

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO  
1 CHARLES III, 2023

# Bill 95

**An Act to amend the Excellent Care for All Act, 2010  
with respect to the patient ombudsman**

**Mr. J. Fraser**

**Private Member's Bill**

1st Reading      April 4, 2023

2nd Reading

3rd Reading

Royal Assent



#### EXPLANATORY NOTE

The Bill amends the *Excellent Care for All Act, 2010* to make the patient ombudsman an officer of the Assembly.

Currently, the patient ombudsman is appointed by the Lieutenant Governor in Council, who fixes their salary or other remuneration and has the power to revoke their appointment. The Bill amends the Act so that the patient ombudsman is appointed by the Assembly and so that the appointment is subject to revocation by the Assembly. The amendments provide that the patient ombudsman's salary is fixed by the Board of Internal Economy and requires the patient ombudsman to provide reports to the Speaker, rather than to the Minister.

The Bill provides that the current patient ombudsman continues in office until their appointment is revoked or until the term of their appointment expires.

**An Act to amend the Excellent Care for All Act, 2010  
with respect to the patient ombudsman**

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1 (1) Subsection 13.1 (1) of the *Excellent Care for All Act, 2010* is repealed and the following substituted:**

**Patient ombudsman**

(1) There shall be a patient ombudsman who is an officer of the Assembly.

**Appointment**

(1.1) The Assembly shall, by order, appoint the patient ombudsman.

**(2) Subsections 13.1 (3) and (4) of the Act are repealed and the following substituted:**

**Salary, etc.**

(3) The Board of Internal Economy shall fix the salary or other remuneration and the benefits, including rights relating to severance, termination, retirement and superannuation, of the patient ombudsman.

**(3) Subsections 13.1 (7) and (8) of the Act are repealed and the following substituted:**

**Revocation**

(7) The Assembly may, by order passed by a vote of at least two-thirds of the members of the Assembly, revoke the appointment of the patient ombudsman for cause.

**Temporary appointment**

(8) If the position of patient ombudsman is vacant or if for any reason the patient ombudsman is unable or unwilling to fulfil the duties of the office, the Assembly may, by order, appoint a temporary patient ombudsman for a term of up to six months.

**Appointment if Assembly not in session**

(8.1) If the position of patient ombudsman is vacant or if for any reason the patient ombudsman is unable or unwilling to fulfil the duties of the office while the Assembly is not in session, the Board of Internal Economy may appoint a temporary patient ombudsman for a term of up to six months.

**Transition**

(8.2) The patient ombudsman who held office on the day before the *Making the Patient Ombudsman an Officer of the Assembly Act, 2023* received Royal Assent continues to hold office until their appointment is revoked under subsection (7) or until the term of their appointment expires.

**2 Subsection 13.5 (1) of the Act is repealed and the following substituted:**

**Reports by patient ombudsman**

(1) The patient ombudsman shall report to the Speaker of the Assembly on the activities and recommendations of the patient ombudsman at least annually, and otherwise as the patient ombudsman considers appropriate.

**Report to be tabled**

(1.1) The Speaker of the Assembly shall cause a report described in subsection (1) to be laid before the Assembly if it is in session or, if not, at the next session.

**Commencement**

**3 This Act comes into force on the day it receives Royal Assent.**

**Short title**

**4 The short title of this Act is the *Making the Patient Ombudsman an Officer of the Assembly Act, 2023*.**