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Speaker: Honourable Scott Reid, MHA

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The House met at 10 a.m.

MR. SPEAKER (Reid): Admit strangers.

Okay, we're ready to start now.

Orders of the Day

MR. SPEAKER: The hon. the Government House Leader.

MS. COADY: Good morning, welcome back everybody.

Mr. Speaker, I move, seconded by the Deputy Government House Leader for leave to introduce a bill, An Act To Amend The House Of Assembly Accountability, Integrity And Administration Act, Bill 24, and the bill shall now be read a first time.

MR. SPEAKER: It is moved and seconded that the hon. minister shall have leave to introduce Bill 24, An Act To Amend The House Of Assembly Accountability, Integrity And Administration Act, and that the bill now be read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

Carried.

CLERK (Barnes): A bill, An Act To Amend The House Of Assembly Accountability, Integrity And Administration Act. (Bill 24)

MR. SPEAKER: The bill has now been read a first time.

When shall the said bill be read a second time?

MS. COADY: Now.

MR. SPEAKER: Now?

The hon. the Government House Leader.

MS. COADY: Sorry, tomorrow.

AN HON. MEMBER: No leave.

MS. COADY: No, you're not giving me leave on that one.

Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 24 read a first time, ordered read a second time on tomorrow.

MR. SPEAKER: The hon. the Government House Leader.

MS. COADY: Mr. Speaker, I move, seconded by the Minister of Health and Community Services, for leave to introduce a bill entitled, An Act To Amend The Social Workers Act, Bill 25, and that that bill shall now be read a first time.

MR. SPEAKER: It has been moved and seconded that the hon. minister shall have leave to introduce a bill entitled, An Act To Amend The Social Workers Act, Bill 25, and that the said bill now be read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

Carried.

Motion, the hon. the Minister of Health and Community Services to introduce a bill, "An Act To Amend The Social Workers Act," carried. (Bill 25)

CLERK: A bill, An Act To Amend The Social Workers Act. (Bill 25)

MR. SPEAKER: The bill has now been read a first time.

When shall the said bill be read a second time?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 25 read a first time, ordered read a second time on tomorrow.

MR. SPEAKER: The hon. the Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

From the Order Paper, Order 2, third reading of Bill 19.

MR. SPEAKER: It is moved and seconded that the said bill now be read a third time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

Carried.

CLERK: A bill, An Act To Amend The Cannabis Control Act. (Bill 19)

MR. SPEAKER: The bill has now been read a third time and it is ordered that the bill do pass and that its title be as on the Order Paper.

On motion, a bill, "An Act to Amend The Cannabis Control Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill 19)

MR. SPEAKER: The hon. the Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

From the Order Paper, Order 3, second reading of Bill 20.

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

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

I move, seconded by the Minister of Transportation and Works that Bill 20, An Act To Amend The Medical Care And Hospital Insurance Act, be now read a second time.

MR. SPEAKER: It has been moved and seconded that Bill 20, An Act To Amend The Medical Care And Hospital Insurance Act, now be read a second time.

Motion, second reading of a bill, "An Act To Amend The Medical Care And Hospital Insurance Act." (Bill 20)

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

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

To add a little bit of background for those Members who may not have been here at the time, in 2016 I think it was actually the first piece of legislation I was in the privileged position of bringing before this House of Assembly, which was the Medical Care and Hospital Insurance Act, 2016. This basically revamped and placed on a new and modern foundation the whole of the Medical Care Plan for this province. It was the first time it had had a systematic reassessment and overhaul in several decades.

We have run that act now for nearly four years and over that period of time, in common with other legislation – and I can refer back, for example, to the *Cannabis Control Act* yesterday – we have encountered some ways in which this act can be improved. So the logic, the demand as it were for this amendment is based on experience of running the act since October of 2016.

As I say, the act is the legal foundation for the provincial Medical Care Plan and the Hospital Insurance Plan, and is predicated on the five principles of the *Canada Health Act*. It is in accordance with these plans that insured medical services are recognized and hospital services, in turn, provided to the people of the province when they need it.

It includes provisions related to payments to physicians and surgical dentists for insured

services. It sets out a process for periodic audit of billings that are submitted to MCP, how they are conducted. It sets out the authority also to determine which medical services are to be covered by MCP and where those should be provided. That is whether they're hospital-based or whether they can be provided in a private medical clinic.

Again, for background, the inception of medicare in this country brought together a variety of desperate arrangements for compensation of physicians. Basically, the bulk of medical services at that time was pay-as-you-go, fee-for-service, and that model translated into the modern health care system such that about 60 per cent of services provided in this province are provided by essentially independent, self-employed contractors; hence, there was a need for a framework through which these services could be identified and compensated appropriately.

The act determines – well, it sets out the authority for the determination of rates to be paid for those services. The actual rates themselves are subject to periodic negotiation with the Newfoundland and Labrador Medical Association and the Newfoundland and Labrador Dental Association, and they are set out in other documents which I will reference as I go through the discussion of the need for this piece of legislation to be amended.

This bill makes amendments to Part IV of the current act, which in that part sets out the powers and authority of the government to conduct audits of practitioners' billings. It also adds authority for the Lieutenant-Governor in Council to incorporate documents by reference into the legislation. So rather than having these documents – some of which are in excess of 350 pages – actually defined in statute or even written into the regulations, they can be incorporated by reference.

In order to assure compliance with the requirements of the MCP plan, the act permits the audits of practitioners who provide services and bill MCP. The act sets out a process by which the billings of physicians and surgical dentists are audit, this is educational and is predicated on that but it also is an exercise in financial and fiscal responsibility and

accountability. So, it informs the practitioner and it also allows correction of misbillings.

The act sets out the audit process and the manner in which disputes around those findings are to be managed or adjudicated. It permits the Minister of Health and Community Services – myself – to make various orders for recovery where overpayment has been identified after such an audit. Where an order is made, the order may be filed with the court, at which time it becomes an order of the court and may be enforced by those mechanisms. The act also permits an appeal of the minister's order to the court.

Audits have been conducted under MCP for years. Since the act came into force on the 1st of October in 2016, the audits have followed a very detailed process with very strict timelines. The process includes notification requirements, the appointment of an audit review board where audit findings can be discussed and disputed and the conduct of alternate dispute resolution mechanisms to allow for, if you like, a mediated settlement rather than following a totally quasi-legal route.

In an attempt to provide a fair process to those wishing to dispute the audit findings, the act contains strict timelines prescribing the time in which each step of the process must occur. In operationalizing these provisions, however, audit officials with my department have advised that in practice, it's very difficult for all parties or any party to comply with those very strict timelines, that is physicians, dentists and staff in the audit division. So they have become a challenge for all parties to meet.

We have seen recently where a government's timelines have been subjected to a court process and the courts have determined that where those timelines have established in statute, they have to be abided by. That, in turn, is a recent decision reinforcing the need to reassess those timelines.

Therefore, taking that into account, the bill sets out a number of amendments to the audit process. It alters and updates the time frames and the process to allow sufficient opportunity to conduct an alternate dispute resolution mechanism, but without prejudicing a party's right then to subsequently have a hearing before

a review panel, should that mechanism not achieve a resolution.

It amends the appointment term of review panel members; as one of the challenges there has been ensuring that there are at all times a pool of members from which the individuals concerned can choose. The process, currently and proposed, would be that the physician or dental party would be able to choose a member from the pool; government would choose a member from the pool. The two would then choose a third party and between the three of them, they would agree on who would be the review panel chair.

So it amends those terms to allow a sufficient pool. That has been identified by all parties as a challenge. It increases the total number of review panel members and it increases the number of medical members and dentists. Again, that ensures that there's an adequate pool from which both parties can select potential members to represent their interests before discussion.

It sets out the process by which the chairperson of the review is determined. The current act is silent on the matter and practice has been that it had been mutual consent of the parties. The bill, however, proposes that the three members would follow that where at all possible and select from amongst themselves, but in the absence of agreement, it allows the minister to appoint a chairperson from one of the three in the event that consensus cannot be achieved.

Bearing in mind the time frames and the concerns of all parties – physicians, dentists and the audit staff – the bill extends the time frame in which a review board must be selected and the time frame in which a hearing must be conducted in order to accommodate the schedules of the parties and the review members, because, again, that has been challenging.

So it builds in a level of flexibility that currently does not exist, and it builds in flexibility so that the process is not jeopardized where there is recourse to the courts and particularly where direction is being sought regarding the appointment of members. Those have been

identified as issues; these amendments deal with those issues.

In addition, Mr. Speaker, to the changes to the audit provision set out in Part IV, the bill also amends section 47 for clarity and ease. This is the section which sets out the authority of the Lieutenant-Governor in Council to make regulations.

Mr. Speaker, the MCP payment schedule sets out the rates of payments to be made to physicians and surgical dentists for listed insured services provided to MCP beneficiaries. This is a document that is revised on a frequent basis and it's a document that is subject to periodic negotiation with the Newfoundland and Labrador Medical Association, Department of Finance and ourselves, and also the Newfoundland and Labrador Dental Association. It provides guidance to physicians and dentists in how to bill for their services. So the fee schedule is not just simply a list of fees – although that is the bulk of it. It contains a preamble, which in actual fact sets out the framework within which the fees listed subsequently can be billed and in what way they can be billed.

Up until 2003, the MCP payment schedule was actually appended as a schedule to the regulations. Consequently, each time the fees were changed – and as I say, this is not an infrequent occurrence, even though the cycle of negotiation may be three to four years, there is often a micro-allocation process that unfolds within the framework of that agreement which alters fees within a particular discipline.

So each time the fees were updated, an amendment to the regulations was required. In 2003, however, that cumbersome mechanism was changed, the regulations were repealed and replaced and the new regulations no longer had the MCP fee schedule actually appended to it. Rather, the regulations, which are still in force, simply state that payments are to be made in accordance with the fees listed in the fee schedule.

The fee schedule in the act is defined in the regulations, rather, as the medical payment schedule and the surgical-dental payment schedule. So that specific subsection, large as it

is, but it's still a subsection of the actual MCP fee schedule that's published and available online.

The act permits the Minister of Health and Community Services to prescribe by reference in regulations professional or other scales of fees, the rates of payment to be made under the act, in respect of insured services provided to beneficiaries by practitioner. Thereby it no longer requires appending this schedule to the regulations. However, Mr. Speaker, the act does not currently contain similar provision allowing a document other than that to be so incorporated with respect to insured services and the facilities in which those services are to be performed.

So it's a piecemeal approach. It lists the fee schedule or references the fee schedule, doesn't deal with the preamble and it doesn't deal with facilities or location of services. In accordance with section 47 of the act, the Lieutenant-Governor in Council is authorized to make regulations to prescribe which services are insured for the purposes of the act, which services are not insured services, which facilities in which insured services may be provided, which services are hospital services, and which are medical services for the purposes of the act.

Up to now some of that, however, has been left open to interpretation and there's been no clarity. While the Lieutenant-Governor in Council has adopted the *Medical Care Insurance Insured Services Regulations*, which set out in broad terms those services that are insured and covered, as well as those services that are not covered, these regulations do not contain the level of detail as the MCP payment schedule itself, nor as in other documents filed with the Department of Health and Community Services.

In order to avoid any confusion, Mr. Speaker, among practitioners and their patients, it is imperative that a document exist which clearly sets out those insured services that must be performed in a hospital and those that are permitted to be provided in a private setting. The reasons for this have become more acute, given the desire of government and the Newfoundland and Labrador Medical Association to look at, for operational reasons and access reasons, transitioning services from regional health

authority facilities into private clinics. That is where this particular move has been given further impetus.

The current MCP payment schedule may serve this function because it does contain a certain level of detail, albeit in the billing context, as to where insured services are permitted to be provided. The MCP payment schedule is currently in excess of 300 pages, making it impractical to reproduce it in regulations. It's readily available to all physicians and dentists and is accessible on the Health and Community Services website where we update it regularly. It is a go-to document for fee-for-service practitioners and it is accessed frequently and regularly.

Bill 20 includes authority for the Lieutenant-Governor in Council, via regulations, to incorporate a document by reference without requiring it to be reproduced in its entirety in the regulations. So you can see where I'm going joining these dots. This drafting technique is not unusual, for the benefit of people who may not have experienced it before, given we do have new Members in the House.

As I've already indicated, the act already permits incorporation of the fee schedule part by reference. Other examples of documents incorporated by reference can be found in recent legislation adopted by this hon. House; for example, the *Public Health Protection and Promotion Act* which came last sitting and the *Prescription Monitoring Act* from the previous session which contains similar provisions. It allows for due process and it allows clinical and association input and makes it flexible.

Mr. Speaker, the provision of this bill will come into force, it's proposed, on Royal Assent; however, the other provisions will be proclaimed at a later date. These would allow sufficient time to appoint additional members to the review board panel. That process is not something that can be done overnight.

This bill will provide more clarity for practising health care professionals as to what medical services are insured and covered by MCP, a topic that has recently come to the floor again with inquiries to our department about whether or not certain procedures are covered. This

would be clearly laid out and clearly available to the public as well as the practitioner.

The amendments will extend the timelines related to alternate dispute resolution mechanisms. This is seen as beneficial by all parties. It supports a more fair process for those wishing to dispute the findings without going to court, yet does not prejudice their right to a full panel hearing. They will not affect the practice of physicians or dentists, nor will they affect the availability of services for patients or access for patients.

Mr. Speaker, to loop right back to the intent of this act, originally, in 2016, we have to have legislation that is current, that is up to date and is true to the original intent of the bill. I would argue that the amendments that I propose remain true to the spirit of the original act. They help clarify and they help confirm the purpose of the act. They allow for revision of processes that were originally put in and found to be cumbersome and difficult for all parties. It's not one particular group or another that finds themselves particularly disadvantaged. It was an equal opportunity disadvantage to everybody the way things were written before.

I would conclude, Mr. Speaker, by asking that all Members of this hon. House join me – I would be happy to deal with any particular detailed questions during the Committee stage of this bill, but I would commend this bill to the House for its support.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Speaker.

It's indeed an honour again to stand in this House and speak to legislation. We've only been back a couple of days, but we're into our second piece of legislation. No doubt, in some cases, some of it is just ensuring that logistically we've got everything covered. In some other cases, it's a little bit more encompassing to ensure that not only is the legislation fluent, but that it also moves to improve whatever work and purpose

that it serves to ensure people have better access to services and that the services themselves are being provided in the most economically and supportive manner possible.

In this case here, Bill 20, as the minister has taken us through – and I'll note some parts of it to outline some of the things that we'd like in a change, some of the things that may be concerns, and, no doubt, there will be other Members speak to what we heard yesterday in the briefing. I do thank the minister's staff for the briefing yesterday. We had some good dialogue about some of the issues and even some of the challenges around why the changes are necessary and what facilitated those particular changes.

So the gist, in a general context, would be – at a high level here – is we're changing some of the time frames to ensure the process for auditing and the billing process is done in a more equitable way to ensure that the proper outcomes are in the best interest of everybody involved; keeping in mind, we're dealing with physicians and oral surgeons for the most part here.

It's about coming up with a mechanism that best fits our way of – I say self-policing, but self-policing with all the entities that are involved here, which would be the government partnership, the MCP who actually do the paying, the physicians themselves and any process there that may be in dispute – ensuring that everything is in a proper flow mechanism and that what is supposed to be done, is done in a proper fashion and what is supposed to be paid out, would be paid out in a timely fashion also, so that it's not a hindrance to anyone providing a service, being paid for that service or being able to have access to those type of services.

The bill makes changes to the review board timelines, the review board takes place and the audit is completed on a practitioners' MCP listings. As we've known in the past, every so often there are some red flags that come up about the billing process, and we need to have safeguards in play. We do have them through our auditing process.

Now, are there times that there are some who slip through the cracks just because of errors in administrative processes? Are there some who,

unfortunately, deliberately mislead in some of the billings? Are there other ones who their misinterpretation of what's acceptable or what would be paid under a particular billing process comes into play?

So what we allow then is the process for our auditors, having our trained individuals who would go in, assess what would be acceptable and what's allowable under the legislation and the process, and what would have been explained to the physicians in play, in this particular case, of what would be paid under a particular procedure for a particular service.

What would happen then as part of the process, in the auditing process, would be either an acknowledgement that something is not acceptable and it will not be paid for or an acknowledgement that something has been paid for that inadvertently shouldn't have been – for various number of reasons that the auditors themselves would have picked up. Then it would be given back to the physicians who had put it forward – or their administrative responsible individuals, their auditors or their accountants, whoever deal with those type of things – to have the dispute around what the issue was in how this either got paid or got billed.

Then, if you can't come to a consensus that this indeed was a mistake or if, no, they feel they should be paid for, that there's a dispute over it or what the issues may be around the ramifications, the penalties and that which may be there, that there would be a dispute mechanism.

The issue here is around changing the timelines for a number of reasons. To be able to expedite things in a timely fashion, but expedite them so that you have all the players in play with all the information necessary to be able to either dispute a particular challenge from an auditor's point of view, or from the auditors themselves being able to have all the information necessary to clarify in that particular dispute.

There are some issues here around the physicians themselves. Normally, we're talking here of oral surgeons and physicians in billing the MCP which provides the payment process. The others there, there are a little over a thousand, close to 1,100 practitioners who

would fall under this particular category here. There's a fair financial implication here to the people of Newfoundland and Labrador and to those physicians who provide the services. They still have to ensure that their bills are paid and that they have all the equipment and that necessary. That comes with ensuring that their revenue streams are viable.

But we – and I say we collectively as the House of Assembly and those who are elected – have to ensure that all the stopgaps are in play, that only monies we pay out are monies that were justifiably necessary to provide a particular service. It's a service that is very necessary to have in play. The issue becomes about slowing the process down so that government doesn't get its due diligence to ensure the taxpayers' money is protected, and that the physicians are not slowed down in being able to do their administrative parts to receive the monies they need to be able to provide the particular services.

There are a number of sections here. I'll just touch on a few of them and explain a little bit more, add a little bit more detail to what the minister himself has added. Subsection 26(4) allows for the appointment of a review board when a doctor wishes to have the findings of an audit reviewed. The process there is that there's an audit done – and we periodically pick. We don't have enough auditors to do every billing submission that we have there.

So it's a process where, periodically, there are ones selected. It could be for a particular area where there's a lot of billing. It could be that a particular physician is billing more than the norm of other physicians. That's not saying there's anything untoward here. It's just saying that may be an indication to say, well, let's look at that. There may be 100 reasons, but a particular one might be this individual provides a service that recently there's been a big uptake. It could be in a particular community or a particular clinic or a particular new piece of technology or a new approach that they use that draws more clients or more patients to be able to provide that service.

The review board now presently has 60 days of receipt of a request to do the review. The review is to ensure that full disclosure was made and put in place and the whole process was done in a

fluent manner to ensure the outcome was the most active that could be possibly done. The changes now would be to 120 days of the request. Personally, I wouldn't have a problem with that.

While I do know maybe on a day-to-day basis the time frame for being able to justify or argue for monies that you would've been entitled to might be a little bit more stringent. But noting – and going back on what I said earlier – the career paths that we're in here now and the industry we're talking about, they do have, in most cases, a little bit more of an opportunity to be able to continue their business going while they're challenging a particular decision that's been made here.

So, originally, when the legislation was written it was envisioned that this could be done very quickly, that it would go through. But as things become more complex, as recruitment of staff or vacant positions, for example, or challenges in training, or changes in technology occur, then obviously we found in the last number of years that process, that timelines haven't been met, to the detriment of everybody involved. So the process here was to move that along to ensure that the 60-day went to 120, so it would be a timely fashion, things wouldn't be rushed and all players involved would know the time frames they had to look at their whole review process.

Subsection 26(5) requires the hearing to be conducted within a specific time frame from appointment of the board. Again, that was in a 60-day time frame originally. That was, as I mentioned earlier, the same as 26(4), thought that that would be an equitable time frame to be able to do it. Unfortunately, experience has dictated it doesn't work that way. It doesn't work for the benefit of anybody involved. So the suggestion here again is the same thing, 120-day change for the appointments. I personally concur with that for the same argument that I just gave for 26(4).

Subsection 26(6) requires that the report be done within a specific time frame. As we do in any legislation, particularly around regulations, there are time frames attached to it so people would know when to expect their ability to have influence or a hearing and their ability to understand when a decision is going to be

rendered. In this case, the review board shall make a written report within 30 days.

Again, as we said earlier, the 60, the 30, we're doubling that now because, as was noted, the time frame for someone to actually not only get all the evidence – keeping in mind if we're doubling it, there are probably going to be more presentations, more witnesses, more dialogue, more information shared – that you would need a more timely process so people could analyze it all before the report is written. So we have gone to the 60-day process on that for the same reason, that we need to do the best job for everybody involved. This is arguably an issue that people may agree or disagree, that this particular industry has the ability for that extra period of time to still be able to function efficiently and economically.

Subsection 27(4) describes the process for appointment to the review board. We've talked about the process that has gone on previously, from each appointing an individual and then a minister being engaged in helping with the appointment. When the minister and the practitioners, the professional corporation cannot agree – this is the key thing here – they can apply to a Trial Division for an order appointing the third member of the review board.

So the process is the physician or their representative selects an individual to be on the review panel. The government would appoint somebody, and then a third, impartial individual would be appointed. If, indeed, they can't come to a consensus as to who that individual would be, then there is a process here through the Trial Division, through our legal system, that would make that decision. It's a fairly professional system and a fairly – play on words – fair system where everybody would get to ensure that the best individuals would be part and there would be proper representation.

The bill is making a number of changes from the Trial Division to the Supreme Court, and that's particularly only because – and we will probably mention this a dozen times as the Legislature goes through changes to the legislation – Trial Division is no longer part of our, I guess, legal definitions anymore, or legal terminology. Now it's the Supreme Court. It's just changing that process as to who would be responsible for

deciding on the third individual who will be part of that process.

Subsection 27(4) is new and allows for a suspension to the time limits as prescribed in subsection 26(4), which we had talked about earlier. This allows for suspension of a time limit in subsection 26(4) when an application is made to the Supreme Court. Meaning because we imposed our 60s, that now we're going to change to 120, but all of a sudden we couldn't agree on who the third party member of the review panel would be, then now we're going to the Supreme Court. And the court system, for whatever reason, may not be able to get you in on the timely fashion that fits within the 120-day time frame that has been outlined, so that would be suspended until it's determined exactly when that can be done and then you will reconvene with the three-member panel to do the full review itself.

Subsection 27(4) is new – and I should have noted at the beginning that while this is updating some of the old legislation, there is also some new sections in here to make it relevant to today's operation and more efficient for all parties involved as part of the process. “The members of the review board shall unanimously choose a chairperson” That's standard in a lot of organizational processes, but obviously that can't be done until you have your full panel in place. That's where the process gets slowed down a little bit, if we're indeed going to the Supreme Court for the selection of that other individual.

Subsection 27(4), again another new section – and this is all about if the member of the review board cannot agree on a chairperson within seven days, one will be appointed by the minister. There are times here where I'm 100 per cent adverse to the minister having carte blanche to make decisions and then there are other times when I 100 per cent agree with why the minister needs to have it. In this case, I do agree with the minister having the ability because you can't slow down the process. There has to be somewhere at the end of the day an end result.

Now, I would think that would be very rare that the minister would have to intervene in those cases, but you need to have a stop mechanism that says we're going to stop this whole dialogue

and debate to go into what it is the issue is here, and that would be around reviewing the appeal and making a decision based on that. So I understand that and it's a new one.

Again, you'll notice whenever I do get to speak to pieces of legislation, I may jump in and out of when I think the minister may have or should have that authority to when I think he may not. In this case, reviewing the piece of legislation and understanding that it's not uncommon when there's a decision that can't be made on an agreement on a particular makeup of a committee, in this case the chairperson, that somebody has to make that from a neutral point of view.

While the minister may not be 100 per cent neutral in this, it's far enough removed because it's MCP, which I know is part of the Department of Health and the government's process, but it's independent enough to be able to make that, so I don't have a big problem with that at this point.

Subsection 28(1) describes how the Lieutenant-Governor in Council appoints the panel. This is an existing one. There's a total of 15 persons and at least five shall be medical practitioners provided by the Newfoundland and Labrador Medical Association. At least two shall be dentists provided by the Dental Association. The term of up to three years, that's the present, what we have now. That's fine, that was set up based on the conversation of the day a number of years ago when the legislation was put in place and the last changes that were made.

Now looking at the ability to having proper representation, having more experience on it and being able to have the committee come together, then the panel itself, it's been proposed here that it would expand. So it would expand now to 18 members, of which that's increasing to eight members now for medical practitioners, four would be dentists and increasing up to five-year terms from a three-year term. I'm not averse to that. I understand you want some stability and you need to have numbers so you can draw down. Personally, from the conversation we had in the briefing yesterday, I don't really have a problem with that.

There was some concern on the numbers and the questioning around would it all be people – too many on one side who are making decisions. The quick answer is the individual, the physician, gets to appoint their representative, the government gets to put theirs there, MCP, and then the third is agreed neutrally. You do have an impartial as much as possible, or at least a proper open dialogue, so I don't have big concerns about that. I just want to ensure that it isn't one particular side of this equation that's favoured over based on the numbers. I understand why it would be that because the number of practising physicians would be higher than the number of practising dentists, from that perspective.

The time frames, the five-year terms, when you get somebody to commit to that and they can become knowledgeable, it's good to keep that expertise there for a period of time. Five-year appointments are not beyond the norm now when it comes to having appeal boards, panels, foundations and stuff, people who make decisions based on a bit of longevity for some subsequent planning processes and historic knowledge. I think that works fairly well.

Subsection 29(7) describes the various orders that may be made by the minister in relationship to the finding of the audit review board, et cetera. This is a simple change to replace Trial Division with Supreme Court. As I mentioned earlier, this is just about bringing this back to what now is the Supreme Court versus the Trial Division processes.

What I will also note here, there are a number of other nuances here, none that are dramatically changing the process. What they do is add another dimension to it. Some might say there are some drawbacks to it. I challenge some of that. One of the biggest fears we have is having the proper resources available to ensure we do this in the manner that was noted and the expectation, when we put it forward, by all parties involved.

That's going to become, I think, a bit of a challenge if we don't find the proper mechanism to ensure the resources are readily available and the expertise that's necessary is at your fingertips on a moment's notice. That's no doubt – I suspect some of my colleagues will speak to

that in the coming hour or so that we're going to have here.

There are a couple of other new clauses here: adding a new clause that the alternative dispute resolution process shall be considered to be concluded 30 days after the notice is provided. We're talking here, there is a limit to describe the period of time for a dispute process to be concluded. So we're trying to conclude it. You need to have a timely fashion to ensure this comes to a resolution, one way or the other, because everybody involved need to move on to whatever the next issue is. If it's the business owner, the physician themselves, they need to move on to whatever issue they feel needs to be dealt with or any other process they feel they need to take to do that, and government needs to move on so they can move on to the next file to ensure the auditing process moves in the manner it was set to do.

So looking at this, I think the changes are needed. It modernizes it. It's not just a housekeeping one, because every change made from a time-related fashion also has implications when it comes to resources that are necessary, the selections of the proper individuals and the mechanisms that are going to come to a resolution at the end itself.

I just wanted to note some of those things here. In Committee, no doubt, we'll have some questions around clarification on how we move it, on some of the selection processes. My understanding is some of this is tied to the Independent Appointments Commission, so I may have some more clarification on how that fits with everything else; but, at this point, I'm glad to see we're modernizing and changing the time frames based on the dialogue that had taken place, particularly from those in the industry and those who are engaged in this whole process.

Mr. Speaker, we'll have an opportunity to speak to this a little bit more in Committee.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Scio.

MS. STOODLEY: Thank you, Mr. Speaker.

I want to say, this gives me an opportunity to go through a lot of the legislation. I wasn't familiar with the *Medial Care and Hospital Insurance Act*, but this has been a very helpful exercise and I find it very helpful preparing to speak on the changes that we put forward to legislation.

I do support the changes to this bill, An Act to Amend the Medical Care and Hospital Insurance Act. I really like the ongoing legislative review process that happens. I believe this particular act gets looked at yearly. I think it's an excellent process that's very important.

In the act, which I was very pleased to read, auditors audit accounts and claims for payment and patterns of practice or billing, and that includes claims and accounts to make sure that the correct documentation was submitted; claims for services that are not insured services – also very important; billing errors; insured services which are not medically necessary; accounts and claims in violation of the act; patterns of practice or billing that do not follow the average pattern.

This made me remember, I went to see a dentist once and the dentist recommended that I have this device. So I got the device and then my insurer wouldn't cover it because they said the price was exorbitant, and I didn't think to go back and challenge it. I know that wasn't MCP covered, but I think it is important for consumer protection and taxpayer protection that auditors do go back and audit MCP claims and services just to make sure that taxpayers are getting appropriate value for their money for MCP coverage.

Audit processes are extremely important and, obviously, then if the audit findings – if there's a result or something for a practitioner, if there's a negative finding, contrary to the act and the regulation, then a practitioner may request a review by a review board of the findings of the audit which is an excellent, fair process. So I certainly support this.

The panel of not more than 18 people to act as members of the review boards, I think that makes sense – although 18 is probably a lot. Hopefully they would be smaller than 18, but I do appreciate the fact that eight shall be medical

practitioners selected from a list provided by the medical association, and that is up from five. Four of these shall be dentists selected from a list of nominees provided by the dental association, and that's up from two.

It's very important that members of these review boards are professionals that have been recommended by industry associations. Obviously, that increases everyone's confidence in the system, and the reliability and the transparency. That's incredibly important.

Then one change was around choosing the chairperson of the review board. Board members will be able to vote for the chairperson of the review board, which is very important; but, if there's an extenuating circumstance where they're unable to do that, I like the idea that the minister can appoint a member as chairperson just to make sure that all bases are covered. So I like that kind of catch-all, and I understand that covers some scenarios in other jurisdictions where there have been issues before choosing a chairperson. What if there's a tie, I like that – just to improve the efficiency of the process.

I really like the idea of having more members of the panel that are recommended from the medical association and the dental association. I think that's very important to have those important industry associations on board with the legislation.

Then extending the term of appointment for panel members – currently at three years, up to five years – again, I think is beneficial to the system. Three years is not unsuitable, but I think by the time once you get your feet wet, you get involved, you understand the process and you get comfortable with the role, then your three years are up and then someone new has to come in. So I think adding the extra two years will hopefully reduce the administration appointing new people, and hopefully make it a bit smoother.

I know when I was on the Memorial University board, some of the challenges we used to have – because students graduate – the process to appoint a student to the board took six or eight months. So by the time the student was appointed to the board, in many cases they had a month or two left of school. They could

participate for a few months and then we had a new student – which was excellent. But I like the idea of extending the term from three years to five years. I think it helps add continuity and increase the level of expertise.

Also, the time frames for audit reviews and appeals are suspended when the alternative dispute resolution mechanism is employed. I think that's very important to ensure a fair process for the practitioners and for all those involved, so they're not held to timelines. If they go down an alternative dispute resolution mechanism, they have ample time and aren't constrained by these timelines.

I think giving the review board more time to make their decisions and meet is very important. Having the review board be appointed within 120 days and then the hearing conducted within 120 days, I think is not unreasonable. When you're looking at a board of potentially more than 10 people, up to 18 people, a review board getting their schedules to align is very challenging. So I think having the hearing within 120 days is certainly reasonable, but hopefully all groups, all parties would want to conclude that as soon as possible. I'm confident that that would happen.

I do think, overall, that audit processes are extremely important. I'm very pleased to learn and read about them now in the *Medical Care and Hospital Insurance Act*. I think the audit processes protect taxpayers, protect the users, the practitioners, and it helps make sure that taxpayers have a high degree of confidence in a system that they're paying for, essentially.

So I believe that these changes are very positive. The fact that they came out of an ongoing legislation review is excellent. They increase fairness of the process. I think they improve the process for practitioners and for taxpayers and safeguard our investment through the *Medical Care and Hospital Insurance Act*. So I'm very pleased to support this bill today.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. WAKEHAM: Thank you, Mr. Speaker.

I want to start off as well by thanking the minister's staff who provided us with the technical briefing yesterday, and took the time to answer all of our questions. I really appreciate that.

While on the surface this simply seems like a straightforward change, when you dig a little deeper you find that there's a little more to it and some of it is a bit concerning. I want to reference a couple of things that I found out yesterday from the staff, and one of those relates to this change from 60 to 120 days.

In the past, most of these reviews did not need to take place. There was a settlement process between the practitioner and the department. What we found out yesterday is that there appears to be less of a settlement process now and a move towards wanting to go to a review process. So moving the dates from 60 days to 120 days is obviously necessary in order to accommodate, if we're going to start having a lot more reviews. I guess one of the questions we will have at the Committee stage is why are more practitioners now not agreeing with the audit findings and wanting to go to a review process. That was one of the things we found out yesterday, Mr. Speaker.

Another one that highlighted for me was the fact that they do between 20 and 25 audits per year. Now, there are approximately 1,100 practitioners that require auditing, so that works out to about 1 to 2 per cent a year. So if you do straightforward math, that would mean it would take you anywhere from 44 to 55 years to do an audit on every single one just once. That's a significant period of time.

The other thing that stood out, again, for me was that at the end of the day there is – significant accounts receivable – still roughly \$2 million outstanding in this process, set up as an accounts receivable for the province, to be collected yet. There are approximately, as I said, 1,100 practitioners and we do somewhere between 20 and 25 audits. Now, these audits normally occur, often occur, if a practitioner, for example, has billings that are not in line with his colleagues, his or her peer group, if a complaint is received

or if there is an anomaly picked up by the department.

Again, as has been highlighted, once the audit is completed, the findings are presented to the practitioner and there's a reconciliation process and, again, it appears that the reconciliation process is now not being reconciled and more people are going to be opting for a review. In the past, the government has collected approximately \$700,000 each year as result of these audits and now it's gone down to around \$200,000. I don't know if it's because the practitioners are more in line with the billing process.

That's another point that audits are not always a bad thing if you're a practitioner. They're actually quite good, because it can help prevent you from making mistakes that you might continue to make if you weren't audited. That's an important part. I spent a couple of years working for the Internal Audit Division of the Department of Finance and I know the value of internal auditing in government, so having an audit done is not necessarily a bad thing.

One of the other things that stood out yesterday was the fact they have a staff of eight people. Two of those positions have been vacant for eight months, and I'm not sure why. These are not highly sought after positions, in the sense that there are lots of people that could actually fill these positions. With the high unemployment rate we have in the province and the need for more audits to be done, I don't really understand why two of those eight positions would be vacant for eight months. I understand from the department officials yesterday that one of those positions is now being forwarded for hiring.

Similarly, it reminded me then, is this part of a bigger problem? Last year when we did Estimates, the Department of Finance had \$1.9 million in salaries vacant for over a year. Part of the hiring process was blamed as the reason for it. We need to get to the bottom of that; we need to understand why. I'd also suggest that if this particular audit group had more resources, perhaps more audits would be done on an annual basis, and maybe there would be less opportunity or less likelihood of any material findings if more people were audited.

Again, there's no real issue here with the changes to the date, other than the fact that one of the reasons appears to be because of the potential for more reviews to take place. So I would like to find out what that anticipated is.

The issue on the numbers, again, as my colleague talked about, the representation from the physicians is chosen by the NLMA and the representation for the oral surgeons are chosen by the dentists, so the minister will pick from the names of those submitted, so no issue there.

I understand the issue with the naming of – we no longer have a Trial Division and we were told yesterday that we're going to see that change coming to all of the legislation brought to us. We're going to see anything that refers to a Trial Division will just go to a Supreme Court naming. The other part, on the end of it, was the minister – the comments that related to section 47. Those, again, relate to the actual billings, the MCP billings piece.

I look forward to discussion in Committee. Of course, we all look forward to the update on the negotiations with the NLMA, because there are significant changes that will be necessary if we are to move forward to a different model of health care delivery. We all look forward to that happening.

Overall, Mr. Speaker, we support this bill and thank you for your time.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Speaker.

I'm not going to take very long to speak to this Bill 20. I also attended the briefing yesterday. I want to thank the staff of the Department of Health and Community Services for the very informative briefing and, quite frankly, for answering a lot of questions, which I and others tend to do. Of course, it's all part of our due diligence to make sure that whatever is going through this House is good legislation and makes sense. That's what we're all elected to do.

I'm not going to get into all the details that have already come forward. I think the minister did a good job in going through it. I do concur with some of the comments that have been made. Generally speaking, I think it's a good bill. I think it makes sense to make sure that the timelines – because what's happening in this bill, there are a few other little things, but I think the primary focus on this bill is basically extending timelines for the review committee process to come more in line with what's required by all parties to make the system and to make the process work better.

I think by extending the timelines as well, it does give a greater opportunity to reach settlements before it ever gets to the review committee process. I think that can be a positive thing as well, the fact that there is only a very small percentage of physicians and – I want to say dentists, but it's not dentists. They are dentists, but dental surgeons, I think. If you go to see your dentist up at Pearlgate somewhere, Pearlgate Plaza or wherever the case might be, this doesn't govern them, but dental surgeons certainly it does. There is only a very small percentage of those individuals that are being audited yearly.

Now, I realize as well that when we're talking about that, it's not as if nobody is analyzing the bills or the trends or whatever unless they actually do an audit. That's not the case. As staff said, they are always analyzing the billing and the billing codes and so on that are coming through and when they see anomalies that sort of stand out, that this particular physician or this particular dental surgeon, what he or she is billing for is not necessarily consistent with the larger group, then those are the individuals that generally get chosen to be audited.

I understand there's kind of a balance. I also sort of understand where my colleague from Stephenville is coming about the eight positions and only six being filled, two not being filled for eight months. Again, I believe there has to be sort of a cost-benefit analysis to some of this as well, because when we look at our province overall, we look at the tremendous amount of debt that we have and we look at the year-over-year deficits that we're experiencing, somewhere along the way we have to try to find efficiencies in savings.

While one might argue, well, these positions are actually bringing money in, they're paying for themselves, I would like to understand the cost benefit of that. Because, really, if you look at eight people and you look at \$400,000 in savings, if you have eight employees, by the time you pay salaries, benefits and everything else, that probably equals a lot more than \$400,000 for eight people.

I appreciate there has to be a balance to making sure we're auditing where anomalies exist, keeping everybody on their toes, making sure that it's being done properly, but at the same token we can't on the one hand stand in the House of Assembly and complain about our debt and our deficit while on the other hand be saying we need to fill more positions and how come they're not filled and they're not filled and so on.

So I do appreciate where my colleague is coming from, but I think there has to be a balance and a discussion around the benefit derived on one end compared to the cost to put those measures in place as well. I guess we would differ a little bit perhaps in that view, but other than that, I do get where he's coming from.

Mr. Speaker, with that said, the only other thing I got from the briefing that sort of raised a little bit of a point in my mind is they indicated that when they go back and if they find anomalies with a particular physician and so on, they go back two years. They will audit for two years; even though, based on the legislation we were told, they can actually go back five years.

So if you see somebody who's billing for something and it's way out of whack with everybody else, and then you go in and you audit and sure enough, this year they were not consistent with the others; you go back the year before, they were not consistent with the others and now you're recovering this money. Because of policy, not legislation or the practice they've been following, they will cut it off at two years.

In theory, five years ago – and not two years ago – they were doing the same thing and we were being over billed. The taxpayers were being over billed for five years, in theory, and we don't recover that money. I think that's something that needs to be looked at, because I've actually had

people – and I'm sure other Members have as well – who may have received an overpayment for some reason. Someone who was in receipt of government assistance or some government program, and for some reason they got paid more money than they were supposed to. Perhaps there was some confusion, perhaps they might have worked somewhere for a couple of months that didn't get reported or whatever and then at some point in the future they realize you owe the Department of AES.

I've had people owe like \$1,000, and they're only getting \$300 or \$400 a month is all they're getting. Now you owe us \$1,000, so we're going to cut you off for the next three months. You're going to get nothing to live on because we overpaid you last year, as an example.

If we are so diligent in getting back every last cent and every bit of overpayment for someone at the very lowest end of the financial spectrum, then I think it's important that when we look at these types of situations, if there is evidence to point to the fact that there has been consistent over billing for an extended period of time, if the legislation allows you to go back for five years, I don't know why the department would say: no, no, we're only going to go back for two, we'll forget the other three.

I just throw that out there as a point. It has nothing to do with this legislation, per se, but it is all connected because it was discussed at the briefing and it does tie into what's happening here.

So other than that, I have no issue with the bill. As I said, I think it makes sense to put mechanisms in place that make things run more smoothly, more efficiently, that work for all parties involved.

I did ask if the NLMA and the group that represent the dentists, if they were on board and consulted. We were told they were absolutely consulted, and nobody from either of those organizations made any representation to say they had an issue with what was happening here. So I'm going to assume they're on board or they have no problem with it. That's a good thing as well.

I will conclude, Mr. Speaker, by saying – because we're on the topic of billing MCP and so on. I will just say that I really believe – I did ask this question, it's not related to what's in this bill, per se, this change, but I was told it could be part of this actual piece of legislation because it has to be put in somewhere and maybe this would have been the place, maybe it wouldn't have.

I think the fact that we are now giving nurse practitioners the ability to open up clinics to fill the gap where there may not necessarily be physicians and so on, I really think, and I say to the minister, there has to be consideration given, needs to happen, to give nurse practitioners – as well as pharmacists, by the way, as well as pharmacists – the ability to bill MCP. It's no good to expand the scope of practice to fill gaps that exist if nobody's going to go to them, because they're not going to pay out of pocket. They can't afford to pay out of pocket, whatever the case might be.

I just throw that out there as an aside, that when we're looking at this legislation and billing of MCP, I certainly encourage the minister and the government to include nurse practitioners and pharmacists and allow them to start billing MCP for services, I think would make our system a lot better.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Lake Melville.

MR. TRIMPER: Thank you very much, Mr. Speaker.

It's an honour to speak to this bill, the *Medical Care and Hospital Insurance Act* and the proposed amendments. I want to also echo, as my colleagues have done on the floor, it was a very, very good technical briefing provided by – and I wanted to enter their names into the record, Gerard Power and Gerrie Smith yesterday that the minister arranged, because having attended several technical briefings – and many of them are very good – but the particular combination yesterday of Mr. Power, who is actually involved in the audit process, so the technical understanding of it, along with Ms. Gerrie Smith, who is responsible for drafting a

lot of the legislation that we are working with, it really was very most appropriate for where we are with this process of the bill through the House because we are in second reading.

This is all about the rationale of the bill, not a clause by clause, are we changing this number to another number, but really an understanding of why we are doing this. As the minister outlined in his remarks, he spoke very effectively to the rationale of the bill. When we get into Committee, we'll deal with the specifics of the clauses and so on, but I want to speak more to the rationale of it and I, again, compliment those two individuals for their focus on that.

I have some numbers here; I am going to follow my way around. What I did and I think it's important, because this may seem rather dry to people perhaps in the House but perhaps watching, but I wanted to underline why this is so important. When you consider that our single, greatest line item in our provincial budget is health care, some 40 per cent of our total budget, it's extremely important to know that there are very good, comprehensive processes such as this audit function that are in place.

What I wanted to do was just enter into the record – I'm looking at my colleague there, the Minister of Health and Community Services – some reference from the Canadian Medical Protective Association which explains exactly what the role of the audit function is. So I just would like to read the following couple of paragraphs.

“An audit is most often triggered because a physician's billing profile is inconsistent with the average for the peer group, or a particular fee code is being used in a manner that does not meet a provincial or territorial billing agency's or health ministry's expectations.” So, as we've said, we're looking for anomalies. It's kind of interesting that on the day of the PMR where we're looking at artificial intelligence and the ability to use technology to help detect ways that we can improve society and how we do things – anyway finding the interesting juxtaposition in technology and practical governance.

“Provincial and territorial governments are obligated to ensure that the physician billings comply with the federal Canada Health Act” –

so that's the overarching national piece of legislation that this particular act certainly has to complement and support – “and these governments may face penalties if irregularities are found.”

The particular audit function, it “generally includes a review of the physician's records” – so you're dealing with hundreds if not thousands of files – “and the physician has an opportunity to respond to the concerns raised or demands for any proposed payback.”

As some have indicated there are some \$2 million worth of outstanding identified recoverables right now from the audits that have occurred. To work that way through the process, that was also part of the justification for why you're going to see some of the changes in this act.

“The audit usually focuses on issues such as whether the service was performed” at all, “whether it was medically indicated, and whether the appropriate fee code was used.” Several of my colleagues have spoken about fee codes and whether or not they were properly entered and/or being used appropriately. In fact, some of the codes need to be changed, so that flexibility in being able to change them. As my colleague for Mount Pearl - Southlands had just indicated and the idea of nursing practitioners, as they get into some of these responsibilities we need to understand if they're now providing their services, how they can now code and recover appropriately.

“Inadequate, missing, illegible or otherwise deficient record keeping often hinders physicians' ability to effectively explain and defend their billings. For example, a psychiatrist's billings were audited during which it was found that he did not document the start or end times for psychotherapy sessions. Without documentation supporting the length of each session, the audit resulted in a significant payback being demanded of the psychiatrist's billings for psychotherapy sessions, despite the fact that he provided testimonials from patients, office staff, and colleagues that these services were in fact rendered.”

It's all about properly documenting and being able to recover. Again, when you're dealing with

40 per cent of the provincial budget, it's important that we do have these safeguards in place.

My next little element that I wanted to introduce into the discussion is just a little look at our own provincial situation. I'm understanding that we have something like 268 full-time equivalent family physicians, for example, and they are handling a big load. They're handling some 1,900 patients each, so there's a tremendous volume of entries and recoverables; hence, the need for very sophisticated people who can understand data, work with data, work with statistics and work with technology, such as are in Mr. Power's shop.

Back on the rationale and exactly why we're here. Really, what we're doing is there is a process in place but recent decisions, recent revelations, have indicated some changes are needed and they mostly come around timelines. With, frankly, millions of dollars potentially at stake and at debate right now, lawyers get involved; therefore, you're looking very carefully to ensure that the process and the appeals that are done are followed very carefully and that you do not miss those deadlines.

What's been asked of us, of this government, of this House of Assembly is to provide both transparency and greater flexibility in terms of time frames to be able to meet the expectations of working your way through this – so everything from appointments through to review periods. Some of my colleagues have indicated there are extensions, and when we get to Committee we will be discussing each of them in detail I would assume. But that's really what we're doing, is dealing with time frames.

Again, my recent colleague just spoke before me. He talked about some 20 to 25 audits are being done a year, but with some \$2 million in outstanding recoverables there is a need to do some catching up. As we go through the bill and in Committee, you'll see a lot of reference to some administrative catch-ups, but also, again, on the time frames and making sure that we have a flexible and transparent process for which we can make sure it works effectively.

Government does recognize the importance of keeping our legislation up to date. These

amendments were identified during ongoing monitoring of legislation to ensure that it continues to meet its original intent and continues to serve the needs of the people of the province. These amendments will support a more fair process for those wishing to dispute audit findings. It needs to work both ways, Mr. Speaker. The current timelines are rather strict and frankly quite aggressive in some cases, when you think about some of the situations.

In some cases, what's going to be asked of us to consider is actually freezing the process until, for example, there are appointments made and so on. You don't want extraneous decisions or extraneous steps interfering with your ability to actually work your way through the process, either on the audit side or on the appeal side. I think it's really important for everybody listening out there in the public that these amendments will not negatively affect the practice of the physicians or dentists and they certainly will not affect services for those patients.

I am looking forward to the minister's comments and I just want to again reflect on the comment made by the Member for Mount Pearl - Southlands because we also discussed at some length about the issue of how far back do you go when you're conducting an audit and you discover a problem. We also heard the same reference to the two years, but we prodded that a little bit and got into it. I'll look for clarification from the minister, but certainly if there are serious matters, that doesn't mean that one puts the blinders on and stops at that point. That one will certainly go back in time.

It's interesting that while there's cost to doing these audits, there are also tremendous savings. If you look at the staff complement there – now eight, moving to 11; there are a couple of empty positions. Fine, we will get those filled, but there are savings for government, not just in what you recover from inappropriate billings, but also through that learned process and that feedback back and forth. Future billings would now be done in such a way that you have an accrued saving as you're going forward.

So hats off to Mr. Power and his team for the work they do, because I see it as very important. With so much of our provincial budget dedicated

to providing good health care services to the people of this province, it's important to know that there is a process in place to ensure it's being done effectively.

I thank you very much, Mr. Speaker, and I look forward to Committee and the minister's chance to address some of these comments.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. COFFIN: Thank you, Mr. Speaker.

I'm going to try and draw from much of what I've heard, but the unbridled enthusiasm for this bill seems to have generated a lot of discussion on the benches and it's making it hard to hear a lot of things, so I hope that I will be able to address that.

Certainly, this bill seems to be addressing some of the key things that are themes for our House, including accountability of the public purse, equity and transparency.

I'm not going into the minute details of this bill. Certainly, I feel that the minister has done a fine job of presenting a lot of the amendments and the rationale for those amendments. I do have a couple of questions and concerns that I'd like to (inaudible) out and perhaps the minister can address those as he concludes or when we go into Committee.

One of the key things that I note was – I looked up the members on the current board and I did note that the current board members remain members until they are replaced or reappointed. We have members who have been sitting there since 2015. So I'd like to see, certainly, a rejuvenation of that board.

One of the other recommendations we'd like to see is those review board members to be put in on a staggered basis so we have some continuity of experience but also some opportunity for new individuals to take part in that and add another dimension to the board. So I think that could be a very beneficial piece.

I'm also pleased to see that there seems to be individuals who are non-practicing medical professionals, or who are not medical professionals that are going to be included on the board, because I think different perspectives will offer different viewpoints and a different analysis and a broader range of deliberation. So I look forward to seeing how that board manifests.

The alternative dispute resolution mechanism, that is lovely to see. Certainly, we've heard quite loud from other members of unionized labour that alternative dispute mechanisms can be a reasonable way of making our way through situations that have reached an impasse. So as we go forward, I'd like to see similar mechanisms being considered when we look at things like the *Labour Relations Act* and amendments to that.

In addition to that, I have some concerns. We're talking about changing billing; we're looking at a number of things like that. I have a fairly significant caution that we need to be very careful about opening the door to further privatization of our health care system. That is a concern for us, and it ought to be a concern for anyone who receives medical treatment in our province. We want to be very acutely aware of any further privatization of our health care system.

Another key thing that I'd like to see as we reflect on billing, it would be really beneficial for everyone and a cost-savings measure if we look at billing that reflects improvements to technology that decrease time to complete procedures. Certainly, we've seen advancements in medical technology that made procedures that were complicated, time-consuming and risky have been improved so that they are very short procedures that have much less risk and offer much quicker recovery times. So that reduces the drain on our health care system and the burden on our health care system. I'd like to see billing be modified to reflect the use of advanced technologies that decrease times for procedures.

Kudos to the Member for Mount Pearl - Southlands, which was also echoed by the Member for Lake Melville. We need to look at incorporating nurse practitioners. We also need to be acutely aware of women's health issues.

Certainly, we've talked about that at length. It's one thing that we, as New Democrats, recognize as hugely important. Not only do we need nurse practitioners, but let's look at birthing doulas and midwifery, in addition to pharmacists.

We know that women use the health care system more and we want to make that more accessible, but we also want to reduce the burden on the health care system. So when we have health care professionals that can provide services that meet the needs of individuals at lower cost than physicians, perhaps it would be prudent to allocate our resources to where they will serve best. I think looking at incorporating alternative health care professionals into this model will certainly provide us all with a better, more affordable, more effective health care system, and that's going to improve our health outcomes.

I do have one other small piece that I'd like to add to this, and the minister can probably give me a better sense of where this is most appropriate. I did notice in section 48 of the act there is a note that's saying there would be established an average pattern of practices. Perhaps the minister can elaborate on that and let me know if that also includes things like overprescribing of opioids and overprescribing of antibiotics, both of which have become a significant problem in our health care system and have generated other problems that go beyond our health care system.

I think that would be a very important piece to address and it's going to be a cost-saving measure. It will result in better health care outcomes and a better, more affordable health care system for the people of Newfoundland and Labrador.

While I agree with the changes we see, I think that is going to give us a more responsible, a more appropriate health care system. It will go towards equity, transparency and accountability in the public purse. I look forward to the discussion as we go into Committee and talking about some of these issues that I have raised at this time.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The hon. Member for Exploits.

MR. FORSEY: Thank you, Mr. Speaker.

Mr. Speaker, it was good to attend the briefing yesterday for this amendment on Bill 20. It was well done, and I thank the minister and his office for providing that. In the briefing for the *Medical Care and Hospital Insurance Act*, Mr. Speaker, the biggest things discussed there were the timelines and having the proper people in place to make the evaluations of the billings so that everybody concerned can make the best use of the act.

Mr. Speaker, all people of the province deserve MCP usage, and so do the physicians and the individuals concerned. Everybody needs the MCP and insurance acts so that we all provide proper service. That means that this can be done to give the people what they need and give the physicians and doctors proper funding and get their timelines in place to get the evaluations done on the billings.

Mr. Speaker, section 26 really discusses the timelines. Obviously, government didn't realize that 60 days was a tight timeline to get the billings and audits done, so this is extended, probably, 120 days, which gives a lot more time to get the audits done and get adequate approvals. We need to get audits done, we need to get the approvals done so that physicians get paid, of course, and we get proper service. Through that, the 120 days should give lots of time. It fits both the oral surgeons and the doctors.

The audits can be done, because in the briefing it was discussed that, in the past two years, we've been recovering about \$200,000 per year; whereas before, it shows, in the audits, we were doing about \$700,000 per year. This needs to be done and recovered so that we can get this money recouped and everybody is treated fair and we can move on with the system.

Mr. Speaker, that's basically what was there. Then in section 27 it deals with the board members and that is one is appointed by the minister, another appointed by the practitioners and one appointed by both of those facilities. We need board members there to make the proper

decisions so that we can get those evaluations done. It's great to have those people there, appointed by the practitioners and ministers, one for the government, one for the practitioners so we can get all sides involved, and get what is involved there, everybody understands each other from the NLMA to the government to individuals so that everybody is on the one page and we can make proper evaluations and get the audits done adequately and in a timely fashion. That would cover that, Mr. Speaker.

Then in section 28 it deals with a panel. They need the panel changed from 15 to 18 people. That also gives more discussions into what can be done, how we can improve the system.

Mr. Speaker, this legislation, this act, is a good one and we will support it, of course. It gets more people involved and the more we can get involved and the more outcomes we have from it, we can certainly proceed and make things better in the health care system.

Again, the Member for Mount Pearl North said the same as everybody said. They can go back a little bit further than two years to do those audits, because if they can recoup \$700,000 in the past two years, we can probably get a little bit more than that recouped, Mr. Speaker. It has nothing at all to do with anybody doing anything wrong; it's just the way that things are done sometimes and audits need to be done so that things are corrected. To see it from 60 days to 120 days, this will be good.

To have everybody involved and more people involved, we can improve the health care system. It takes time to do this, so it's good to be able to speak on this bill. We need the MCP billings, of course, and we need MCP for the people of the province and we need the MCP insurance plans for the physicians and people involved.

Mr. Speaker, with that, I'll take my seat and it was good to speak on this bill.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the minister speaks now, he will close the debate.

The hon. the Minister of Health and Community Services.

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

It's great to hear the comments from the Members opposite. I think rather than delve into a lot of the detail – we can do that in Committee – but I think it would be useful in a sense, really, to round out by prefacing what this bill does not do, which would address some of the comments that were made by Members opposite.

The rates within the MCP fee schedule are the subject of negotiations between government and the NLMA itself; therefore, the actual numbers there are predetermined by a separate process and simply inserted into the new fee schedule by mutual mechanisms that have existed for some time. To reference specifically the new technology approach, there is actually an ability within what's called the microallocation process between government and the NLMA to introduce new fee codes based on new technology. That mechanism has existed for some considerable time.

It's always a bit of a challenge and one of the procedures that has never really worked with – because I suspect the mechanism postdates the change – for example, is cataract surgery. The original fee for cataract surgery was set at a time when it was a general anesthetic. It was an hour and 20 minutes to do. Now it's local anesthetic and 15 minutes in an accomplished surgeon's hands will give you excellent results. There is a mechanism; some things have fallen because of timing.

These audits are around financial audits. Audits around the quality of care and the outcomes, referenced by the Leader of the Third Party, are really important, but patents of practice like that come through other mechanisms. They will come through the Prescription Monitoring Program, for example. They come through regional health authority; PGME, post-graduate medical education programs around utilization of labs and that kind of thing. Our main thrust there has been to support Quality of Care NL and Choosing Wisely NL as provider-led mechanisms who would engage in that education piece.

As far as the financial audit of physicians is concerned, I think it would be useful to point out that what you're seeing here and what we're referencing is actually the end of a road. Every practising fee-for-service physician, by and large, every two to three billing cycles will receive a request on a fairly routine basis for a verification of service. What that will be, it will be a code picked, usually a common code or a code of interest to the department at the time, and that's done through the audit division out in Grand Falls-Windsor. Simply then, as referenced by my colleague from Lake Melville, the practitioner has to find – in the case of a specialist – the referral letter asking for the service to be provided and a documentation of what was provided.

So there are criteria laid out, and interestingly enough laid out in the preamble to the fee schedule. They're not included by reference at the moment because they're in the preamble, not in the actual money piece, that actually determine whether or not that service meets the criteria. Do you do a full history and physical? Do you have a discussion with the patient? Were the therapeutic options discussed and a diagnosis arrived at? That kind of thing has to be demonstrated.

If you supply that information, it's fine. Your fee gets remunerated. If you don't or you ignore it, they ask you for three more of the same code. If you ignore that or don't satisfy that, they ask you for five more or seven. If you don't, you are audited on that fee code for two years.

The reason for that is that's done on a cycle that is shorter than two years. That has been the practice. Whilst the rules, the regulations allow you to go back five years, in practical terms that is not the case. We can talk about flagged audits and people whose practice is more than two standard deviations from the group of rural family doctors or urban surgeons, for example, or it consists of a significant financial payout. Those are flags and they will trigger audits of a more localized nature.

Finally, to reference what this isn't about in terms of midwives, I hear the Member for – sorry, the Leader of the Third Party. I always forget your district. I do apologize. We are very keen on utilizing these extended roles. They are

not paid through MCP because MCP is set up under the *Canada Health Act* which stipulates physicians and hospital-based services. That's why it's in that box. That's historical.

Midwives, for example, are currently compensated through the regional health authorities. We have them in Gander. That will roll out and evolve over time.

The discussion about how to compensate nurse practitioners who choose to work outside regional health authorities is actually a subject of integration. We don't want to recreate the siloed, fee-for-service family doctor, for example, and replace that with a siloed, fee-for-service nurse practitioner. The integration piece is the key.

We've had discussions with the Registered Nurses' Union and, unfortunately, owing to some weather events, our discussions with the Nurse Practitioner Association have had to be rescheduled. That's a topic for us at the moment.

So, again, alternate route, bearing in mind the comments the Members opposite have made, but the focus is on integration and a collaborative team-based approach. With that, Mr. Speaker, I will take my seat and strongly urge the House to vote in favour of second reading.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Is the House ready for the question?

The motion is that Bill 20 be now read a second time.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

Carried.

CLERK: A bill, An Act To Amend The Medical Care And Hospital Insurance Act. (Bill 20)

MR. SPEAKER: The bill has now been read a second time.

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

MS. COADY: Now, Mr. Speaker.

MR. SPEAKER: Now.

On motion, a bill, “An Act To Amend The Medical Care And Hospital Insurance Act,” read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 20)

MR. SPEAKER: The hon. Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Health and Community Services, that the House resolve itself into a Committee of the Whole to consider Bill 20.

MR. 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 this motion?

All those in favour, ‘aye.’

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, ‘nay.’

Carried.

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

Committee of the Whole

CHAIR (Bennett): Order, please!

We are now considering Bill 20, An Act To Amend The Medical Care And Hospital Insurance Act.

A bill, “An Act To Amend The Medical Care And Hospital Insurance Act.” (Bill 20)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Chair.

Just a few questions here related to the bill itself, just for some clarification. The bill notes that: “Sections 1 to 6 and section 8 come into force on a day to be proclaimed by the Lieutenant-Governor in Council.”

What steps need to be taken before that for the process to be effective?

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

MR. HAGGIE: Thank you very much, Mr. Chair.

The reason I would flip round and say the delay on the other sections is simply to allow for the extra individuals to be appointed through the process we’ve outlined in terms of with the NLMA, the NLDA, and to reference comments from the other side, the public interest members are tier-two Independent Appointments Commission appointments. We need to populate that, and that’s the reason for delaying that section rather than bringing the other section into force early. We’re ready to roll with that.

CHAIR: The hon. the Opposition House Leader.

MR. BRAZIL: I thank the minister for that clarification. I’m curious – and I’ll ask two questions together, even though they’re not directly connected, that way when you get up, because one is a very quick yes or no where you have a time frame.

The legislation here talks about eight must be medical practitioners appointed from the list submitted by the medical association, and four from the dentists appointed from the list submitted by the dental association. Is there a

process for anybody outside of that that can be appointed?

Sorry, while I have you, a follow-up from the one before. What's the minister's timelines for the legislation to come into effect? Do you have any idea around that?

CHAIR: The Chair recognizes the Minister of Health and Community Services.

MR. HAGGIE: Thank you very much.

The process for the others, there would be basically 12 in the pool of professional designations, if you like, chosen by the appropriate bodies. The remainder would go through the Independent Appointments Commission as tier-two appointments and they would then be notified.

We don't have a particular timeline with that. The IAC has increased its staffing and is now able to empanel two appointments commissions simultaneously, but I would not be able to give you a turnaround time for the IAC. That actually falls under remit of somebody else, the Public Service Commission. So I would hope as expeditiously as we can. I don't anticipate much problem with the professional associations; although, again, one never knows. There is a lag time getting names back.

CHAIR: The hon. the Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Chair, and I thank the minister for that clarification.

We noted yesterday in the discussion – and I realize it's a bit of a time frame for the Independent Appointments Commission to do its job, but it was noted yesterday in the briefing that there are a number of auditing positions that are vacant. My suggestion and our suggestion would have been in a timely fashion now, while you have some downtime, to expedite that as quick as possible, because having six to eight vacant audit positions obviously is going to slow down and hinder what we're trying to change here as legislation.

Can the minister assure us that there's a process in play to move those as quick as possible so

they're in play as soon as the legislation is ready to go?

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

MR. HAGGIE: Thank you very much, Mr. Chair.

My understanding is there are currently two positions that are vacant. Both of those are into the HRS process and out of Health at the moment. We're out there and if need be I will poke the Minister Responsible for HRS.

Thank you.

CHAIR: The hon. the Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Chair, and I thank the minister again.

Yesterday, our understanding was that there were a few other ones and I know there were some in play, but that's fine. As long as they're all in play by the time the legislation is ready to go, that will expedite everything and ensure that the process moves the way it should.

We noted in the discussions that a normal year would be \$700,000 recovered. I think last fiscal there was \$200,000. Can the minister explain? Is that relevant because there were less auditors or is it just that everybody are following the process? I'm just curious to know what the variation is there of half a million dollars in the recovery process.

CHAIR: The Chair recognizes the Minister of Health and Community Services.

MR. HAGGIE: Thank you very much.

It's difficult to be dogmatic. I do know that there has been, as was alluded to earlier, a greater interest in pursuing dispute resolution processes rather than coming to a settlement. I suspect, but don't have any direct evidence, that this is actually due to factors in the physician community and their advisors. It's certainly not anything we've had any particular control over, so the amounts may vary from year to year.

I couldn't speak to a particular year and a particular amount and I wouldn't be in a position to contradict the Member's comments, but I think some of the driver is external and lies within the professional bodies and their advisors. I don't think it's actually within the department.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clause 2 through 9 inclusive.

CHAIR: Shall clauses 2 through 9 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 9 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 Medical Care And Hospital Insurance 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 Bill 20 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 Chair recognizes the Government House Leader.

MS. COADY: Thank you, Mr. Chair.

I move that the Committee rise and report Bill 20.

CHAIR: The motion is that the Committee rise and report Bill 20.

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.

MR. SPEAKER (Reid): Order, please!

The hon. the Member for Lewisporte - Twillingate.

MR. BENNETT: Thank you, Mr. Speaker.

The Committee of the Whole have considered the matters to them referred and have directed me to report Bill 20 without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole has reported that the Committee have considered the matters to them referred and have directed him to report Bill 20 without amendment.

When shall the report be received?

MS. COADY: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

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

MR. SPEAKER: The hon. the Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

Considering the hour of the day, I move, seconded by the Deputy Government House Leader, that we recess until 2 p.m.

MR. SPEAKER: Pursuant to our Standing Orders, the House is now recessed until 2 p.m. this afternoon.

Recess

The House resumed at 2 p.m.

MR. SPEAKER (Reid): Order, please!

In the Speaker's gallery today, I would like to welcome William and Anabel Fagan, who are the subject of a Member's statement this afternoon. They are accompanied by their mom, Peggy Fagan, and their grandmother, Nancy Hynes.

Welcome.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Before I proceed, I want to rule on a point of order that was raised yesterday by the Member for Lake Melville following Question Period yesterday. The Member for Lake Melville stated that during Question Period, the Leader of the Official Opposition used the surname of the Minister of Natural Resources.

I remind all Members that parliamentary convention is that Members do not refer to one another by their names but rather by their title, position or constituency in order to guard against the tendency to a personalization of the debate. I note that the House has dealt with Commissioner for Legislative Standards reports where the title of the report includes a name of Members; however, in this particular situation no such reports exists.

I have reviewed *Hansard* and found that the Leader of the Official Opposition did refer to a Member by her surname. I ask the hon. Member to withdraw his remarks.

MR. CROSBIE: I stand corrected, Mr. Speaker.

I withdraw that statement or remark or use of the hon. Member's name.

MR. SPEAKER: Thank you.

The hon. the Minister of Education and Early Childhood Development.

MR. WARR: Thank you, Mr. Speaker.

I stand on a point of personal privilege this afternoon. Yesterday during Question Period, the hon. Member for Stephenville - Port au Port raised an issue with regard to the school systems review. At that particular time, Mr. Speaker, I had stated that it was an annual process. I stand corrected. It is not; it is at the discretion of the district. I wanted to clear the air on that.

Thank you.

MR. SPEAKER: Thank you.

Statements by Members

MR. SPEAKER: Today we have Members' statements by the hon. Members for the Districts

of Mount Scio, Terra Nova, Mount Pearl North and Conception Bay South.

The hon. the Member for Mount Scio.

MS. STOODLEY: Mr. Speaker, I rise in this hon. House today to recognize Enactus Memorial and their notable newest venture HeartStarter.

Enactus Memorial are solving a global problem. If someone is having a sudden cardiac arrest, it's critically important that they seek medical attention as soon as possible. Usually only one in 10 people survive cardiac arrest under these circumstances, with CPR or defibrillation their best chance for survival. For every one minute delay in defibrillation, survival rates decrease 7 to 10 per cent.

In partnership with local companies AS Works and Creative Maple, HeartStarter connects the location of an automated external defibrillators, an AED, with a first responder. If needed, a specially designed drone can transport an AED to the individual in cardiac arrest.

The HeartStarter project aims to save lives by significantly reducing the delay in defibrillation, bringing an AED to an individual in cardiac arrest. We can all help by adding the AEDs in our communities to a registry. One way of doing that is using a phone app such as PulsePoint AED.

I ask all Members to join me in congratulating Enactus Memorial on this innovative, life-saving venture.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Terra Nova.

MR. PARROTT: Mr. Speaker, today I rise to congratulate and support a dedicated group of volunteers from my district. Time and time again, I have had the opportunity to witness the strength of volunteers throughout my district and the Regional Action Committee on Housing, or REACH, is another fine example.

In 2008, a community advisory group comprised of 15 different organizational groups masterminded a homelessness strategy for the Bonavista and Clarendville region. In 2010, REACH was incorporated. In 2015, there was a partnership formed with NL Housing and the REACH House was obtained. It went on to provide a place for the homeless and victims of violence, a safe and affordable emergency house where clients could maintain their dignity.

Last week, I attended an annual pancake breakfast to help raise awareness for homelessness in the district. REACH is a not-for-profit group of volunteers, and they rely heavily on the churches, community group and businesses for donations of furniture, gift cards and start-up kits to help with everyday needs of their clients. This board is complemented with two full-time housing support workers, and I'd like to give everyone a very special thank you, and a special mention its co-chairs, Tracy Fleming and Jodean Jefford.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Mr. Speaker, from February 5 to 16 the annual Frosty Festival 2020 brought Mount Pearl to life with an array of activities offered at various venues and an impressive schedule of events designed to entertain and warm the hearts of visitors young and old.

Many thanks to many organizations, volunteers, entertainers and sponsors who've helped make this event a success again this year. Your passion and enthusiasm add sparkle and energy to our city each winter.

On opening night, crowds bundled up into toques, mittens and puff-filled jackets and enjoyed a magical, light-filled parade. I was honoured to transport Frosty along the brilliantly lit parade route to the cauldron lighting in St. David's Field.

Although Mother Nature didn't full co-operate throughout the festival, it didn't cool enthusiasm, as Mount Pearl is very fortunate to have some fantastic indoor venues that are perfect to host festival events. Frosty brought

people of all ages, of all walks of life together to celebrate winter fellowship with one another in our community.

I ask all those present to join me in congratulating Chair Robert Hayes, Vice-Chair Renee Pendergast and the entire organizing committee, the council, city staff and, of course, over 500 volunteers who made this year's 38th Frosty Festival the best yet.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I rise today to acknowledge two young people from my District of Conception Bay South who started a trend in taking it upon themselves to shovel out fire hydrants in our community after Snowmageddon 2020.

Anabel and William Fagan, ages 17 and 14, from Foxtrap took to the streets armed with nothing but a shovel each to try and clear as many fire hydrants, driveways and steps which were blocked after the 90 centimetres of snow we received as a result of the massive snowstorm. A lot of those were seniors.

Conception Bay South has nearly 1,300 fire hydrants to clear. The duo's kind gesture did not go unnoticed by the Town of Conception Bay South or the residents. They're invited to make a live appearance on K-Rock's morning show as the Rocket Bakery's Volunteers of the Week, received recognition from the Town of CBS and their volunteer efforts were reported on Facebook, along with many other media sites.

Mr. Speaker, there's no truer example of helping your community in a time of need; it actually sparked a series of acts of kindness in our town. I know for certain their family and friends are very proud of them, as are all our residents.

I ask all hon. Members to join me in congratulating Anabel and William Fagan for their hard work and thank them for their efforts in making Conception Bay South a better place.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. DAVIS: Thank you, Mr. Speaker.

Newfoundland and Labrador is home to an inventive, productive and competitive innovation ecosystem.

Last month, I started TechTour 2020, by visiting Genesis and Memorial's Centre for Entrepreneurship, two of the province's well-known business incubators. I also toured innovative start-up companies CoLab and Mysa, both of which were fostered at the Centre for Entrepreneurship, where more than 300 students now avail of programming.

Mr. Speaker, I also visited Virtual Marine Technology and Genoa Design, companies which have grown to become respected global leaders in their fields. Both of these companies were nurtured at Genesis, which has clients and graduate companies generating in excess of \$200 million in revenues annually, and are all headquartered here in Newfoundland and Labrador.

Other innovative companies I met with included Kraken Robotics, a company developing next generation sensors and robotics to support the ocean economy; and Score Canada, which has developed cutting-edge valve management technologies to aid the oil and gas sector.

I also had the good fortune to visit C-Core and met with some Memorial students who are designing Killick One, the first ever provincially built and operated observation satellite – which is pretty cool.

Mr. Speaker, through the Business Innovation Agenda and Technology Sector Work Plan, our government is committed to enabling entrepreneurs and helping to create new innovative businesses and exceptional employment opportunities. I assure you, there

are many, many more good things on the horizon.

I ask all hon. Members to help me acknowledge the innovative technology being developed in our province, and recognize the resources and capabilities we have right here at home.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Terra Nova.

MR. PARROTT: Mr. Speaker, I thank the minister for an advance copy of his statement.

Mr. Speaker, I join with the minister in acknowledging the great advancements and achievements of the technology and innovation sector within the province. The work being carried out by Genesis and Memorial Centre for Entrepreneurship is truly creating a positive change in our province. Through mentorship and resource cultivation, they are helping to create jobs, bringing wealth into our province and increasing our economy.

Companies like Genoa Design International, Kraken Robotics and start-ups such as CoLab and Mysa are a true reflection of the talent in our province and the successes which can happen with determination, perseverance and positive mentoring.

While I congratulate those in industry, I do want to encourage this government to do more to support all businesses in all areas and all industries within our province. We must diversify the economy, and that includes making it easier for all businesses to grow and thrive in our province.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. COFFIN: Thank you, Mr. Speaker, and I, too, thank the minister for an advance copy of his statement.

Good job to the many people involved in the TechTour 2020. I admire your enthusiasm in embracing economic diversification and pioneering technology. Let's see more employment here in these sectors. This is a good start to diversification and I look forward to a future where we divert oil revenues towards a greener economy.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

The Minister of Municipal Affairs and Environment.

MR. BRAGG: Thank you, Mr. Speaker.

I rise today to remind the public that the provincial ban on retail plastic shopping bags is fast approaching. As of July 1, regulations under the *Environmental Protection Act* will come into force, banning the distribution of retail plastic bags in Newfoundland and Labrador.

We are proud that our province is the second in Canada to implement a ban on the distribution of plastic retail bags. We have proceeded with the ban based on significant public consultations. The ban will help us protect the environment and improve the waste management system.

Mr. Speaker, we are also continuing our work with the federal, provincial and territorial governments to address the broader category of paper and packaging. We are working on the development of the Extended Producer Responsibility program under the national Zero Plastic Waste strategy.

We have been encouraging people to start new habits and consider potential alternatives to single-use plastic bags. We've already seen many residents and businesses begin to reduce plastic waste.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: I thank the hon. minister for an advance copy of his statement.

We are pleased to see that the ban on retail plastic bags will finally be coming into effect in our province this coming July. I know that some businesses and municipalities have already made the move and residents are proactively finding alternatives and bringing reusable bags along.

I would like to take this opportunity to encourage government to increase the public awareness and engagement of such activities as the benefits of composting and, of course, putting waste in its proper place. We also encourage government to find additional ways and means to reuse collected recyclable materials in our province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's Centre.

MR. J. DINN: Thank you, Mr. Speaker.

I, too, thank the minister for an advance copy of his statement. The banning of plastic retail shopping bags in this province is a small but significant first step, and one that we might not have thought possible a few years ago.

Having an Extended Producer Responsibility program is certainly the next one, because unnecessary plastic packaging seems to grow every year. Reducing plastics is also about raising cautiousness about changing the mindset we've had for generations and about being good stewards of a planet we call home.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: Thank you very much, Mr. Speaker.

I am very pleased to provide details of a bilateral Boreal Caribou Conservation Agreement which was recently reached between the Government of Newfoundland and Labrador and the Government of Canada.

As a result of strong work by our team of wildlife experts to highlight the plight of Labrador's boreal caribou and the steadfast negotiating position taken by the province, we have been able to successfully leverage \$5.4 million from the federal government devoted solely to the conservation and protection of Labrador's boreal caribou, or the woodland non-migratory caribou – which include the Mealy Mountains, Lac Joseph, and Red Wine herds.

This agreement, Mr. Speaker, builds on the efforts of our government to protect and facilitate the recovery of the species and its critical habitat, and to help change the trajectory of caribou in Labrador from declining populations to stable ones, and eventually to growing herds. Mr. Speaker, the agreement recognizes the wide range of threats to Labrador caribou and outlines a strategic approach that focuses on research, monitoring and conservation. We now have the tools to secure enhanced guardianship and stewardship that will seek to address the challenge of unsanctioned hunting which is inhibiting the caribou's recovery.

Mr. Speaker, boreal caribou of Labrador have long held intrinsic value to Indigenous culture and traditions. I am proud today to highlight this agreement, which formally recognizes the importance of Indigenous engagement and traditional Indigenous knowledge in the future recovery and protection of the herds. It will help forge a much needed broader, deeper partnership with Indigenous communities that focuses on specific, realized threats and which is integral to the successful recovery of boreal caribou in Labrador.

As the implementation of this plan begins, we look forward to continuing ongoing engagement with our Indigenous partners in Labrador and, indeed, all those with a vested interest in the protection and recovery of Labrador's precious caribou resource.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Exploits.

MR. FORSEY: I thank the minister for an advance copy of his statement.

Mr. Speaker, this is positive news for the sedentary caribou herds and we certainly hope that it will conserve and protect those herds.

Mr. Speaker, the decline of the migratory George River caribou herd is also a great concern, and this herd needs urgent attention as well. We encourage efforts to support conservation and protection of the Labrador caribou which will hopefully lead to the successful recovery of all these vital herds.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Labrador West.

MR. BROWN: Thank you, Mr. Speaker.

I, too, thank the minister for an advance copy of his statement. I thank those in government who successfully negotiated this agreement in protecting boreal caribou.

As a Labradorian, I understand the importance of protecting boreal caribou in our region and also their cultural significance to our region. We must continue to have partners engaged in protecting these important herds, including Indigenous partners and a full contingent of wildlife enforcement officers.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

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

MR. CROSBIE: Mr. Speaker, thank you.

In view of the fine progress we made yesterday, my question is for the Minister of Natural Resources.

In January 2019, an order-in-council was issued removing the conflict of interest bar which otherwise prevented the employment of the consultant, McIntosh.

Was the order issued by the Cabinet of which the minister was a member, or was it issued solely on the direction of the Premier?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

First of all, before I begin today, this is my first opportunity to express my sympathies to the family in this sitting on the passing of your father. I think the whole province watched that week and we were actually just – part of the memories, it brought us back in time for the value that your dad brought to our province, and certainly pass on my sympathies to your mom again.

Mr. Speaker, to the question, yes, this has been –

SOME HON. MEMBERS: Hear, hear!

PREMIER BALL: Mr. Speaker, to the process; as you know with Cabinet, and these OCs have been made public, there was a request that would've come in from, I understand, then it was from Nalcor who was actually putting this contract in place. It went to Cabinet Secretariat down to the department that would've come up for me, in this particular case, at the request of the department and Cabinet Secretariat, which originated within Nalcor to waive the conflict of interest.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: I thank the Premier for his kind remarks.

What I take from his answer is that through the process he described the order-in-council was initiated under his responsibility. That's what I take from that. Is that correct?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: What I'm saying is the request would have come in, would have originated, as I said publicly in the past, when the OC was written and then the request would have come up to my office for the order-in-council. That is what I just said, but it was not unusual when you see conflict of interest waivers. That happens quite often from deputy ministers, once they leave government, as they go out into the private sector. In this case, this was a contract, as you are now aware of, but the request would have come up through the department in to me asking for, to sign an OC to waive the conflict of interest.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: For those of us who are not intimately familiar with the procedure, I take it that means that the OC was under the Premier's responsibility rather than Cabinet's. Is that correct?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I just outlined the process here. As I said, the request would have come, I understood from Nalcor into the Cabinet Secretariat down to the department to do the discussion and for me then to, as representative of Cabinet here, which is not unusual for the order-in-council, which are all made public by the way. This is all public information on this order-in-council.

As I said, Mr. Speaker, it's not unusual at all. There have been waivers for conflict of interest that are signed often, and there has been many examples of when people enter into, once they leave government to go in, and you'll see conflict of interest.

Mr. Speaker, these things are public knowledge. This was all part of the process that would have

been in place, giving this contract, before any employment would have been with – with Nalcor, in this particular case. That is where this contract was negotiated.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Mr. Speaker, the Minister of Natural Resources told us yesterday that she has ordered a review of all contractors and contracts with the oil company.

How many contracts are under review, and does it include the \$350,000 consulting contract with Gordon McIntosh?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Thank you very much, Mr. Speaker.

I have asked the oil company to review their requirements for contractors throughout this year. That would include the contract for Mr. McIntosh that the minister is referencing. We've also asked them to look at all the contracts themselves, so not only the requirement for having a consultant but also the contracts themselves. We have made that request of the oil company and we expect to have some results very soon.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Mr. Speaker, the minister yesterday described McIntosh as a world-renowned international consultant whose job is to make sure we have supply and service development.

If McIntosh is so world renowned, why is the minister reviewing his contract?

MR. SPEAKER: The Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

I'm a business person, I'm a business leader and it is prudent and important that you ensure every year that you review your contracts and your requirements for consultants. We're coming through to a budgeting process, we're coming through to ensuring that we're being very fiscally responsible; therefore, it is prudent and responsible to review all requirements for consultants and their contracts.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Did the minister order this review to cover up her embarrassment at not knowing about the appointment of McIntosh?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: I'm sorry, Mr. Speaker, I did not hear the gist of his question. If I could have it again, please?

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

MR. CROSBIE: Yes, the question was: Did the minister order the review to cover up her embarrassment at not knowing about the hiring of McIntosh?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Mr. Speaker, no, I did not. I did not ask for a review of consultant's contracts to cover up anything. We have a consultant that is providing service to a Crown corporation that has been discussed publicly. I prudently asked for a review of all the requirements for consultants.

The Member opposite will remember, hopefully, that the oil company in question was moved from underneath the utility to its own stand-alone Crown corporation very recently; in January 1 it became effective. Over the last year they've been transitioning, and there has been a requirement for them to do supply and service delivery. They hired a consultant, Mr. Speaker, and now they're looking in to that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, it appears the present government is at it again, giving jobs to their friends. The former Liberal MHA for Bonavista has landed softly in Transportation and Works.

In light of the ongoing Carla Foote and Gordon McIntosh scandals, how can the minister defend this blatant patronage?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Thank you very much, Mr. Speaker.

He's referring to a former MHA who actually took a temporary assignment, a short-term assignment, a 13-week assignment on an as-needed basis. We do this all the time, Mr. Speaker, as MHAs and people who represent people is put forward names for positions that come forward.

In this case, Mr. Speaker, the person in question accepted the position. Shortly thereafter the position had been posted. This is a maternity leave position, I think, or some type of medical leave position. This is typical practice that we've had in government for many, many years.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

We obtained a request for staffing action through an ATIPPA request. In our opinion, the cronyism is even more blatant in this RSA than it was in The Rooms RSA. On the form it says, recruit from a previous competition, which means there were people there that were interviewed, went through the proper process that could have been hired, just scored a bit lower. There were people ready to take this position. Instead, it was scratched out and it was:

hire 13-week temporary employment – written there, I can table it, that’s here in this House.

Obviously, this was done to avoid a job competition, which don’t make sense because there’s already someone there waiting to take the job.

Who did the minister order to scratch it out or did you do it yourself?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Mr. Speaker, the Member opposite would understand that it’s a typical practice within government to hire 13-week positions. This position was posted shortly after the person in question actually took the position. This is a short-term position, done totally within the rights of the collective bargaining, Mr. Speaker, and this is something that’s been a practice of every government for a very long time.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: It’s been a practice of this government to look after their Liberal friends, Mr. Speaker; that’s the problem. It’s not political jobs. These are public sector bargaining unit jobs. Former Liberal Member put in it which someone was not called in to do that job that went through the proper process; that’s our problem. Someone who is qualified was left out because they wanted to look after their Liberal friends. That’s the issue, just to be clear.

Mr. Speaker, the form indicated that this position was supposed to be hired based on those who had participated in the job competition. As I said, I’m going to table this document that we received through ATIPP. Last night, through the media, I saw the minister and this former MHA for Bonavista, now a current employee within his department, at a partisan event. They seemed to be pretty close.

I ask the minister: Will the Liberal government continue to use taxpayer funds to fatten the wallets of their Liberal friends?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Thank you very much, Mr. Speaker.

I hate to have to do this here today, but we work as Members of this House of Assembly, we work closely and we do things for people sometimes.

Mr. Speaker, a Member on that side of the House came to me just around the same time and that Member was aware of a position in his or her district that there was a vacancy. He came to me, he said: Minister, I have a name that we could certainly put forward for that. I went through that process for that Member opposite. I’ve done it for many Members opposite, as have many of our ministers.

When I stood in Opposition, I would go ahead and talk to ministers and say: Listen, if something becomes available in a short-term manner, would you please accept this. Mr. Speaker, a 13-weeker is well within the rights of the collective bargaining. We’ve all done it. Members on that side have done it. The Member for Conception Bay East - Bell Island has often helped me fill voids on the Bell Island ferry, Mr. Speaker, in 13-week positions.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Mr. Speaker, I can’t resist but to come back and say if anyone on this side of the House recommends anyone for a 13-week position, that’s not what we’re saying. It wasn’t a former PC Member; it wasn’t a Liberal or NDP Member. It wasn’t a former politician I recommended; it was someone that’s qualified to do the job. Why not? It’s been a practice forever. That’s not what we’re talking about.

We're talking about a former Liberal MHA being put in a public service job, bargaining unit job, that someone was qualified to do. There are people on the list. Go over to the Public Service Commission. They will show you the person that should have got called for that job. They never got called. Instead, their friend, the former MHA, got called. That's our issue –simple.

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Mr. Speaker, we're talking about a 13-week position as a buyer in a depot. If he wants to talk about cronyism, how about the 2015 appointment of a former minister to the chair of the Newfoundland and Labrador Housing Corporation. Let's think about what he's saying over there today.

I have a list that I'm willing to table here today of cronyism. We're talking about a 13-week position in a depot, which is allowed under the collective bargaining agreement with NAPE, which is totally allowed within the rules. Mr. Speaker, we've done it. I've done it for different Members on the other side. We will continue to do that. I will continue to reach across the aisle. I will continue to reach out to work to fill positions and help Members on both sides of the House.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Terra Nova.

MR. PARROTT: I guess the previous conversation goes back to the fact that everybody deserves a job.

Now that Carla Foote has been given yet another position by the Premier because she apparently deserves a job, I ask the minister: What is the status of the job that she has occupied at The Rooms?

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. DAVIS: Thank you, Mr. Speaker.

Any opportunity I get to stand in this House to talk about the cultural hub that is The Rooms, I will take that opportunity every day. There are lots of opportunity at The Rooms for people to go down and visit that historic site, world-class facility.

One thing I will say is that we're in the process of hiring a CEO. Actually, I will clarify that a little bit better because I'm sure the follow-up question will come. The board of directors reached out to the Independent Appointments Commission to hire a CEO for The Rooms. That process is under way. Once that process concludes, there will be a new CEO at The Rooms of that world-class institution. Then that CEO, along with the board of directors, will look at the organizational structure of The Rooms and make decisions based on that from there.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Terra Nova.

MR. PARROTT: So everyone in the House is very well aware that Ms. Foote was overcompensated by The Rooms at about \$30,000 annually – \$132,000 was the salary, to be factual.

This gross mismanagement was the reason that the minister was reprimanded for his handling of this appointment and was suspended and he's not in the House this week.

I ask the minister: When will the minister be replacing this person, and will the salary remain the same?

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. DAVIS: Mr. Speaker, I'll say exactly what I said before, because I think he missed what I had said before. That The Rooms are in the process of hiring a new CEO through the Independent Appointments Commission. When that CEO is completed, through an independent process that will represent this world-class institution, that individual will work towards,

with the board, to develop the organizational structure, finalize the organizational structure, and from that point we'll move forward on where we see The Rooms going and be best suited for the next decade or more at The Rooms.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Terra Nova.

MR. PARROTT: When the Premier gave Ms. Foote her new job as Assistant Deputy Minister of Public Engagement – quite possibly should've been called public engagement – of the Planning Division in Cabinet Secretariat, a salary of \$123,000, was the hiring of Ms. Foote for this job a result of a competitive process, and will the Premier table the job description in her new role?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, as everyone in this House would know, that executive positions within government have been moved around for decades. As a matter of fact, I guess you could go back to since we came into Confederation. So any leader puts their team of executives and manages around them. This has been common practice for decades.

Ms. Foote now has been a topic of discussion here today as one of many executives. And we've asked for a review. Other provinces are looking at a review of how this process would work. Mr. Speaker, when that review is completed we will be releasing that publicly.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Speaker.

With countries around the world taking extraordinary steps to deal with the coronavirus disease, people here are wondering how prepared our province will be if we start to see cases.

I ask the minister: How are our front-line health care professionals and first responders across the province being prepared for this role?

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

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

I'm happy to stand and deal with what is a public health issue of grave concern to a lot of people. We in this province are well positioned by comparison with our colleagues. We engage in a variety of national and international activities with regular conference calls with PHAC and with the federal Health minister. I personally involve myself in a conference call every week.

We have used shared services to adopt a provincial approach with PPE and stockpile. We have used a regional approach to look at surge capacity in the event of cases being identified. We are looking at laboratory support to integrate with the National Microbiology Laboratory in Winnipeg and we'll have that sorted out by the end of the week.

Our risk here, I must emphasize, is low by Canadian standards. Canada's risk currently is relatively low internationally.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Speaker.

As recent as this morning, Debbie Forward, president of the Newfoundland and Labrador Nurses' Union expressed concern that the recommendations do not go far enough to protect front-line workers.

Will the minister table his plan so that the front-line health care workers and the public can be assured that our province will be ready in the event that we see cases of the coronavirus disease?

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

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

We are as ready as any province in this country and better prepared than some, I would argue. In terms of the front-line workers, we have gone through the regional health authorities looking at fit testing to make sure all our staff have the right sizing of N95 masks. We have masks redistributed from areas where there's a relative abundance to areas where there is not. So as part of the required PPE, this will be available at a local level as and when the need arises.

We have checked all of our negative isolation rooms across the province and those that need remediation are currently being remediated. We have met with the NLMA; we continue to meet with the representatives of front-line workers, Mr. Speaker. I'm happy to continue when my time resumes.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Opposition House Leader.

MR. BRAZIL: Thank you, Mr. Speaker.

A number of transatlantic flights stop in Newfoundland and Labrador when emergencies occur, usually in Goose Bay, Stephenville, Gander or St. John's.

In light of the coronavirus outbreak around the world, what protocol has the minister put in place should overseas flights be forced to land in our province with all the passengers?

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

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

That has always been a vulnerability, particularly coming from Gander. Interestingly enough, with SARS and MERS and H1N1, however, we did not find ourselves at a

disadvantage because of that. We have worked very closely with Canadian Border Services, at a local and a provincial and a national level, to make sure their screening protocols are in place.

We have mechanisms for alerting first responders to the potential of a COVID-19 case. We have PPE and protocols in place for transporting those individuals and we have protocols and procedures in place at the receiving institution. We have protocols in place on a provincial level from infectious diseases and Public Health Agency of Canada.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Bonavista.

MR. PARDY: Mr. Speaker, this government closed the Advanced Education, Skills and Labour office in Bonavista in 2016, which served 100 residents per week. With available space at the current College of the North Atlantic in Bonavista and the high demand, how could the government greatly diminish the service of these residents with no cost savings?

Can these displaced clients service officers utilize phone and technology at the College of the North Atlantic in Bonavista to service clients in that area?

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. DAVIS: Mr. Speaker, thank you very much for the question.

To the hon. Member, he's correct; the office did close in 2016. We have staff that provide services to that community since that point. Very positive outcome with respect to small business activities in the area. Income Support files have went down by 10 per cent. Not as a reflection of that, it's just as a reflection of the strong economics in the area.

CNA programs have been advanced there through culinary and tourism program, as well as personal care attendant. We're investing in that community. One of the other things that's

really strong that we're doing here – it's a tourism hub in Bonavista. It's doing something pretty unique there and we should celebrate it. I know from my department, we're going to celebrate that at each and every opportunity we have to do so. The region is doing very well and we look forward to them expanding even further into that region for sure.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Bonavista.

MR. PARDY: Mr. Speaker, when the office closed in Bonavista, it was stated that much of the services could be provided via phone or technology. I met with the minister in early August to review the data and provide a rationale why the office ought to remain open. I've not heard a reply, quite possibly due to the Cabinet shuffle, but I ask the current minister if he could review this decision to close the Bonavista office and a cost of savings of this closure against the severe downgrade in service.

Keep in mind it can be served by phone and technology from the College of the North Atlantic instead of an hour and a half away and also provide direct client services when needed.

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. DAVIS: Yes, Mr. Speaker, I can say it was a very good meeting with the hon. Member across. As many of our ministers here on this side of the House, we have an open-door policy that allows that. Each and every time they reach out, I try my best to – I speak specifically for myself – reach every opportunity to meet with them on any kind of issue that they have that may come up regarding this.

One of the things that has been important for this region is there is a lot of expansion with respect to tourism, business opportunities there. We have had staff that are providing services to that area. They travel in; they have the opportunities through telephone and conferencing that way. Also, from the investments in College of the North Atlantic, I'm sure the hon. Member would agree that the investments we've made is well versed and well important down in that region of

the province. I look forward to having further discussions with the hon. Member in the coming days and weeks ahead.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. COFFIN: Mr. Speaker, with respect to Interim Supply, it is shameful to contrive a situation whereby public servants are held hostage to further one's own political agenda. Also shameful is the inadequate level of mental health, addictions, housing and transportation services provided to the people of Labrador.

I ask the Minister Responsible for Labrador Affairs: Why does the level of service remain deplorable? Doesn't the Big Land deserve better?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, there is a long list of achievements, as a result of this government, with investments in Labrador.

SOME HON. MEMBERS: Hear, hear!

PREMIER BALL: Matter of fact, I think just last week we gave a speech to the Combined Councils of Labrador. I think the Member opposite was part of there. There was an overwhelming response from the people in the room regarding and related to the investments that this government has made.

Mr. Speaker, there is a long list. We can speak to the work that's been done on the Trans-Labrador Highway as an example. I'm very pleased to say that the last tender has been released and awarded to complete the paving of the Trans-Labrador Highway.

SOME HON. MEMBERS: Hear, hear!

PREMIER BALL: For those that have not driven that from one end to the other, that's about 1,100 kilometres of highway.

Mr. Speaker, the list goes on and on, the work that's been done on Labrador. I can assure you that it will not stop.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Labrador West.

MR. BROWN: Thank you, Mr. Speaker.

Labrador West has a serious shortage of home care support workers. To my knowledge, there is only one and they are swamped. The Labrador West councils have lobbied for 10 years for the personal care attendant program at the Labrador West campus of the CNA, but new seats were announced recently to elsewhere.

I ask the Minister of Advanced Education, Skills and Labour: Why was Labrador West once again denied a personal care attendant program, despite the urgent need of my residents?

I ask the Minister of Advanced Education, Skills and Labour: Why was Labrador West once again denied a personal care attendant program, despite the urgent need of my residents?

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. DAVIS: Thank you, Mr. Speaker, and thank the hon. Member for the question.

Last week I was very excited to see the fruition come to the personal care attendant announcement that was made in Corner Brook. It's very important. We had members of the union come out and endorse that decision that was made here. In a very short period of time, in some eight months I think it was, from the time that a request was made and discussed as a collaborative approach – which is what this government does on a regular basis – it was made and announced and put in place.

I'm looking forward to where we go with this. I understand where the hon. Member has concerns. We'll look at that as we expand this program and look for opportunities to grow the initiatives that we have at our College of the North Atlantic, as well as other post-secondary institutions that we have right across the

province, for the betterment of the people of the province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Humber - Bay of Islands.

MR. JOYCE: One of government's priorities was to bring the salaries and benefits of government's agencies, boards and commissions in line with government departments. This was estimated that it would save the government hundreds of millions of dollars. But when you hear of employees leaving with \$500,000 of severance I ask what steps is government taking to stop this.

I ask the Minister of Finance: What steps have you taken to complete the process to help reduce the deficit in the province?

MR. SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

MR. OSBORNE: Thank you, Mr. Speaker.

I thank the Member for his question. It is an important question as we try to ensure we get our fiscal house in order.

Members in this Legislature would remember in December of last year we brought legislation in to allow us to work with our agencies, boards and commissions on workforce planning and on attrition planning. That work is ongoing. We've made great success with our agencies, boards and commissions.

In the very near future you'll see the attrition planning put in place for the agencies, boards and commissions. One immediate example is OilCo and bringing those salaries in line with Treasury Board policies.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Humber - Bay of Islands.

MR. JOYCE: Mr. Speaker, I say to the Minister of Transportation: We have visited the south

shore of the Bay of Islands. You are aware of conditions on Route 450 and aware of the repairs that are needed, caused by the rainstorm and other damage.

I ask the minister: Can you please advise when the tenders will be called for this type of work so we can have the repairs done on Route 450?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Thank you, Mr. Speaker, and I thank the hon. Member for the question.

Mr. Speaker, one of the big pieces that was left to do on Route 450 was Cammies Bridge. That tender has already been called; the department is now calling tenders on a daily basis. The work for 450 was approved last year through the new Northern and Rural program, so that work will be called in the coming days.

One of the challenges we have, Mr. Speaker, is we're looking at some additional work on 450 this year and we want to make sure we get it all in the same tender for the best value for our dollars.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

MR. SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

MR. OSBORNE: Thank you, Mr. Speaker.

Pursuant to section 26(5)(a) of the *Financial Administration Act*, I am tabling five orders-in-council relating to funding precommitments for the fiscal years 2020-21 and beyond.

MR. SPEAKER: Further tabling of documents?

Notices of Motion.

Notices of Motion

MR. SPEAKER: The hon. the Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

I give notice that I will on tomorrow move the following motion:

BE IT RESOLVED that the Select Committee on Democratic Reform to be established further to a private Member's resolution passed in this House on December 4, 2019, will comprise of the following Members: the Member for Carbonear - Trinity - Bay de Verde; the Member for Mount Scio; the Member for Windsor Lake; the Member for Topsail - Paradise; the Member for St. John's East - Quidi Vidi; the Member for St. John's Centre; and the Member for Mount Pearl - Southlands; and

BE IT FURTHER RESOLVED that the Committee shall establish its priorities within the scope of authority set for it in the resolution adopted by the House on December 4, 2019; and

BE IT FURTHER RESOLVED that the Select Committee on Democratic Reform may, in the completion of its work, travel from time to time within the province; and

BE IT FURTHER RESOLVED that the Select Committee on Democratic Reform report its progress to this hon. House before the end of the winter-spring sitting of this House 2021; and

BE IT FURTHER RESOLVED that the resolution of any further matters relating to the mandate or operations of said Committee be brought to this House for approval.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further notices of motion? None.

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

MR. SPEAKER: The hon. the Member for Ferryland.

MR. O'DRISCOLL: Thank you, Mr. Speaker.

Witless Bay Line is a significant piece of infrastructure.

WHEREAS many commute to Bull Arm, Long Harbour and other areas for work, as well as commercial and residential growth in our area has increased and the volume of traffic on this highway has increased.

Therefore we petition the House of Assembly as follows: Upgrade this significant piece of infrastructure to enhance and improve the flow of traffic to and from the Trans-Canada Highway.

Mr. Speaker, if you travel on the Witless Bay Highway, you go in and you look at it – I got probably four emails this week. Can you, as the MHA for your area, drive in and over this highway and look at it? I know we had some significant snow over the last little period and sometimes weather prevents it from being open, but I think we have to pay more attention to it. It's a main hub for people going to Long Harbour that are going to work, and people that did previously work in Bull Arm – and hopefully that will come back on stream at some point in time.

Also, there's a marine base in Bay Bulls as we speak now, and a proposed one in Fermeuse, and will be used significantly in the area. So this road definitely needs to be upgraded, and get rid of all those potholes. Instead of going in slapping pavement on it, we really need to pay some attention to this infrastructure.

It's also used by tourism, with boat tours right along the Ferryland District, to the archeological dig in Ferryland, to the UNESCO site in Portugal Cove South. So it's a very significant piece, and people are not going to drive across the Island and drive out around St. John's and go all the way up the Southern Shore when you can

go across this main piece of highway. It's been there for, I'm going to say since '87 or '88.

One upgrade has been done with this previous government – I'm going to say in 2012 or 2013 – for a stretch of probably five or six kilometres. So we really need this to be looked at. It's terrible the condition that it's in.

We also have people who use campers and mobile homes. When you go to an area and they say, well, they're not going to come up here anymore, people are going to talk about the negativity on the roads and where it is. It needs to be looked at. It really needs to be deep down and looked at. So we certainly appreciate any help we could get on that.

Thank you.

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. CROCKER: Thank you very much, Mr. Speaker.

I thank the hon. Member for the petition, and I compliment the hon. Member on him bringing this issue forward.

It's certainly an issue we recognize. We recognize it to the point, Mr. Speaker, last construction season we actually made an application to the trade and transportation corridor fund to the Government of Canada, and it was actually declined.

Mr. Speaker, we'll be going to look at that again, because what we recognize is that there are trade issues, or trade opportunities, I guess, on that route; if you look at Bay Bulls, if you look at the new proposed facility in Fermeuse and you look at the daily commute and some of the heavy equipment that's using that road.

So, Mr. Speaker, we recognize the challenge on that stretch of highway, and it's something, as I said, we attempted to address last year through a cost-shared program with Ottawa. So it's certainly one that we are trying to find a solution to.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Yes, we have time for one more.

The hon. the Member for Exploits.

MR. FORSEY: The Great Northern Peninsula Joint Council is concerned of the lengthy delay of the Crown Lands application for the Crémaillère bay Northern Port project. This project has potential for significant economic development opportunities for our communities, businesses and residents.

This application was first filed in May 2017 and the environmental assessment completed in May of this year, but still no word on the approval of this project. The people of the Great Northern Peninsula are anxious to see the potential of this project come to fruition.

Therefore, we urge the Government of Newfoundland and Labrador to adhere to the application approval guidelines and have this project approved immediately for the greater good of the people and communities and businesses of the Great Northern Peninsula.

Mr. Speaker, this is an ongoing problem with Crown Lands again. It seems to be two to five years before applications get approved; way too long for businesses and residents and commercial things to be happening. We'd like to see things happen a lot quicker so that the economics of that area – the Great Northern Peninsula is in dire straits now, Mr. Speaker, the economics up there are very poor. They'd like to see this happen so they can get the region moving again.

Every part of the province is looking for more economics, of course, Mr. Speaker, but this is a way of making this happen and to put people to work on the Great Northern Peninsula. They've been doing this now for two years, Mr. Speaker, and they feel this has gone on way too long. They want the application approved so they can get the economics back to some sort of standards on the Great Northern Peninsula.

Thank you, Mr. Speaker.

MR. SPEAKER: We don't have time to do a response. The minister can do a response tomorrow, if he likes.

Orders of the Day

Private Members' Day

MR. SPEAKER: According to our rules, the private Member's motion has to start at 3 o'clock, so I'll ask the Member for Mount Scio to introduce her motion.

SOME HON. MEMBERS: Hear, hear!

MS. STOODLEY: Thank you, Mr. Speaker.

I'm very excited today to talk about the motion on artificial intelligence. Hopefully, by the end of the day, you'll all have a bit better understanding of what I'm talking about.

Artificial intelligence is like a mystery to some people, but it's something that I promise –

MR. TRIMPER: You need to read in the motion.

MS. STOODLEY: I have to read in the motion. Sorry about that.

I move:

WHEREAS the Office of the Privacy Commissioner of Canada believes that the *Personal Information Protection and Electronic Documents Act*, PIPEDA, falls short in protecting Canadians from the privacy risks posed by advancements in artificial intelligence systems; and

WHEREAS an artificial intelligence system is defined as: “a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments.... AI systems are designed to operate with varying levels of autonomy”; and

WHEREAS Newfoundland and Labrador residents are protected in the public sector through the provincial Access to Information and Protection of Privacy Act, ATIPP, and in the private sector by the federal PIPEDA; and

WHEREAS provinces, including British Columbia and Alberta, have their own privacy legislation in lieu of PIPEDA, that safeguards privacy and protection of personal information held by private companies and organizations; and

WHEREAS other countries such as the UK have comprehensive legislation that protects residents' privacy and personal information from advances in artificial intelligence systems in both private and public sector organizations; and

WHEREAS within the current regulatory framework, advances in artificial intelligence systems may result in inadequate privacy protections;

THEREFORE BE IT RESOLVED that this hon. House supports the Office of the Privacy Commissioner of Canada in expanding PIPEDA to include artificial intelligence systems; and

BE IT FURTHER RESOLVED that this House urges the Government of Newfoundland and Labrador to investigate expanding provincial privacy legislation to include protections for the use of individuals' personal information by public and private sector organizations, particularly as it relates to artificial intelligence systems.

Getting back to artificial intelligence –

MR. TRIMPER: You need a seconder.

MS. STOODLEY: Okay, seconded by the Member for Fortune Bay - Cape La Hune. Thank you very much.

On a daily basis, I think most of us probably encounter some artificial intelligence. If you ever get some AIR MILES coupons in the mail that say you bought lemons last week, so here are five AIR MILES to buy some lemons, that is artificial intelligence at work.

If you chat online with a utility provider, for example, and get some service on a phone bill or something, if you do online banking and an offer comes up that's tailored to you, personalized to you, that is artificial intelligence. If you chat with someone through a Facebook Portal video messaging system, as you move around, the

camera follows you around the room. That is artificial intelligence. If you use a smart home device, that is another example.

Artificial intelligence systems – there are a few different categories. There's natural language processing; that's kind of a really common one. When you, for example, search something in Google, that's artificial intelligence. Robotics is where something follows a process, like a really complex process, that's artificial intelligence. Machine learning is kind of a higher area where – not that you have to start to worry about, but machine learning is when computers do exactly just that, start learning and can make decisions and think and then it kind of goes beyond the scope of what a creator might have asked them to do, for example.

So the implications, I think, really take into account when you start to move to the next level, but I'm going to talk a bit about that today.

Just to give you another real world example. There's a company that a lot of tech and sales organizations use called Salesforce. It's a brand like Microsoft, and they would have lots of information about companies and people. Most of the companies I've ever worked for used that. So you're using it for your sales activity, that's great, but then they have an up sale. As a company, you can buy an add-on, which is called Einstein, which is their machine learning artificial intelligence add-on.

Most of the companies that operate here sophisticatedly in Newfoundland and Labrador, they would be able to add that to their program now, just additional cost, and then they're using machine learning artificial intelligence as part of their everyday activities.

Just an example of that. You're using it for sales generation and then it will recommend what the next best action to take is, for example. So whether as a salesperson, it will say: Okay, Sarah, the next best action for you to take is to maybe call this customer. Or from a marketing perspective, it will tell you the next best thing that you should do, which is amazing functionality if you run a business or you're in sales or something like that.

I think it makes one think about what are the data implications for that? What kind of information do they have about you? How do they collect it? When did they collect it? Did they buy data from third-party sources?

The key with data and artificial intelligence – data is like food. So the more data you collect from different systems and parties, the better the artificial intelligence system can grow and expand.

As an example, let's say you have a credit card and you fly and you have a points system with your credit card. The airline knows where you travel and they know everything about your travel habits because you've gone with one airline, but then the complimentary point's card that you have, for example, maybe used at the grocery store. All of a sudden, the airline and the grocery store, they know pretty much almost everything about you. Then if you have points on your credit card, they know pretty much all of your spending habits. They know your credit score. I would argue there's very little they actually don't know about you.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The noise level here is rather high and it's been high in the House today. I ask Members to be respectful of the speakers, to lower their tone. If they have to have conversations, you can go out in the hall and have the conversation out there. But I'm having trouble hearing the speaker. I ask you all to co-operate with that, otherwise I'll have to deal with it.

The hon. the Member for Mount Scio.

MS. STOODLEY: Thank you.

So when we think about algorithms – because that's really what artificial intelligence systems are – we have to think about who designs these and what biases they have and how does someone know if there are biases in algorithms.

Now, if you're talking about what Air Miles offers you get offered, that probably doesn't matter if there are biases in that. But if you're applying to medical school, for example, and

there are biases in the artificial intelligence engine that processed your medical school application, that could have a huge implication.

I'll just give you two examples, which I think show the bias that sometimes exist in artificial intelligence systems. In the US, there is a program called COMPAS, Correctional Offender Management Profiling for Alternative Sanctions. So judges use this program to help decide what parole and sentencing conditions they should give offenders.

In 2016, this was found to have racial biases. It predicted that certain groups of offenders were more likely to offend than they actually were. So US judges were incorrectly sentencing people who had been convicted of crimes, wrongfully. That's a huge error in bias in artificial intelligence systems.

Then in the UK, the UK Commission for Racial Equality found that a British medical school computer was discriminating against applicants with non-European names. So you think about when they're building algorithms for medical school, you have to think about the biases that are in there.

Not all this is malicious, but people don't always know the biases they have when they're building these things, the developers and the people who ask them what to do and the testers.

Then I'd just like to talk about Facebook for a second. We know about the Cambridge Analytica scandal where Facebook data was inappropriately shared, where 87 million people around the world took a personality quiz – I'm sure many of you have taken a quiz on Facebook; 622,000 of the 87 million people impacted were Canadians, and I'm sure some of those were in Newfoundland and Labrador. The data collected enabled them to use information in people's Facebook profiles, their friend's information, to target them for Brexit and how they were going to vote in the US federal election.

A BC company was involved in that, actually, so they were fined by the Privacy Commissioner of Canada for failing to protect the personal information of voters in Canada.

Facebook, they did agree to pay a \$5 billion fine for deceiving users about their ability to control the privacy of their personal information, but part of that paying \$5 billion fine was they absolved all liability for past offences relating to privacy in the United States. So \$5 billion may have been a cheap price for that, only time will tell.

As I mentioned, the Privacy Commissioner of Canada believes the PIPEDA does not do a sufficient job of covering current privacy legislation in Canada, particularly as it relates to artificial intelligence systems and the use of significant and vast amounts of data.

The US government are in the same position. They released a report expressing concern about the lack of comprehensive national internet privacy law in the United States.

Now, some jurisdictions are doing a really great job in this. California released their California Consumer Privacy Act, which essentially has principles around making sure that you know, as a consumer, who your data is sold to, what third parties; that you can opt out of that data sharing; what information has been collected on them; and to have a business delete your personal information.

This one is really interesting. In Illinois, there's the Artificial Intelligence Video Interview Act. Companies were using – in Illinois, I'm sure this is a more widespread practice – they were video recording people in interviews and then using artificial intelligence to examine their facial cues and their body language and were recommending whether to hire someone or not based on these algorithms in the video. People didn't know that this was happening when they're in an interview.

This new act in Illinois, only in Illinois, they have to now disclose the fact that you're being recorded and an algorithm is going to monitor your facial cues to see whether you should be hired; if you're a good candidate of this job. I think we'll see more and more of that as this type of technology grows.

Some countries are doing something about it. The US, they're considering having an institution like the Federal Election Commission

where companies have to submit their algorithms for review and monitoring and triple checking for biases. France has this, and actually in the European Union, they have a very comprehensive General Data Protection Regulation, which is based on seven principles; a few of those I'm going to expand on a bit.

So purpose limitation, for example, you can only collect the minimum amount of information which you need for a specific purpose. You can't collect any more information than that. You can only process the minimum amount of data that you need for whatever the purpose is. Accuracy – there are rules around how accurate the data is that you have. Integrity, accountability and confidentiality are key points.

In Canada what legislative frameworks do we have in place to deal with privacy for artificial intelligence systems? We have PIPEDA which is the federal privacy legislation. That has a lot of language around what a reasonable person would consider appropriate in the circumstances. That's the test and that potentially could be argued to cover some of these situations, but it's certainly nowhere near comprehensive enough, as the Privacy Commissioner of Canada has ruled.

In this motion we urge the Privacy Commissioner of Canada to widen PIPEDA to include artificial intelligence. If this isn't possible or, as a province, if we're not satisfied with the federal legislation, we could look at having our own provincial legislation. BC, Ontario and Quebec have their own privacy legislation that supersedes PIPEDA, which is in certain areas more strict. That's an option we could do as well.

In conclusion, some things to think about, if a company that you're dealing with or you're a customer of, if they have a sophisticated artificial intelligence system, do you want to know about it? Do you want to know what decisions it's making about you and what data it's using to make that decision? How long should they keep that information for? What if you no longer become a customer?

If they have a parent company and other subsidiary companies, how can they share that data amongst their other companies to maybe

sell you more products or evaluate your credit score? It can get quite complicated. At the next job interview you take, they might recommend that they film that and the artificial intelligence engines watching that video may determine whether you get a job or not.

Overall, Mr. Speaker, I believe that PIPEDA is not strong enough legislation right now to cover citizens in Canada. We would encourage the Privacy Commissioner of Canada to ramp up PIPEDA. If not, then I would urge the Government of Newfoundland and Labrador to step up provincially and I think there's certainly precedent for us to do that.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

It's a pleasure to speak today on this private Member's resolution. I'll always say this because I think we forget it sometimes. It's always a pleasure to stand in this House and stand in your place and speak, not only as a Member of the Opposition for your district, but speak on important issues.

This is an interesting one, actually, because when it was brought up yesterday, introduced in the House yesterday, I processed it a little bit and I started thinking about the effects of artificial intelligence. On further reflection – I had a few conversations with my own colleagues – the world we're living in now, I suppose it's bit intimidating in the social media world and the electronic world.

The Member opposite, actually, I think she did an interview a while back and I know Christmas past, my constituency assistant was telling me that the Google Home was on special at Amazon. They were \$20-odd. She said: I'm buying six for gifts. I said: Yes, sure buy a few of them. It's ironic that I saw the Member opposite on a media outlet and she was doing the story and then it struck me. Anyway, Amazon lost sales because I quickly went, no. Why do want the fear of – it's just the unknown. Those

things picking up your personal information, it's like having someone watching over unbeknownst to you, even though you know it's there. But this stuff, it's kind of intimidating and it's a real invasion of your privacy.

It's an interesting concept because I guess some years back you would go to a supermarket, you would go to a store and they would ask for your postal code. If you had small children, they would identify that you have small children. I know, when our children were younger, you would get coupons in the mail for Pampers and for formulas and all the baby stuff, because they had our postal code. It's kind of back in the time when you were trying to process in your own mind – we're not really caught on to the electronic, social media world and what we're dealing with – so you would just write it off: Okay, well they asked me for my postal code; I provided it and that's what happens so that was fine.

But as we know now, we have progressed further into that and we're in the email addresses, but I think the most intimidating thing to me is this – really, truly unbeknownst to you – Google search. I know a couple of years back I attended a conference; I think it was Public Accounts conference. This person came in talking about the effects of social media and what affect Google search engine has, but it opened my eyes at the time, too, is that everything you search in the Google, someone knows you're searching it.

The next time you flick on your computer, you go into Facebook, they're selling it to all these other interfaces. Recently, for instance, I looked for an enclosed trailer. Next thing I knew, every time I went on Facebook there were ads for enclosed trailers. That's just one example of many I can name but that's pretty intimidating because what world do we live in? What business is that of anyone else other than me and the person I'm contacting on it? Yet I'm getting ads from all over from these businesses. They're showing up on my social media sites, my Facebook site and I'm getting emails.

But the question we come back to is: How do we police that? How do you crack down? How do you stop it? How do you prevent it? I know me and my colleague here, the Opposition House

Leader, we spoke about it this morning: How do you stop it? He's experiencing the same thing, but there's no stopping it. A lot of stuff, it gets in and you get bombarded with stuff in your emails. It's like spam that's coming in and it becomes a problem.

Some people with data usage, something as simple as data usage, everyone don't have unlimited data so this stuff is blocking up your email account and what have you. You don't seem like you have any control. It's not an opt-out thing. It's not like you're into an email and you don't want to receive any more emails – click, I don't want to receive any emails and it's over. This stuff don't operate that way.

I know the enclosed trailer piece, the last few days that's died off because I gave up looking for one, actually. I'm going to wait until next year. Anyway that stopped after a few days, but that went on for weeks. I was getting these same ads. It was almost annoying actually because you knew that – again, whose business is it.

Another thing, too, we've gotten into – I actually like shopping, my wife loves it, but I actually enjoy it too. All these cards you get, these Michaels' cards and every store you go to they have a card. When they have you on their card and they have your email, they have so much more about you. That's their way of finding their way into your world, but you're doing it because they're giving you points and they're free and you get a discount on your first purchase, but they don't care about that. It's about identifying what you're purchasing and then they'll target you with those products and those ads and those specials. That, to me, is very unnerving.

I had some awareness of it. I guess we all have awareness of certain things. I have two young daughters, young women now, but they've taught me more than I'll ever want to know about how this stuff works. I still have a lot to learn. I've learned a lot from them. Every now and then I'll pass them my phone because I get frustrated, will you go and fix that for me or do that for me because they have ways of doing it.

The former colleague from Mount Pearl North, he was the mastermind. He had three phones and we all used to try and learn from him but we couldn't keep up with it, but he grew up in that

age. In today's world, it is pretty unnerving. I know down in the US, the federal government has called in Zuckerberg with Facebook and questioned a lot of things with Facebook and the security around Facebook.

I guess, arguably, some of this artificial intelligence and how they targeted people and whatever got into Facebook – now it was more involved than that – affected the outcome of the last presidential election in the US. Not totally, there was a lot of fake news, there was a lot of false news and there was the Russian interference. But underneath all of that there was still a lot of artificial intelligence things that were playing a role in there, targeting these groups, targeting certain sectors.

In the US elections, politics is a lot different, as we've seen last night. If anyone watches or follows that Super Tuesday, that was an incredible turnaround for two people. It was amazing, but it was based on a block of voters. So they can do that. They actually affected the outcome of an election, but is that fair?

Some of it is fair game. We're all in politics and we all try to target our voters, we try to zero in on our supporters. We do it through door-knocking, we do it through whatever means we can do it – through emails. Social media is huge now in politics, of course, and getting your message out.

Real estate is similar to becoming a politician now, real estate agents, because they have the same business. They have to get their face out there, they have to attract business. We're on the other – we're trying to keep our face out to the people to come to us, to be relevant. You're a public figure and you want people to have access to who you are and to come and get help, but are we not into that – it's a fine line that's happening now with politics.

Look at this past week at what we've seen. I'm not here to be judge and jury; that was a separate issue. It's unfortunate what happened with that email that went out. Who sent it? Who did it originate from? How do you ever know that? It's kind of good the government opposite – it's ironic, actually, the same week that happened that they're talking about this, but it's all relevant of the bigger problem. I don't know if

it's a problem, because there are only so many tools you can use in certain areas that you can make this beneficial.

I don't ever believe in invading someone's privacy or taking advantage for my benefit, and that's what I feel a lot of these businesses do. We've got to find that happy medium. We'd liked to be able to interact with them, whether it's strictly an email, whether it's just something on social media, whether it's something at the door. To tie it all back, you've got to have that means of communications. You can't cut yourself off that you're not allowed to interact with someone, how do we ever get our database as political parties? That's our bread and butter for any – that's our survival, really. But we have to be careful of how we deal with that, how we release it.

I know us here, when you look your privacy and getting access to email accounts and what have you as a political person, there are all kinds of consents. Approvals have to be given by any of our members in our database before they can be released.

If we're going in a nomination battle, you need to get certified, delegate or candidate for the nomination, then you have to be signed off on waivers to get this information, these lists. But the person you're getting it from is also aware that those are the rules when they supplied you with that information. It's a lot more clarity and above board. I believe that's okay as long as you do those checks and balances, but when you get into this artificial intelligence, it's beyond all of that.

I believe in privacy. I believe no one's business – my own business is my business and I believe we all live by that rule. I believe there are benefits – you have to try to work with everyone to make it to their benefit, but some of this stuff I really believe has gone to a different level. I think Google are the masterminds behind it, and I think Facebook to a certain degree. They're the top tier but it all trickles down. All of it is interconnected. They're the main two – everyone knows. If I'm looking for something I google it, how to, and it's amazing what you can find in there.

You shouldn't also be opening the doors on your own, whether it's personal interests, whatever you're into, anything, that's your own business. I believe tightening up our privacy laws to prevent that stuff from happening – how you do it, I do not know. I know there's lots of discussion and there are lots of loopholes and lots of grey areas with this to make it happen. I do believe it makes sense. I just don't know how we get there. It's like every concept; all this stuff is good. I do see the merit. From our side, I think we have no issue with this, trying to accomplish this, because I believe a lot of people are unaware.

As I said, until I heard the Member for Mount Scio actually speak of it, the red light went on and I said yeah, right on, I connected it. I said that makes a lot of sense. I thank her for bringing this forward. We have no issue with supporting it; I just have some concerns of how any privacy body is going to bring this in to tighten it up to protect everyone. I believe we have to find a balance as well. We can't go all one way or all the other.

As political parties, we have to be able to still do our business, but we have to be respectful of individual's rights and privacies. I believe that's paramount to everyone here and everyone out there. Privacy is very important to them but, also, we have to be able to find that balance.

Thanks once again. I'll take my seat, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Bennett): The Member for Lake Melville.

MR. TRIMPER: Thank you very much, Mr. Speaker.

What an interesting topic. I thought I would start off with – as I like to do sometimes, talk about my time in Russia. In terms of espionage and surveillance and so on, I had 14 fascinating years working in that former Soviet Union. I just wanted to share with you some of the situations that we used to –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. TRIMPER: – encounter in the Soviet Union and in Russia, Ukraine, Turkmenistan, other places that I worked that, in many ways, took the naïveté out of this guy really fast.

I started there in 1990, and I can remember we used to go in – we had an office in Moscow and up north, and I used to carry payroll in. It was difficult to wire in the money, so I'd take the payroll in every couple of months. Every time we had any kind of discussion about financial whatever, who's going to get paid what, we had to leave the room and go out into the parking lot. We had this expression – I just sent a little message to my wife because she's aware of this little gesture.

The Russians in the old days used to do this thing with their ears to remind you that that little device on the ceiling was listening to everything. So over those 14 years, if you had anything of a confidential nature you took it outside. As they like to say, let's take this conversation outside – and it was fascinating. I quickly learned that there's always somebody listening, always somebody watching, to be very careful.

I think that a lot of what we're talking about here today is that it's an awareness: oh my gosh, we're being evaluated. We're walking by some electronics, some scanner and all of a sudden you're getting feedback – as the Member for Conception Bay South just talked about – that was telling you, oh my gosh, somebody is watching.

I did want to mention one more thing about Russia – I had it written down – is other ways that information used to be gathered in those days was, of course, whenever I was by myself it was somewhat okay but if had a group of friends or colleagues or business people that we used to escort in, we always had a KGB agent assigned to us. It was always right there in your face, lieutenant whoever, or captain whatever, good to know. They followed around and took their notes all day long and reported back in constantly. Again, it was more out in front and out in your face.

Last week, I decided I was going to sneak away with my wife for a week and we went to Spain. I

didn't post about it on social media. I just snuck away for a week. We landed in Spain, in Madrid, my wife and I, and I said I'm going to check Twitter now just to see what's going on back in good old Newfoundland and Labrador and bingo, bingo, bingo. Here's all the Twitter lobbying coming on and all of a sudden all of these Spanish sites are coming on to my Twitter feed. I've spent the last two to three days since I've gotten back from Spain, which was Sunday, just getting rid of this stuff. Somehow they knew I was there and they were throwing it back at me.

Anyway, I do think that this is an extremely important topic. It sounds a little abstract, but the more you think about it the more you realize it's influencing us now and we need to do something about it.

Here's another little story, it's not hard to find information on this. This is a little article on the CBC website that I found and it's sort of a testimonial from Kashmir Hill, her name is, and she's a reporter who has been looking at this quite intensively the last year or so. She's talking about a particular company and I think the Member for Mount Scio might have mentioned this firm. It's called Clearview AI. If you do any looking at some of these companies, Clearview AI is one of the entities out there that there is a lot of concern in different jurisdictions in the world.

I'm just going to read this little story talking about her and her investigation that I find quite startling: "When" Kashmir "Hill started looking into Clearview, she initially came up against a lot of dead ends.

"Its website was only accessible to law enforcement, and their listed New York address led her to a building that didn't exist. For a long time, the company declined to speak to her.

"But they did find her.

"While interviewing police officers about the app, she would ask them to scan a photo of her, to see how the software worked." So she's at a police station. She says: Here, take my photo and scan this; see what happens.

“The police officers would then” almost immediately “get a call from the company” – because this Clearview AI is software that police authorities use to keep track of whatever they keep track of, in terms of felons, people at large and so on. “The police officers would then get a call from the company saying, ‘Are you talking to the media?’” So it was like instant. ““So they were actually tracking who was talking to me while they weren’t talking to me,’ she said.

“So I found that” just a little “bit disturbing.

“Hill said that Clearview’s secrecy, and their willingness to use their software to track a reporter, raised concerns about police departments’ willingness to share sensitive information about suspects and victims with the little-known company.

““Most of the departments had done no vetting of them ... and the company has this vast database of everyone that the police department is interested in,’ she said.”

Two nights ago – I have strange sleep habits and I got in here – when did I get in here? I came in here early Monday morning because of the weather, so Monday night it must have been. I was listening to the radio. I think it was around 2 or 3 in the morning, some of the best radio you can listen to. It was on, I don’t know, *Ideas* or one of the interesting shows that are on.

Anyway, they were talking about the number of security cameras in different cities of the world. I would almost throw this out there as a survey as to where would you think would be the highest concentration of surveillance cameras in a city, say, in the modern world. Where would you think?

AN HON. MEMBER: New York City.

MR. TRIMPER: New York City, you might think, or Washington. Well, it’s London. And it blows it out of the map. You punch in London security cameras and artificial intelligence, you get an amazing amount of stories, situations, constructs. Again, the Member for Mount Scio was alluding to some of the other jurisdictions that are now moving to tighten up legislation and I found, in fact, strong evidence of that.

I wanted to next just talk about, as some of my colleagues have done so far and I suspect they’ll do a little bit more, some of the different ways that we’re being tripped up and not even realizing it. Some of the systems we’re familiar with – we all have these nice little iPhones, and if you happen to have an X, there’s an interesting way that you set it up of course with the face recognition software. You take this and you spin it around your face. Well, that does a lot of interesting things. Now, it’s got your features and so on. How interesting it is that whether you have your glasses on or off, if it’s day or night, this little rascal now knows it’s you and can turn on. It’s like insidiously creeping into our society and it’s absolutely quite fascinating. So lots of information out there on face recognition.

Some of the other things to look for that are out there now in terms of the kinds of software. There are now three-dimensional recognition systems. By the way, these have various levels of effectiveness. Back to my story in London and the number of surveillance cameras that they’re now using. The police are saying they need this 100,000-plus scale of surveillance that they need to identify felons and people out on that street. They’re finding a 19 per cent effectiveness in terms of being able to successfully identify somebody, yet the authorities are relying on it.

Skin texture analysis: Another emerging trend uses the visual details of the skin as captured in standard digital or scanned images. This technique called skin texture analysis turns the unique lines, patterns and spots in a person’s skin into a mathematical space. Who would have thought it? We used to use fingerprints. Now, this thing can evaluate us.

Thermal cameras: I happen to use a lot of this type of technology myself working with wildlife and the wildlife detection systems, but now we’re using it, of course, to track people’s movements and what they’re doing. Face ID, I’ve talked about that. The interesting thing that, of course, now, as in any kind of arms race, as the technology is developed out there to identify people who are out on the streets and use it for whatever purpose, there’s now an interesting movement in those that are out there working with technology, to find ways to combat that.

That is referred to as anti-facial recognition systems.

Now there are glasses out there that you can obtain that can block systems from evaluating who you are. So we are in this crazy, spiraling, out of control arms race. We used to be worried about nuclear weapons and now it's really our sensors and our robots evaluating each other.

I think that the time has come for us to wake up. We have this wonderful ability in a country such as ours and a province such as ours to feel very comfortable, but we need to understand that the times they are a changing. They're changing dramatically.

As with most things, you have to look to – again, the Member for Mount Scio mentioned it; California is again a leader in California's new data privacy law and it certainly will be a trendsetter. It will be a bar in which we all need to reach out to and do what we can to – I've just been handed ...

Anyway, I just want to finish the thought on California. I think that there are some good examples there in terms of hopefully the federal government moving in a strong, aggressive way to tighten up their legislation. There's certainly opportunities for us to look at that and I welcome that, and I again welcome and I think the whole House will be supporting it.

My colleague from Baie Verte - Green Bay, he reminded me, as we like to be, Happy Valley-Goose Bay gets itself on the news a lot for a lot of different reasons. Recently, the police officer who works with the municipality – and it's effective today – he's now being outfitted with body cameras. What an interesting reaction over the last little while as the citizens of Happy Valley-Goose Bay came to realize that this was happening and then the responses back and forth. It does seem these are the ways of the times. My colleague, in his former role as a police officer would know, I'm sure, the effectiveness of having this for all kinds of dispute mechanisms.

This has been one of the key contentious aspects of the situation in Happy Valley-Goose Bay is who is going to have access to that information

and how and what situations would it be used. Thank you for that nod, to my colleague.

Again, the tip of the hat to my colleague from Mount Scio, it's a great topic. As I started to work about, I realized I've been dealing with it now since the late 1980s, early '90s in the Soviet Union and maybe I'm a little bit more prepared than others, but it's still amazing what's happening.

I thank you, Mr. Speaker, and look forward to hearing from the others.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. COFFIN: Thank you, Mr. Speaker.

I thank the Member for Mount Scio for bringing forward this timely and very important private Member's motion. Thank you very much.

I've been looking at this, too, and I'm quite concerned about the use of artificial intelligence, especially when combined with a lot of other systems in our world.

If I may, I'd just like to offer a couple of suggestions on the motion. First, I think we also need to look forward to taxing technology, and that might be something that we can look at as an adjunct to this type of discussion. As well, we also need to be very concerned with artificial intelligence as of a form of job replacement, because that is happening more and more and more.

I don't know if anyone has ever clicked on the can-we-help button – pick a website – and you will immediately get back, of course, and how can I help you. And you will get a stream of automated answers that are largely based on artificial intelligence whereby they compile what standard questions people ask and what the standard replies ought to be – relatively innocuous, really reasonable and time consuming. Then eventually you'll sloughed off to someone who is a real human if you have a more difficult question.

Thinking about any of our interactions with someone who might be a telemarketer or someone who is a representative of an industry, have you seen some of the techniques employed by customer service representatives or telemarketers? They have reams upon reams of scenarios whereby if you answer or respond one way, they have an immediate response of how to counter your argument. No, I don't want this service; it's not timely. Well, here's why you should have it.

We ought to be very concerned because that is going to be adopted and has already been adopted by artificial intelligence systems. They are incorporating that not only in our dialogue or our interface via computers or our phones; they are incorporating that into a wide range of services. For example, virtual reality glasses will integrate or watch where you are looking and then they will pop up an advertisement for, oh, I happened to look at that blue dress for a half a second longer than I looked at anything else, and lo and behold that blue dress is on sale in your virtual reality glasses. That is how sophisticated these systems are.

So we want to be acutely aware. Not only ought we be concerned about that, there is a huge cross-correlation of data. Your glasses may be attached to your phone, which may be attached to your banking system, which may be attached to your health data, which may be attached to your smart TV, which may be attached to your smart refrigerator. And when all of that information gets correlated together, well good luck on trying to make a reasonable, what you think is self-directed, decision about what you might want to buy at the grocery store or at the mall or the box store. You're going to see these things in a lot of different places.

When we talk about artificial intelligence, it's artificial. Intelligence incorporates both social and emotional aspects as well. Calling it artificial intelligence is a bit of a misnomer, so we want to be quite aware of that.

Here are some things we also ought to be very concerned about. Not only is artificial intelligence being used for mass commercialization and other commercial endeavours as well as to bias your decisions, one of the more contentious aspects of my discipline

is something called neuroeconomics. Economics is quite simply the study of choice.

When you start capturing artificial intelligence capabilities in with neuroeconomics, what you're doing is you're starting to use nudge behaviour, which means you put decisions or options in place that encourage people to make the choices that a commercial endeavour might want as opposed to an actual individual might not. You want to be extra careful about how those types of things are used. Using neuroeconomics and artificial intelligence hand in hand, you can distort people's choices. Off the bat that is very, very wrong.

Here are some other concerns. As we start to use cameras in traffic control situations, what assurances do we have that the traffic camera is not going to be tied to your licence plate, which also might be accessed by your car insurance. So your ability or your car insurance rates could potentially be tied to your driving around city streets and you don't even get to report on that. You can claim I'm accident free, but the camera knows better.

I'll do you one better. Let's talk about 23andMe or your health information and let's start tying that back to our health insurance. If you have an indicator for an illness, that could potentially be captured by an insurance company. Now try and get insurance and then try to get any kinds of medications. This is nefarious and can be used in very detrimental ways. We ought to also perhaps consider referring this matter to the Consumer Advocate because of some of the implications of that.

Do you want to get even more nefarious? Talk about the data from Fitbits or We-Vibes being brought up into the cloud. How are they going to be used? What if your Fitbit and your We-Vibe sends something off to your fertility doctor or your MD? What kind of commercialization are you going to get then? That ought to be very scary for all of us and, ultimately, a violation of all personal information.

I say that because that has happened. That data has become publicly available, individual personal data. Again, we must be acutely aware of what information is being shared, with whom, how much and what they're using it for. This

bill is of paramount importance in ensuring protections for individuals and their ability to run their daily lives and make choices for themselves.

To add just a little bit more to that and if I can jump off on a couple of things – the Member for Lake Melville, excellent job on that; I think maybe we all need to go outside – but in terms of our conversations. The Member for Mount Scio also spoke about data gathering and biases in that. I will also point out that artificial intelligence is only as good as its programming and as the data it receives, and we have inherent biases that come with programming and inherent biases in the data available to us. So there are problems associated with the program.

One other thing that I would like to add to that would be we also require a regular review of these regulations. This should not be a once point in time thing. We should have regular reviews of our regulations surrounding the use of artificial intelligence and personal information because technology moves quickly. Quite often we are two steps behind it so we need to make sure that we advance ahead of it because once technology and new advancements take hold, it is very often hard to roll them back. Again, maybe we need to consider doing this on a regular basis.

One final thing – and I don't mean to be picky about this – in the final WHEREAS clause, I think we need an extra “in” in front of “adequate.”

AN HON. MEMBER: Yes, it might have been printing.

MS. COFFIN: And I think that might have been printing.

Those are the things that I would like to bring to everyone's attention. I fully support this bill and I would like to see it be rigorous and moved on quite quickly.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

It's been interesting to listen to the various perspectives on the subject of AI, from the technological piece to the behavioural economics and nudge – I read the book, by the way. I bring a slightly different view, I suppose, like we all do.

The key around artificial intelligence is it is basically a computer program that looks as though it's intelligent. How you actually define intelligence is as much a philosophical activity as it is a mathematical or a coding one. Basically, for simple people like myself, it basically consists of some machine code that has a series of algorithms in it used to analyze, by and large, large chunks of data and use that then to produce some output that would be akin to a human being doing the same thing, doing a bit of studying and producing that.

It ranges from simple things like an app on your phone. If you're really lonely, you can create some little avatar on there and you could talk to it and it will hold what you believe to be an intelligent conversation with you later on. Believe it or not, I almost tried it once when I was locked away on a Cabinet retreat.

One of the things that has come to my eyesight, as it were, in the Department of Health – particularly to the fact that this province has probably the most extensive implementation of electronic health records or electronic data collection. We have at our fingertips a huge dataset, and I know companies that manufacture imaging devices, Ga Siemens, they are manufactures of scanners, of plain X-ray machines, of MRIs, of PET scanners, these kind of things.

What they're looking at now is developing what in the old days used to be called image recognition software or pattern recognition software. You feed a chest X-ray in and it says, yes, this is one of the three most likely diagnoses. That's already there for EKG, ECG interpretation, and it's actually available in hospital on the machine for the technologists. It just simply says unverified report and it spits out a diagnosis. This person is having a heart attack, has this particular erythema or whatever the

diagnosis might be. That's been there for decades, that I know of.

This is a quantum leap up. What they look for is a large population of validated data. So, for example, if you have 500,000 chest X-rays with a clinical diagnosis because they've all been reported on, you strip out the names and the identifying data and then you dump it into a machine with these algorithms and see what it churns out. You can use it as a test dataset to tweak your algorithm so it gets the answer right, and remove some of the biases or inaccuracies that the Leader of the Opposition was referring to.

What is worrying, however, is that you can build on these algorithms and say hang on; this is a chest X-ray more than likely of a 32-year-old female who has this. Depending on the level of deanonymization of the data, the year it was taken, you can start to build profiles backwards by other algorithms that will actually enable you to potentially reidentify the person who had the chest X-ray.

If you really want to be paranoid, if you then get a series of AI systems that look at lab results and feed them in – so you look at someone who had a chest X-ray. The chances are if it wasn't an emergency room chest X-ray – and that may be identified as part of the dataset – and you went to a facility to have a chest X-ray, you had some blood work done. So let's look at all the 32-year-old females who had blood work done that day. Maybe the bones are a bit thin. Maybe that would fit with this low calcium level or whatever and then you start to form tentative associations.

This isn't quite as paranoid as people think. There are machines out there already that will reidentify data. This is done commercially. Everybody on these machines – and I'm sorry, I shouldn't use a prop, I apologize – we don't tend to think twice about what we search on Google. We sit here and someone makes a comment about something you're not sure of and you'll punch it in under a Google search. Then Google associates that search with this phone and then it associates that search with the search you did before. That's how you find all these adverts suddenly pop up on your Internet feed.

If you're looking at a cruise to China or the Far East, the next thing is you're going to get where you can buy N95 masks popping up in your feed. It's probably an inappropriate use of humour to make the point just at the moment, but the facts of the case are that stuff exists. I can always tell where my wife has been on the computer because I get ads for Wayfair and Melanie Lyne.

Again, important, trivial in some respects but it's not, because the word that's missed from all of this is privacy. What does privacy mean in the 21st century? We've already seen a split in the health care field between the concept of privacy and the concept of confidentiality. That has become very clear in the thinking around how you look at personal health information.

That's why we define circles of care, because within that circle of care there is an expectation around the edge of privacy but within it an expectation of confidentiality. The RN who's accessing your chart will have access to a lot more than the clerk who's booking your appointment with your gynecologist or your colorectal surgeon. It's on a need to know and it's a hierarchical basis.

What does privacy mean? My understanding from a health care perspective, as of as recently as two or three weeks ago, Canada has nothing nationally around AI in terms of licensing, in terms of regulation, in terms of the ability to do anything with regard to research protocols, for example. That is a huge gap. So how do you sensibly craft something to deal with this? I think you make a start. The absence of something just leaves the Wild West. It really is open to anybody with the computing power to do it.

Now, there are obvious benefits to this. If you can have an X-ray machine in a small clinic somewhere which can perform the X-ray, be run by people with a fairly basic skill set, but then supply either directly or electronically a tentative set of diagnoses to the ordering clinician, no one would argue that that isn't a help. They may be right, they may be wrong, and over time they'll get better.

So that's a clear benefit. But how do you manage on the back end of that the risks that

I've been a bit whimsical about, but used humour – appropriately or not – to try and make the point that there is no such thing, potentially, once you feed enough information into these machines, that will guarantee you any kind of privacy in the sense that your granny would've understood it.

I think, essentially, from my point of view, we have to start somewhere. The federal Privacy Commissioner, PIPEDA, and a national approach so there is some consistency from the East Coast to the North Coast to the West Coast would be sensible and entirely appropriate. I think the real challenge, though, will be to craft an approach that allows the nimbleness that the Leader of the Third Party has referenced in terms of changes. I mean, it's hard enough for the civil service to keep up with a five-year review of a significant body of legislation so that we put in those mandatory review clauses in legislation, which we identify as a source of a problem, but this can change in six months. Really, how do you deal with that?

One of our challenges around virtual care relates simply to this privacy and confidentiality piece. You can do it with FaceTime, but look at the problems that you get with these devices, with the vulnerabilities they have, where someone can actually have access to your FaceTime feed without you even knowing about it because of a flaw in the security algorithm on here when you log in and, under certain circumstances, it never switches off.

Then you have the problem of trying to do the due diligence as civil servants and you start finding it gets more and more rigid and harder and harder to actually come up with a solution, to the point where you are almost paralyzed by the analysis you've generated and then people accuse you, with some justification, of not doing anything.

There is no longer going to be a perfect policy – if there ever was one – around this. It's just going to have to be a risk mitigation approach, but if we do not start, we will never make any progress at all and you will have no protection at all.

So the view from where I am in Health is that we have a whole series of challenges on a

clinical front. I haven't really touched on the research uses of this data, which can be anonymized and used for secondary purposes and then bulked and segmented to use even for tertiary use. There is clinical value to this; research value to this. There is also – worryingly in some respects – a real market force behind this that really has an unfortunate interest in your health and tying it to things they can sell you.

Again, I would support this resolution wholeheartedly. I think as the minister responsible for PHIA, *Personal Health Information Act*, one of the things we've been doing recently is to try and factor in to our amendments – because there is a mandatory review, and we had Dr. Morgan come in from Memorial and produce a report, which is going through the drafting process now. But to try and incorporate artificial intelligence and these electronic issues is going to be a real challenge, but it's one we're going to have to step up and try and meet.

Our problem at the moment is whether to delay the whole thing to try and get it right with this, or simply to bring some amendments to the floor, knowing that a year later we'll actually have a completely rewritten act. At the moment, I'm favouring good rather than perfect, but, again, it's a challenge and it comes home to roost very quickly.

I'm not going to prolong my comments. I wholeheartedly support my colleague here and welcome what sounds like very supportive comments from the other side of the House. I'll certainly be voting in favour of it.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DINN: Thank you, Mr. Speaker.

I'm still trying to get the image out of my head that the Member for Gander created. He's on his retreat. Anyway, it's a pleasure to stand and speak to this. The Member for Mount Scio, this is something that I'm sure she's passionate

about. She mentions that she's a digital expert on our social media, so this is obviously something that is near and dear to her heart.

When this was put forward, I had to say: What are we talking about when we come to artificial intelligence? The first thing I did, I went home and asked Google. Google told me what it was and it wasn't what I thought. When you think about artificial intelligence, you think about the movies you've seen, like *I, Robot*, the robot Sonny, and *2001: A Space Odyssey* and all these movies which were well ahead of their time. You're talking to HAL, which, of course, HAL is the acronym for heuristic algorithm. And the books you read in school, *Big Brother*, George Orwell, *1984*, always watching you.

It's an area we need to start looking at in terms of privacy. I think privacy and confidentiality is the core here. Yes, artificial intelligence is a complicated piece that you have to get a handle around, but at the end of the day the core behind this resolution, as I see it, is ensuring privacy and confidentiality of information that's collected and to ensure that the information that's collected is utilized for the reason in which it was collected and that the individuals who have their information collected are aware of what their information is being utilized for.

I just went on the PIPEDA site just to get some information on what is happening there and how they're addressing the artificial intelligence and I'll just read from their site here. In brief it says: "There are a number of requirements to comply with the law. Organizations covered by PIPEDA must generally obtain an individual's consent when they collect, use or disclose that individual's personal information." Similar to what I just said. "People have the right to access their personal information held by an organization. They also have the right to challenge its accuracy.

"Personal information can only be used for the purposes for which it was collected. If an organization is going to use it for another purpose, they must obtain consent again." My colleague from CBS had talked about safeguards and that, and this goes on to say personal information must be protected and appropriate safeguards in place.

So what are we talking about when we talk about personal information? Again, that's identified here, defined. "Under PIPEDA, personal information includes any factual or subjective information, recorded or not, about an identifiable individual. This includes information in any form, such as: age, name, ID numbers, income, ethnic origin, or blood type; opinions, evaluations, comments, social status, or disciplinary actions; and employee files, credit cards, loan records, medical records, existence of a dispute between a consumer and a merchant, intentions" and it goes on and on. So personal information is a huge piece in terms of what can be considered and abused actually.

Under the privacy act, it covers a number of things, but it's interesting. PIPEDA does not generally apply to not-for-profit and charity groups, nor does it apply to political parties and associations. The timeliness of this, of course, is on the heels of a potential breach of privacy in terms of emails being used otherwise, and whether that's breached or not is not the point. The point here that I'm making is different groups, different organizations collect information and unless they're aware that the information is going to be utilized in a particular manner, then it shouldn't be used at all. Again, I'm not passing judgment on the issue, just that it's in the news lately.

If I look at what's happening here with the privacy and with artificial intelligence, I go back to what the Member for Mount Scio spoke to, talked about PIPEDA not being strong enough and talked about PIPEDA, I think her words were ramp up PIPEDA. I totally agree that we need to do that; we need to advance that. There's no issue there.

It's not at the detriment of the artificial intelligence because artificial intelligence has benefits and non-benefits or cons. We're in a world that artificial intelligence is going to happen. Artificial intelligence, when you define it, there are three types of artificial intelligence. There's the artificial narrow intelligence, there's artificial general intelligence and there's artificial super-intelligence.

Now, the movies I mentioned upfront, Sonny in *I, Robot* or Sonny probably more than *I, Robot*, that's artificial super-intelligence. When you get

to those sci-fi regions where you have robots that are able to act like humans and actually think like humans and actually operate better than humans, and the general intelligence is you're able to operate like a human, and the narrow intelligence is probably where we are now.

So when we're asking Siri and Alexa and Google and all these things about different items or different pieces of information we want, they're recording that. It's like the Member for CBS said, I can go on and I'll search – I don't know, surfboards. Now, I'm not a surfer. You don't want to see –

AN HON. MEMBER: (Inaudible.)

MR. P. DINN: Yeah, I know it comes as a surprise, but I'm not a surfer.

Once you go online, once you do that, the next thing that's popping up on your website is all these sales on surfboards, ride the Big Kahuna. That shouldn't be happening, that shouldn't be happening. So there's a breach in privacy, in terms of trying to sell you something that you expressed an interest in.

Like the Leader of the Third Party had mentioned too, if you look at a blue dress, the next thing you're getting all these ads for a blue dress. Although, the colour is nice, I applaud that, but I mean, really, this is where you're going with this.

So I agree, if the purpose here is to strengthen the PIPEDA and also to look at potential changes or legislation that we have here in the province. My first thought was we're getting ahead of ourselves, but, no, we're not getting ahead of ourselves. Technology is getting way ahead of us and we have to try and keep up with the technology.

The Office of the Privacy Commissioner of Canada, they're involved in consultations currently. They have a deadline date of March 13, coming up, in terms of to have comments in. They're seeking – I'll read it right from their site: "seeking to consult with experts in the field to validate our understanding of how privacy principles should apply and whether our proposals would be consistent with the

responsible development and deployment of these systems." These systems being artificial systems.

They go on to talk about AI being a lot of benefits, and we talk about the digital economy and digital trade. That's all there. How many of us go on Amazon and purchase items. I don't, because my digital expertise is these digits and how many words a minute I can type, which is probably about five. That's my expertise there. So I get my daughters to do it for me. Again, all that gets logged in somewhere.

Like HAL on *2001: A Space Odyssey*, he knows what we're looking for; or Big Brother knows what we're looking for. It's all there. So you can't get away from it. That data, once it's out there, it's out there.

The Member for Lake Melville – I think it's Lake Melville –

AN HON. MEMBER: (Inaudible.)

MR. P. DINN: Right. He talked about looking in the phone and how intelligent that is with the face ID. I don't know if you remember the song "It's Hard to be Humble." It talked about looking –

AN HON. MEMBER: (Inaudible.)

MR. P. DINN: You got it. You look in the mirror every day. Well, I look in this and the phone laughs at me. That's how intelligent we're getting.

I totally agree with where we're going here. It's timely. I think as we move forward, I hope we're involved in the consultations in some form or way with the federal government and what they're doing with PIPEDA. I hope we wait to hear their final report before we try and determine what we should be doing here in the province.

I think most people out there in the general public do not realize the type of information that's being collected, how often it's being collected and how they can build profiles on you. That's an important thing to know. I know we're still dealing with things like how do you send out my email when I didn't want you to, I

mean that's pretty simple stuff, but we still have to look forward and look at the more technical stuff when it comes to artificial intelligence.

I applaud the Member for Mount Scio. I know it's something she's passionate about. I think we should all ensure that we don't miss the key point here. The key point is not so much the artificial intelligence as it is to maintain privacy and confidentiality of a person's information, regardless of how it's collected and by what medium it's collected. It's gotten to a point where you can't keep track of it all.

That brings me to the last point. It's great to come in with policies, it's great to come in with regulations, but we have to be cognizant of how are we going to manage it, police it and enforce it. Again, back to my digital abilities, I don't know how we're doing that. But if we're going to go down this road – which I think we have to go down, there's no doubt about it – we need to be thinking about we come in with this and how to deal with privacy and the different forms of artificial intelligence. We have to be sure that we have in our back pocket a way to monitor, police and enforce this and ensure it's maintained.

This is not an issue here. This is a global issue. God knows where our information is now, so we need to be cognizant of that and ensure that we're able to enforce it and work with other groups around, all the groups that collect this information.

I think that's all I'm going to say. Again, I applaud the Member for bringing it forward. We have to move forward and ensure we're covering all the bases as we go forward, and not to miss out on the deadline to get some comments in or respond back to the Office of the Privacy Commissioner of Canada and ensure that we get some feedback into their consultations. I believe their deadline is March 13; I stand to be corrected.

It's an opportunity for us to get our comments in and ensure that any changes to PIPEDA are good changes that will address the issue. I think if we can do that and then we can work from that as a benchmark, use the core issues of what comes out of those consultations to look at our own privacy acts.

I'll take my seat, and thank you for your time.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Harbour Main.

MS. CONWAY OTTENHEIMER: Thank you, Mr. Speaker.

It is with great interest that I rise today to speak on this private Member's resolution. Like my colleague from Topsail - Paradise, I began my study or investigation on this with a (inaudible). One of the things that I noticed, there are many abstract definitions of artificial intelligence, which present, I would say, Mr. Speaker, as obscure to the non-tech person like myself.

One such definition explains it as the study of agents that receive precepts from the environment and perform actions. Another, it "is the endeavour to replicate or simulate human intelligence in machines." That sort of becomes a little bit clearer.

I think the best way from looking at all of this for me was to understand the concept as to identify some of the examples. We've heard some of them earlier today, but smart assistants: Siri, Alexa, Google. We also can look at examples of manufacturing and drone robots, even spam filters on email, image recognition software. Some of those are examples which help us to better understand really what the concept of artificial intelligence is.

Mr. Speaker, we've heard today – and I've listened intently – from my colleagues that this technology has really completely transformed our lives. Activities which before were conducted in the physical world now have moved, really, to the digital world. Browsing of websites, leaving comments on social media platforms that would really leave our data or footprint on these platforms.

We see, Mr. Speaker, that data is collected and generated on a massive scale and at an unprecedented speed. We do acknowledge that it is of great value to the economy. So it is obvious the benefits of artificial intelligence; we're not disputing that. It will boost productivity, transform businesses and enhance the standard

of living, really, of our communities. So when we look at the benefits of artificial intelligence, there's no disputing those points.

What we need to do, though, as well is look at the legislative framework within which this technology operates. It has been referenced as well here today that we have PIPEDA, which is the *Personal Information Protection and Electronic Documents Act*. That is a law that, in essence, has been passed in federal Parliament and it does not generally apply to political parties and associations, and I will get to that a little bit later.

Also, in that legislative framework, we also have the Office of the Privacy Commissioner of Canada and that oversees specifically privacy protection. As has been pointed out from the Member for Mount Scio, Alberta, British Columbia and Quebec, they have adopted their own private sector privacy laws that are substantially similar to PIPEDA.

When we look at the Office of the Privacy Commissioner as well, it's currently engaged in legislative reform and there has been reform of both, not only – well mostly federal privacy laws. The Office of the Privacy Commissioner is actually, at this time, examining artificial intelligence as it relates specifically to PIPEDA.

One other interesting thing about the Office of the Privacy Commissioner is that it is looking specifically at how Canada's private sector privacy law could be strengthened. So there is that effort towards reform as well by the Office of the Privacy Commissioner. It's looking at it to address some of those risks that have been mentioned with respect to the use of artificial intelligence.

Mr. Speaker, when I look at the framework of PIPEDA and the Office of the Privacy Commissioner, that brings to my mind some ethical and privacy issues. In this era of artificial intelligence, individuals may not really be aware. People in our society are not aware perhaps that their personal data is being collected and shared.

There is that concern that people are not in a position or not given the opportunity to consent to the collection or sharing of their private space,

if you will, and their private information. We have seen through artificial intelligence that sophisticated data analysis is capable of doing so much. Capable of exposing a person's most private and intimate space.

The Member for Lake Melville effectively summarized some of the realities involved here. The results we have seen of data analytics may be highly biased. I guess, as a lawyer, that certainly is something that is of immediate concern to me, that these kinds of analytics may be biased and even discriminatory towards people and could lead to harm or discrimination against individuals and, as well, exclusion of individuals in our society.

When we look at the ethics and the privacy issues involved and we see that there are risks – there are risks of this artificial intelligence. When I look at a recent case – and the Member for Mount Scio alluded to this case earlier – it was recently reported in the *Canadian Lawyer* magazine that the Office of the Privacy Commissioner of Canada filed notice of application with the federal court just this April against Facebook, claiming Facebook violated PIPEDA and there is a court action that has commenced in this regard.

I think it bears noting exactly the essence of this case or this court action. It stems from the data mining operation by Cambridge Analytica creating a Facebook app. What happened here, Mr. Speaker, is that the company disguised itself as an online quiz and harvested the profiles of up to 87 million users as of April 2018 disclosure information that was obtained. It's using its insight into voter behaviour and preferences. Cambridge Analytica also consulted for political campaigns, including the 2016 presidential campaign of Donald Trump.

Mr. Speaker, when we look at this case, the Office of the Privacy Commissioner of Canada commenced this court action with the federal court and they sought different relief. One specific relief that they've requested is an order requiring Facebook to implement effective, specific and easily accessible measures to obtain and ensure it maintains meaningful consent.

So when we're talking about privacy issues, when we're talking about confidentiality, we're

also talking about that issue of consent, that people have that option to consent to providing their very private and important information. I think that case is certainly reflective of some of the concerns and the risks that are present, and that we have to be mindful when we are involved in creating legislation. That certainly has to be ever most on our minds.

Mr. Speaker, I would also like to say that with respect to this private Member's resolution, I guess the question we need to ask ourselves is: Do we need to modernize our privacy laws? Do we need to bring them into the 21st century? I do agree that is important for us to do.

I will just mention that Elizabeth Denham, Britain's Information Commissioner, joined with other Canadian Privacy Commissioners recently and indicated that "Canadian law has slipped behind." She indicated that for her and other commissioners, citing the "main issue is how political parties use voter information." That is one of the pressing and concerning issues that are discussed by some of these leaders in this area.

She indicated, "People don't have the right to find out what political parties are doing with their data." Mr. Speaker, I submit that has to change. That is something we have to be very vigilant about when we are looking at this particular private Member's resolution.

Mr. Speaker, in conclusion, I would just like to say that the Member for Mount Scio has identified many examples and the risks of this type of technology. I also found quite interesting her review of some of the European countries and the efforts that they have made towards this legislation.

In reviewing the motion, Mr. Speaker, I would say it's somewhat broad in its scope. I would say that, yes, it is applaudable that there is intent or an interest in expanding PIPEDA to include artificial intelligence systems. I'm not really sure what that's going to look like, that's a pretty broad statement. So many questions arise with me in that regard. What kind of systems exactly would be included? She had indicated also that PIPEDA is not strong enough. I would like to know and be involved in the consultations to see exactly how it will be expanded.

Also, the question of whether the Member opposite would support the expansion of the law, PIPEDA, to apply to political parties and associations. Because currently, PIPEDA does not generally apply to political parties and associations. So I think that is something that we could perhaps examine.

I am pleased to see that the Member for Mount Scio has introduced this private Member's resolution. It is comforting to know that the Member is concerned about protecting digital and data privacy. That is encouraging to see, especially in light of some of the recent alleged privacy breaches with emails within political parties.

It is clear that privacy needs to be built into systems from the start, and organizations must take responsibility for their digital platforms. It all comes down to ethics, Mr. Speaker, organizational ethics founded on fairness and transparency. These are all important and necessary values that we have to vigilantly protect in our society, in our ever-changing technological society. We must be mindful in crafting the legislation, that we keep at the forefront the organizational responsibility that is founded upon ethics and transparency.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the Member for Mount Scio speaks now she will close debate.

MS. STOODLEY: Thank you, Mr. Speaker.

I'd like to thank everyone for their contributions. I think they significantly added to the discussion.

The Member for Conception Bay South, you told us a story about how you're looking for an enclosed trailer. I'm not sure what an enclosed trailer is, I can visualize something, but I think that's certainly something that anyone watching or listening can relate to; how you think about something in one channel or on one device and then how that follows you around and how advertising then triggers ads to you. So I think those were excellent examples to highlight.

The Member for Lake Melville, thank you for telling us about your Russian experiences. They were very interesting. I can't imagine having a KGB agent in my face all the time, but that certainly does, I guess, illustrate – it really puts the privacy in the forefront, I guess. Maybe we should pretend there's a KGB agent walking around with us all the time, because our phones are listening to us at all times.

I'd like to thank the Member for St. John's East - Quidi Vidi for your excellent contributions. An interesting idea around taxing technology. I'll have to think about that a little further. I do agree with the idea of having a regular review of the privacy legislation, absolutely, and any legislation of artificial intelligence and making sure that we keep up to date is very important.

You mentioned automation and artificial intelligence potentially resulting in job losses. I think we're starting to see some research come out about that. I heard a Canadian study in the last few weeks where Canadian companies who embrace technology, even with automation, do better and have more jobs than companies who don't embrace technology because then they find themselves going out of business, unfortunately. So it's a difficult mix, and what is the role that regulation plays in that?

I'd like to thank the Minister of Health and Community Services for giving us a very in-depth health perspective. I think that was certainly a different perspective that I couldn't have offered. That was excellent.

The Member for Topsail - Paradise, thank you very much. You gave us some excellent examples from yourself. It actually gave me a great idea. I think I'll summarize our discussions today and submit a document to the Privacy Commissioner of Canada in their consultations. That was an excellent suggestion, and I'll certainly table that report to the House.

I'd like to thank the Member for Harbour Main, you gave us an excellent overview. The legislative framework is very helpful. A lot of individuals are not aware of how people use our information and how it's shared and collected, so thank you very much.

I want to thank everyone for your support. Hopefully the motion will pass. I look forward to compiling our feedback and submitting it to the Privacy Commissioner of Canada and I'll table that in the House.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Reid): Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

Carried.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: It being Wednesday, in accordance with the *Standing Orders*, the House is adjourned until tomorrow at 1:30 o'clock in the afternoon.