all the questions I have.

CHAIR: Thank you.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 6 inclusive.

CHAIR: Shall clauses 2 through 6 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 6 carried.

CLERK: Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act to Amend the Patient Safety Act.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 31 carried without amendment.

CHAIR: The motion is that the Committee rise and report Bill 31.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

SPEAKER (Bennett): Order, please!

The hon. the Member for Baie Verte - Green Bay and Chair of the Committee of the Whole.

B. WARR: Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 31 without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and directed him to report Bill 31 passed without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Speaker, I call from the Order Paper, Motion 8.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

That notwithstanding Standing Order 63, this House shall not proceed with Private Members' Day on Wednesday, May 10, 2023, but shall instead meet at 2 p.m. on that day for Routine Proceedings and the conduct of government business and that, if not earlier adjourned, the Speaker shall then adjourn the House at midnight. That is seconded by the Government House Leader.

SPEAKER: Thank you.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move, seconded by the Government House Leader, that this House do now adjourn.

SPEAKER: Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

This House do stand adjourned until 10 a.m. tomorrow.

On motion, the House at its rising adjourned until tomorrow, Wednesday, at 10 a.m.