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SP-21

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**Standing Committee on
Social Policy**

Defibrillator Registration
and Public Access Act, 2020

1st Session
42nd Parliament

Tuesday 25 February 2020

**Comité permanent de
la politique sociale**

Loi de 2020 sur l'accès public
aux défibrillateurs
et leur enregistrement

1^{re} session
42^e législature

Mardi 25 février 2020

Chair: Natalia Kusendova
Clerk: Eric Rennie

Présidente : Natalia Kusendova
Greffier : Eric Rennie

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CONTENTS

Tuesday 25 February 2020

| | |
|--|--------|
| Defibrillator Registration and Public Access Act, 2020, Bill 141, Mrs. Martin / Loi de 2020 sur l'accès public aux défibrillateurs et leur enregistrement, projet de loi 141, Mme Martin | SP-511 |
|--|--------|

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Tuesday 25 February 2020

Mardi 25 février 2020

The committee met at 1600 in room 151.

DEFIBRILLATOR REGISTRATION
AND PUBLIC ACCESS ACT, 2020
LOI DE 2020 SUR L'ACCÈS PUBLIC
AUX DÉFIBRILLATEURS
ET LEUR ENREGISTREMENT

Consideration of the following bill:

Bill 141, An Act respecting registration of and access to defibrillators / Projet de loi 141, Loi sur l'accès aux défibrillateurs et leur enregistrement.

The Chair (Ms. Natalia Kusendova): Good afternoon, members and staff. We are assembled here today for clause-by-clause consideration of Bill 141, An Act respecting registration of and access to defibrillators.

We have with us today Mr. Navdeep Purewal from legislative counsel. He's here to assist us with our work, should we have any questions for him.

A copy of the amendments filed with the Clerk is on your desk. The amendments are numbered in the order in which the sections appear in the bill.

Are there any questions at this time?

Before we begin, I will allow each party to make brief comments on the bill as a whole. Afterwards, debate must be limited to the section or amendment under consideration.

Are there any brief comments? Madame Gélinas.

M^{me} France Gélinas: I'd like to start by thanking Mrs. Martin for bringing the bill forward. It allowed us to go into committee.

I must say that I have learned an awful lot from the deputations that we've had. I had a very similar bill focusing on getting the registry. I now realize that there is an opportunity to save many, many lives, and I hope that we will maximize that opportunity through the rest of our work. I'm really impressed with the work that we have done as a committee so far, and I want to thank each of you who took the time to come to Sudbury and to listen to deputations there. It has been greatly appreciated. Everybody that I have seen—I've seen most of them since—thanks you for coming, and they are all looking forward to celebrating us crossing the finish line.

The Chair (Ms. Natalia Kusendova): Mrs. Martin.

Mrs. Robin Martin: Thank you to Madame Gélinas for your comments, and thank you all for participating in this. I, as well, have learned a great deal and enjoyed going to Sudbury and hearing from that different vantage point,

what the people in that community had to bring to us there, and hearing the submissions from Ottawa. Although we only had those over the phone, I found those were also very helpful. I think we all agree with the purposes of the legislation and what we're trying to do, and I'm hoping we can work together and, as you pointedly said, get it across the finish line.

The Chair (Ms. Natalia Kusendova): Mr. Fraser, do you have any comments on the bill as a whole before we go into the amendments?

Mr. John Fraser: Yes. I want to echo my colleagues' remarks just in terms that I learned a lot going through the bill. I think it was great to have the presentations that we did. There's obviously a lot of community support. There's a lot of opportunity that exists in this bill. I just appreciate everybody's ability to work together. We did this quickly. I have to say, it happened a bit quicker than things normally do—getting it out to committee and some of the stuff—but we managed to have the kind of input that we need to make this bill stronger, and I'm looking forward to working with everybody, as we get through clause-by-clause, to get it past this goal line and then the next one.

The Chair (Ms. Natalia Kusendova): Wonderful. Thank you, everyone, for your opening remarks.

We will now begin with the new section 0.1, brought forward by the NDP. Madame Gélinas.

M^{me} France Gélinas: I move that section 0.1 be added to the bill:

“Purpose

“0.1 The purpose of this act is to save lives after a cardiac arrest has occurred and 911 has been called by ensuring that defibrillators are available for use and that people know where they are located and how to use them.”

The Chair (Ms. Natalia Kusendova): Is there any debate?

M^{me} France Gélinas: The reason I wanted to—it's not a purpose that I wanted; I wanted to do an introduction to the bill and I was told that I was not allowed. But the lawyer suggested that instead I put in a purpose.

Through what we've heard, they made it clear—I wanted to start with the five steps they had taught us: you witness and you call 911, you start CPR, you gain access to the defibrillator, the paramedics come, and then the hospital. I wanted that as our preamble. I was not allowed to do a preamble, so I did a little purpose just to set the tone as to what it is that we are trying to do here and, really,

to set the tone that this is a bill to do good and this is a bill to allow people who want to do good to be able to do that. This is what I came up with. I'm not going to win any literary awards with this, but it sets the tone.

The Chair (Ms. Natalia Kusendova): Any further debate? Mrs. Martin.

Mrs. Robin Martin: I think the Liberal member of the committee, MPP Fraser, has brought forward a preamble—proposed—and, in my view, that's a better way to achieve this. I'm hoping that we can support that.

The Chair (Ms. Natalia Kusendova): Any further debate? Madame Gélinas.

M^{me} France Gélinas: Yes. I wanted a preamble and I have read the one that Mr. Fraser has. I have no problem. It's better than my purpose. That's what I wanted. I was told we needed—anyway, I'm all good with it.

The Chair (Ms. Natalia Kusendova): Any further debate?

M^{me} France Gélinas: Knowing what I know now, can I just withdraw, or is it too late?

The Chair (Ms. Natalia Kusendova): Yes.

M^{me} France Gélinas: I can? Then that's what I'll do. But if he wants to talk to it, he can.

The Chair (Ms. Natalia Kusendova): Mr. Fraser.

Mr. John Fraser: I'll just make one comment so everybody knows now. One of the things I found out in being on Bill 84, which is another bill, is you could insert a preamble. We have to get unanimous consent to do it, so it's not a normal thing that we do this. If you like the preamble, that's great. I would have liked to have an opportunity to work with you on it—next time.

The Chair (Ms. Natalia Kusendova): Madame Gélinas, do you withdraw your amendment?

M^{me} France Gélinas: I do.

The Chair (Ms. Natalia Kusendova): Thank you. We will now move on to section 1, on page 2, which is brought forward by the NDP.

M^{me} France Gélinas: I move that the definition of “designated premises” in section 1 of the bill be amended by striking out “accessible to the public”.

What I was trying to do with this is really to make it as wide as possible as to who could register their AED. As I said, there are lots of mining contractors in my area that have AEDs and they would add them to the registry. You were given an example, when you were in Sudbury, that we have a dealership that has an AED. None of these are considered premises accessible to the public—they are private; they are work—but all of them are willing to make their AED on the registry and accessible. So in the little, wee time I had to get my amendment in, this is the best I could come up with.

1610

The Chair (Ms. Natalia Kusendova): Any further debate? Mrs. Fee.

Mrs. Amy Fee: We're not going to be supporting this motion, specifically around the fact of removing that wording and the fear that a private home, a private business, that sort of thing not accessible to the public, like

an office space or something, could be forced to have a defibrillator put in.

The Chair (Ms. Natalia Kusendova): Any further comments? Debate? Madame Gélinas.

M^{me} France Gélinas: You will see that in the other amendments, I think it's clear that a private home—people would still have the choice whether they want to go on the registry or don't want to go on the registry. That was to make sure that in the law, it defines the premises. This definition would limit people who would want to be on the registry to be there. That's all.

The Chair (Ms. Natalia Kusendova): Mr. Fraser.

Mr. John Fraser: In actual fact, I think what this—it's liberating, removing this. And I agree with the member, because the “designated premises” is the thing that is going to be defined in regulations. We're not going to define a private home, all right? What will be defined is to say if they're in these X places, whether they're businesses or whatever—but we won't be doing that in homes, I don't think. I don't think that that will lead to that.

That's just my interpretation of it. So I can support it.

The Chair (Ms. Natalia Kusendova): Any further debate? Shall the motion carry? Those in favour? Those opposed? The motion is lost.

Shall section 1 carry? Carried.

We will now move on to section 2. Seeing as there are no amendments, shall section 2 carry? Carried.

We will now move on to new section 2.1, proposed by the NDP, on page 3. Madame Gélinas.

M^{me} France Gélinas: I move that section 2.1 be added to the bill immediately after the heading “Requirements re installation, access, maintenance etc.”:

“Municipal maps of recommended premises for defibrillators

“2.1(1) No later than January 31, 2022, every municipality shall submit to the registrar a map that identifies each premises in the municipality where it would be appropriate to install a defibrillator.

“Appropriate premises, past cardiac arrests

“(2) In determining appropriate premises under subsection (1), a municipality shall have regard to locations of past cardiac arrests and the principles set out in the document entitled ‘Addressing Cardiac Arrest in Canada, 2019’ published by the Heart and Stroke Foundation.

“Update of municipal maps

“(3) If, during a year, there is a change that would impact the map mentioned in subsection (1), the municipality shall submit an updated map to the registrar no later than January 31 of the following year.

“Registrar to advise Lieutenant Governor in Council of map information

“(4) The registrar shall, from time to time as the registrar considers appropriate and as soon as possible upon request of the Lieutenant Governor in Council, advise the Lieutenant Governor in Council of the information contained in the maps submitted under subsections (1) and (3).”

The Chair (Ms. Natalia Kusendova): Is there any debate?

M^{me} France Gélinas: You were there. Pretty much everybody who came forward, I asked them what they think about the document Addressing Cardiac Arrest in Canada, 2019. They all said that that was the best body of evidence—they named the author, whose name always escapes me, but I have it written down—as to this is an exercise that is worth doing. It has been done in Ontario by this researcher and has shown where AEDs should be located.

To do the exercise is not something that costs a whole lot of money. The information is available; it is available in Ontario. It's really to motivate the different municipalities to go through the exercise and look at the map. There is no obligation for them to buy the AEDs, to make sure that every place on the map that has been identified—that they spend money or anything like this. It is just, "Let's do the map," with the idea that once a community knows that here's the map and here are areas we should have one—I wouldn't be surprised if many social clubs decide, "Oh, Kivi Park should have one," and it will be the Kivi Park Foundation who will put it there. In another area of town, it will be the ringette clubs who will decide that we should have one at this particular ice rink because it has been identified in the map.

So all this section does is to say we have a tool in Ontario to do those maps. Let's ask them to submit the maps. I've given them plenty of time: 2022. They have two years to figure out how to do the map. If you go and look in Google, it's really not that hard to do. The information is already all there through EMS, which knows where cardiac arrests have taken place. And voila.

The Chair (Ms. Natalia Kusendova): Mrs. Karahalios.

Mrs. Belinda C. Karahalios: Thank you, Madam Chair. I do agree that that is likely an important exercise, but no consultations with municipalities have occurred, and it does seem a little bit like red tape. I don't think there's anything prohibiting municipalities from putting through their own motions at their own respective councils to do something like this, but it is kind of going against the mandate that we have right now, which is reducing red tape for municipalities. So for those reasons, I think we're going to oppose this.

The Chair (Ms. Natalia Kusendova): Any further debate? Shall the motion carry? Those in favour? Those opposed? The motion is lost.

We are now moving on to section 3, subsection 3(1), on page 4, which was brought forward by the government. Mrs. Hogarth?

Ms. Christine Hogarth: I feel like my mother when you say that—sorry.

I move that subsection 3(1) of the bill be amended by striking out "Every person who owns" in the portion before clause (a) and substituting "Every person who owns or operates".

The Chair (Ms. Natalia Kusendova): Mrs. Hogarth, would you mind reading it one more time for the record?

Ms. Christine Hogarth: New glasses; I'm sorry.

I move that subsection 3(1) of the bill be amended by striking out "Every person who owns" in the portion

before clause (a) and substituting "Every person who owns or operates".

M^{me} France Gélinas: We don't have the same.

Ms. Christine Hogarth: You don't have the same?

The Chair (Ms. Natalia Kusendova): The amendment that was filed with the Clerk states "at the beginning of the portion before clause (a)."

Interjections.

Ms. Christine Hogarth: Okay. It's not my eyes. I tell you—three pairs of glasses later.

Interjection: And for the third time—

Ms. Christine Hogarth: And for the third time, Madam Chair—

The Chair (Ms. Natalia Kusendova): Mrs. Hogarth. Third time's the charm.

Ms. Christine Hogarth: I move that subsection 3(1) of the bill be amended by striking out "Every person who owns" at the beginning of the portion before clause (a) and substituting "Every person who owns or operates".

The Chair (Ms. Natalia Kusendova): Is there any debate? Mrs. Hogarth.

Ms. Christine Hogarth: Sure. This is actually just an amendment to clarify that the legislation applies to the operator of the premises designated in regulation.

1620

The Chair (Ms. Natalia Kusendova): Further debate? Shall the motion carry? Carried.

We are now moving on to subsection 3(1), on page 5 an amendment brought forward by the NDP. Madame Gélinas?

M^{me} France Gélinas: I move that subsection 3(1) of the bill be amended by adding the following clause:

"(c.1) ensure that information recorded by the defibrillator, if any, is made available to the health information custodian, as defined in section 3 of the Personal Health Information Protection Act, 2004, of the individual upon whom the defibrillator was used;"

The Chair (Ms. Natalia Kusendova): Is there any debate?

M^{me} France Gélinas: Our good friend Paul made it clear yesterday that this information is valuable. I forgot the name of the cardiologist who came afterward and said that because she had access to that information, it actually changed the course of treatment for two of her patients who had had a sudden cardiac arrest outside of the hospital. I just wanted to make sure that we make it clear to everybody that that information can be collected, and that it can be shared. That's all.

The Chair (Ms. Natalia Kusendova): Any further debate? Mrs. Martin.

Mrs. Robin Martin: It's an interesting amendment. Certainly we did hear from Mr. Snobelen and Dr. Worme, I think her name was, about the importance of this information.

I don't think anybody is disagreeing that the information is important, but in the amendment it's kind of unclear who would be collecting or using the information and for what purpose the information would be collected, as the matter is not really addressed elsewhere in the act. We

haven't sort of set the preconditions. I also don't want to discourage people from installing defibrillators, and any more burdens that we put on people might do that.

This is the kind of thing that I think would be better dealt with in regulation anyway, but I understand your intention. Certainly we heard testimony that could be very useful, but I want to carefully consult about how.

The Chair (Ms. Natalia Kusendova): Any further debate? Madame Gélinas.

M^{me} France Gélinas: This is something that was flagged. It was flagged, really, yesterday.

I'm putting it on the record: When the regulation comes out, there's a good chance that I will be looking that we address this. When two health professionals come and tell us of the importance of having access to that information, I think we should make sure that everybody feels at ease that there are laws that allow them to collect that information and to share it with the custodian. In this particular case, it's for whoever is the clinician who looks after the patient who has had this cardiac arrest. So I'm putting it on the record that when the regulations come out, I will be looking for this.

The Chair (Ms. Natalia Kusendova): Any further debate? Seeing none, shall the motion carry? Those in favour? Those opposed? The motion is lost.

We are now moving on to clause 3(1)(e) on page 6, brought forward by the NDP. Madame Gélinas.

M^{me} France Gélinas: I move that clause 3(1)(e), of the bill be struck out and the following substituted:

"(e) ensure that training is undertaken by prescribed persons for the use of a defibrillator and the steps to be taken in an emergency situation where a defibrillator is required to be used, according to the prescribed training and education guidelines."

The Chair (Ms. Natalia Kusendova): Any debate? Madame Gélinas.

M^{me} France Gélinas: A few people, including Heart and Stroke Foundation, have told us that not only do you want to have a defibrillator in different premises; you also want to make sure that you have a person trained in all of those premises who knows where it is.

When the Heart and Stroke Foundation was here, they're the ones who told us they went to a hotel and they asked if they had a defibrillator. The defibrillator was in the lobby of the next hotel. Somebody knew that they were supposed to have it, but nobody knew where it was etc., etc. I'm sure those people mean no harm, but we could be a little bit more prescriptive, saying not only, "Do you have a defibrillator?" but "Do people know where it is?" and "Do people know how to use it?"

The Chair (Ms. Natalia Kusendova): Any further debate? Mr. Sandhu.

Mr. Amarjot Sandhu: We'll be voting against this motion because we support the basic principle that the steps to follow in an emergency, including before and after the administration of a defibrillator, should be a basic element of any training course. This measure is unnecessary, as any government will have the ability to prescribe

in regulation which content must be included in a mandatory training program.

The Chair (Ms. Natalia Kusendova): Any further debate?

M^{me} France Gélinas: I have no problem putting those kinds of clauses in regulation, but I'm putting it on the record that when the regulation comes out, I will check that you carry through on what you've just told us.

The Chair (Ms. Natalia Kusendova): Mr. Fraser.

Mr. John Fraser: I support this motion. I understand that the government is saying you do this in regulation, but sometimes it's important to state these things in legislation.

I'll be supporting it, but we'll be looking for the regulations, as well.

The Chair (Ms. Natalia Kusendova): Mrs. Martin.

Mrs. Robin Martin: I would just like to comment that, whether or not these things go into regulation, it's something we can consult about further. I don't want to prejudge some of the things. I also think, in this area, where the technology has such an important role to play and is changing so rapidly, it is important to leave some things to regulation that can be adapted flexibly over time.

The Chair (Ms. Natalia Kusendova): Any further debate? Seeing none, shall the motion carry? Those in favour? Those opposed? The motion is lost.

We are now moving on to subsection 3(2), on page 7, brought forward by the government. Mrs. Martin.

Mrs. Robin Martin: I move that subsection 3(2) of the bill be amended by striking out "Every person who owns" at the beginning and substituting "Every person who owns or operates".

The Chair (Ms. Natalia Kusendova): Any debate? Mrs. Martin.

Mrs. Robin Martin: Again, as with the prior one, this is really just an amendment to clarify the legislation.

The Chair (Ms. Natalia Kusendova): Any further debate? Shall the motion carry? Carried.

Shall section 3, as amended, carry? The motion is carried.

We are now moving on to section 4, subsection 4(1), on page 8, brought forward by the government. Mrs. Martin.

Mrs. Robin Martin: I move that subsection 4(1) of the bill be amended by striking out "Every person who owns" at the beginning of the portion before clause (a) and substituting "Every person who owns or operates".

The Chair (Ms. Natalia Kusendova): Any debate?

Mrs. Robin Martin: It's for the same reason, just to clarify.

The Chair (Ms. Natalia Kusendova): Any further debate? Shall the motion carry? The motion is carried.

We are now moving on to subsection 4(2), on page 9, brought forward by the government. Mrs. Martin.

Mrs. Robin Martin: I move that subsection 4(2) of the bill be amended by striking out "the owner" and substituting "the owner or operator".

The Chair (Ms. Natalia Kusendova): Is there any debate? Mrs. Martin.

Mrs. Robin Martin: For the same reason: just to clarify.

The Chair (Ms. Natalia Kusendova): Shall the motion carry? The motion is carried.

We are now moving on to section 4, on page 10, brought forward by the NDP. Madame Gélinas.

1630

M^{me} France Gélinas: I move that section 4 of the bill be amended by adding the following subsection:

“Registration information

“(3) The registration shall include the following information:

“1. A text-based description of the location of the defibrillator.

“2. A visual indication of the location of the defibrillator, such as photos and maps.

“3. The periods of time when the defibrillator will be accessible to the public, including information about whether it will be accessible on holidays.”

The Chair (Ms. Natalia Kusendova): Is there any debate? Madame Gélinas.

M^{me} France Gélinas: This is something that was brought to our attention yesterday—that they would like the registrations to include a minimum amount of information.

A text-based description was further clarified, for everybody to understand that it was not a text on your phone but a short sentence.

I think what they brought forward made sense and would ensure that the registry is functional.

The Chair (Ms. Natalia Kusendova): Any further debate? Mr. Harris.

Mr. Mike Harris: Again, we agree with the basic premise of this amendment, or motion, but we feel it’s better to be left to regulation when the bill gets crafted through.

The Chair (Ms. Natalia Kusendova): Any further debate? Seeing none, shall the motion carry? Those in favour? Those opposed? The motion is lost.

Shall section 4, as amended, carry? Carried.

We are now moving on to section 5, on page 11, an amendment brought forward by Mr. Fraser. Mr. Fraser?

Mr. John Fraser: I move that section 5 of the bill be amended by striking out the portion before clause (a) and substituting the following:

“Notification re defibrillators

“5. The registrar shall, in accordance with the regulations, notify emergency service providers and such other persons as may be prescribed of,”

The Chair (Ms. Natalia Kusendova): Any debate? Mr. Fraser.

Mr. John Fraser: Just simply, this clarifies that the most critical piece is that we get this information to emergency service providers, mostly dispatch, depending on what that dispatch is. Dispatch may change over a period of time, so I think we should include that in the bill, because they’re the most important recipients of this information.

The Chair (Ms. Natalia Kusendova): Mrs. Martin.

Mrs. Robin Martin: I’m going to recommend that we vote against the motion, because the wording introduces an undefined term, “emergency service providers,” which is defined in the Manitoba legislation—I think that’s where you maybe got it from—but it’s not defined here. It might be intended to mean the central ambulance communication centre or ambulance service operators or something else, but it isn’t clear. Because of that reason, I think it would create interpretational confusion. Also, softening the language from “the registrar must” to “the registrar shall” could create interpretational confusion. So that is my recommendation.

It’s our intention, of course, to include 911 dispatchers as designated persons in the regulations, but we also have to be sensitive to those areas of the province where 911 dispatchers are not available. I think of Madame Gélinas when I say this.

The Chair (Ms. Natalia Kusendova): Mr. Fraser.

Mr. John Fraser: I understand very clearly that it’s not in the definitions, so it wouldn’t be appropriate in the bill to put that there if it’s not in the definitions.

It is something that will need to be in the regulations, obviously. I’m sure that the intent is to get it there, so I’ll withdraw.

The Chair (Ms. Natalia Kusendova): Withdrawn. We are now moving on to section 5, on page 12, brought forward by the NDP. Madame Gélinas?

M^{me} France Gélinas: I move that section 5 of the bill be amended by adding the following subsection:

“Registration information available on website

“(2) The registrar shall ensure that the information in subsection (1) is available on a website of the government of Ontario.”

The Chair (Ms. Natalia Kusendova): Any debate? Madame Gélinas.

M^{me} France Gélinas: We have heard from many, many people who have actually used those that having information available on a website is something that people could use, and that it opens up many opportunities and possibilities to make this information more available to more people in times that are critical.

The Chair (Ms. Natalia Kusendova): Any further debate? Okay. Shall the motion carry? Those in favour? Those opposed? The motion is lost.

Shall section 5 carry? Carried.

We are now moving on to section 6. Seeing that there are no amendments, shall section 6 carry? Carried.

We are now moving on to new section 6.1, brought forward by the NDP, on page 13. Madame Gélinas?

M^{me} France Gélinas: I move that section 6.1 be added to the bill:

“School boards to teach defibrillator use

“6.1 Every board, as defined in the Education Act, shall provide instruction in a course of study that pertains to the use of a defibrillator and related first aid.”

The Chair (Ms. Natalia Kusendova): Madame Gélinas.

M^{me} France Gélinas: I know that many deputants came and told us that it was part of the grade 9 curriculum,

but I think we have heard statistics that only up to 10% of students in grade 9 actually have teaching on defibrillators. The idea to add it in the bill is really to make sure that it actually happens—one more piece of legislation telling our education system that this has to be done.

The Chair (Ms. Natalia Kusendova): Any further debate? Ms. Hogarth.

Ms. Christine Hogarth: I think we all agree that training is important, and we did hear about the grade 9 piece, but I'm recommending voting against this, just because school curriculum changes are generally not set in legislation such as this. It changes the purpose of the intent of this bill.

Also, all of us unanimously supported motion 83 from MPP Tangri, expressing its will to vote in favour to actually have this in the curriculum.

The Chair (Ms. Natalia Kusendova): Mr. Fraser.

Mr. John Fraser: I'll be supporting this motion. It is part of the curriculum, and our challenge is that the adherence to that is limited. Ms. Tangri's motion was a great motion and it was important that she raised that; we just have to raise the bar in terms of it getting done. I think it's appropriate to have in this piece of legislation. I understand why the government doesn't see it the same way. I don't think it does harm. I only think it's going to do good, because there is a serious challenge in schools, where it's not taken seriously. This will just reinforce that, I believe.

The Chair (Ms. Natalia Kusendova): Any further debate? Madame Gélinas.

Mme France Gélinas: This is a question that I asked to every deputant who has come, and they all agreed that this is the type of information that should be taught in school. This is a conversation that we've had with all of the deputants that have come, and they've all agreed. I think it does no harm to add it. It's already in the curriculum for grade 9; it is not being done. To me, we're making a statement by adding it into this bill. Everybody who wanted to be heard about the AEDs wanted it to be taught in school.

The Chair (Ms. Natalia Kusendova): Any further debate? Seeing none, shall the motion carry? Those in favour? Those opposed? The motion is lost.

We are now moving on to section 7, subsections 7(2), (3) and (4), on page 14, brought forward by the government. Mrs. Martin?

Mrs. Robin Martin: I move that subsections 7(2), (3) and (4) of the bill be struck out and the following substituted:

“Penalty, individual

“(2) An individual who is convicted of an offence under subsection (1) is liable to the prescribed fine.

“Penalty, corporation

“(3) A corporation that is convicted of an offence under subsection (1) is liable to the prescribed fine.

1640

“Same, officers and directors

“(4) An officer or director of a corporation who authorizes or permits the corporation to commit an offence

under subsection (1) is guilty of an offence and on conviction is liable to the prescribed fine.”

The Chair (Ms. Natalia Kusendova): Any debate? Mrs. Martin.

Mrs. Robin Martin: Just that some concerns were expressed by some presenters at the committee that the fines proposed in Bill 141 could discourage people from acquiring a defibrillator, which obviously wouldn't really be the intention of any of us, so we're proposing to remove the assessed fines from the legislation in order to permit the ministry to conduct some consultations about what the appropriate way of coming to a fine would be.

The Chair (Ms. Natalia Kusendova): Any further debate? Madame Gélinas.

Mme France Gélinas: I think this is a very good idea. The last thing we want is to have people throw away their AED because they're afraid of a fine that will probably never happen, or anything like that. I think it's wise. We want as many AEDs as possible to be available, we want to know where they are and we want people to use them when it is appropriate. I think this is wise.

The Chair (Ms. Natalia Kusendova): Mr. Fraser.

Mr. John Fraser: I can support this. I did express that I thought we probably should lower the fines. I'd be a bit more comfortable if we tried to do that here so they'd have some assurance that there would be some. I think there has to be a bit of a stick as well as a carrot.

I'll support it, I'm just hopeful that once we get into regulations and prescribing fines that it's commensurate with the risk that's there. I do agree; I think that they did seem high, but there has to be something that has some substance.

The Chair (Ms. Natalia Kusendova): Shall the motion carry? The motion is carried.

We are now moving on to subsections 7(2) to 7(4), on page 15, brought forward by the NDP. Madame Gélinas.

Mme France Gélinas: I withdraw; the previous motion did the same.

The Chair (Ms. Natalia Kusendova): Shall section 7, as amended, carry? Carried.

We are now moving on to section 8. Seeing as there are no amendments, shall section 8 carry? Carried.

We are now moving on to section 9. We have an amendment brought forward by Mr. Fraser, on page 16. Mr. Fraser.

Mr. John Fraser: I move that section 9 of the bill be amended by adding the following clauses:

“(a.1) governing the registration of defibrillators;

“(d) respecting any matter necessary or advisable to effectively carry out the purposes of this act.”

The Chair (Ms. Natalia Kusendova): Any debate? Mr. Fraser.

Mr. John Fraser: Simply, what this does is it puts in a definition about governing the registration of defibrillators, which I think is important in this bill. It also broadens the ability to make regulations, which I think is a good thing for us to do in this bill. There are opportunities that exist inside this bill that may relate to other things that we

would perhaps have to bring more legislation forward or change legislation inside another bill.

I know that opposition parties are supposed to be reticent to let governments make regulating powers, but I think, in this instance, ensuring that we can have broad regulation-making powers inside this bill is good, because I think it's something that can evolve. Like I said in yesterday's depositions, we have to walk first, and then we can walk more quickly, and then maybe, at some point, run. I think that these amendments will do that.

The Chair (Ms. Natalia Kusendova): Any further debate? Mr. Sandhu.

Mr. Amarjot Sandhu: I'll recommend voting in favour of this motion because this motion will add flexibility and broaden the regulation-making powers of the government on matters relating to this act.

The Chair (Ms. Natalia Kusendova): Any further debate? Seeing none, shall the motion carry? Carried.

We are now moving on to section 9, on page 17, brought forward by Mr. Fraser. Mr. Fraser.

Mr. John Fraser: I move that section 9 of the bill be amended by adding the following subsection:

“Consultation

“(2) The Lieutenant Governor in Council shall consult with the Heart and Stroke Foundation of Canada and the ACT Foundation with respect to training and education guidelines before prescribing any such guidelines.”

The Chair (Ms. Natalia Kusendova): Any debate? Mr. Fraser.

Mr. John Fraser: This was something that I had incorporated into my bill. I think it's a good thing to stick a pin in education in this bill, and I know that we've all spoken about it and how important it is. I know that Madame Gélinas has raised that. So that's why I bring this motion forward.

The Chair (Ms. Natalia Kusendova): Any further debate? Mrs. Karahalios.

Mrs. Belinda C. Karahalios: I am going to recommend voting against it. The proposed registrar should first be established, and they may have recommendations on whom to consult. By saying just “Heart and Stroke Foundation of Canada” and “ACT Foundation,” it might restrict those whom he can actually consult with. This allows for broader consultation. The proposed amendment provides direction that would usually be at the discretion of the government, who may wish to engage, as I said, a broad range of both community and sector partners.

The Chair (Ms. Natalia Kusendova): Any further debate? Madame Gélinas.

M^{me} France Gélinas: The Heart and Stroke Foundation was at Queen's Park about a year ago, and they are the ones who brought forward all the work that they had done regarding AEDs and out-of-hospital cardiac events and cardiac arrests. I would say a big reason why the three of us ended up with a similar bill was because of their work. To mandate that they be consulted—same with the ACT Foundation—is pretty reasonable. I could not see anybody doing any work regarding AEDs who would not

talk to the Heart and Stroke Foundation, who would not talk to the ACT Foundation.

The Chair (Ms. Natalia Kusendova): Mrs. Martin.

Mrs. Robin Martin: There's no question that the Heart and Stroke Foundation has been very active in this area, and it likely would be someone who is consulted with. We just don't feel the need to put it into the legislation. In fact, putting in two particular groups may create interpretational confusion that the intent is to limit engagement to only those two stakeholders. We'd prefer to just leave it as broad as possible.

The Chair (Ms. Natalia Kusendova): Shall the motion carry? All those in favour? All those opposed? The motion is lost.

Shall section 9, as amended, carry? Carried.

We are now moving on to section 10: commencement. Seeing that there are no amendments, shall section 10 carry? Carried.

We are now moving on to section 11: short title. Shall section 11 carry? Carried.

We are now moving on to the new preamble proposed by Mr. Fraser on page 18. Mr. Fraser.

Mr. John Fraser: I move that the bill be amended by adding the following preamble:

“Each year, approximately 7,000 Ontarians will experience cardiac arrest. Up to 85% of cardiac arrests occur at home or in public places. Almost half of cardiac arrests are witnessed by a family member or friend. When used in conjunction with CPR in the first few minutes after a cardiac arrest, defibrillation can dramatically improve cardiac arrest survival rates by more than 50%. Ensuring that automated external defibrillators are available to members of the public may prevent tragedies from occurring.”

The Chair (Ms. Natalia Kusendova): Committee members, when a bill has been referred to committee after second reading without a preamble, the committee may not introduce one. I therefore rule this proposed amendment out of order.

Mr. Fraser?

Mr. John Fraser: I'd like to seek unanimous consent to consider this preamble.

The Chair (Ms. Natalia Kusendova): Is there unanimous consent to consider the motion? Agreed.

Any debate? Mr. Fraser.

Mr. John Fraser: I think the importance of the preamble in the bill is, this is what we heard reflected in all the people who came before the committee, so they can see themselves in the preamble. We had an opportunity to talk about it. I think it reflects the work that we've done.

It's important that people see themselves in legislation, and it does speak to the purpose—maybe a few words longer than Madame Gélinas's, but I think it's important that we put it in. That's why I included it.

The Chair (Ms. Natalia Kusendova): Any further debate? Madame Gélinas.

M^{me} France Gélinas: Because we are in such agreement and unanimous consent and all, I would like to

change the last sentence just a tad, so it goes, “Ensuring that automatic external defibrillators are available to members of the public,” and it will end by saying, “will save lives.” Rather than “may prevent tragedies from occurring,” we would just state the obvious: “will save lives.” A friendly amendment.

The Chair (Ms. Natalia Kusendova): Madame Gélinas, because the deadline for filing amendments passed yesterday at 7 p.m., this is unfortunately out of order.

M^{me} France Gélinas: Can I ask for unanimous consent to deal with my three words?

Interjection.

The Chair (Ms. Natalia Kusendova): The House would have to make that decision.

M^{me} France Gélinas: I’m really sorry that Eric is here, let me tell you.

Laughter.

The Chair (Ms. Natalia Kusendova): Any further debate? Mrs. Martin.

Mrs. Robin Martin: I will say that the idea of having a preamble is something that supports the intention of the legislation. In fact, I think I asked the legislative counsel who was helping me with it if I could have a preamble, but she was a stickler for details and she was like, “You don’t need a preamble.” It was my first private member’s bill.

I think that’s a nice addition.

The Chair (Ms. Natalia Kusendova): Any further debate?

M^{me} France Gélinas: I would much rather have it with that ending than not having it at all, so it’s still good. But I will still remember that it was Eric who took that away.

Laughter.

The Chair (Ms. Natalia Kusendova): Any further debate?

Shall the motion carry? Those in favour? Carried.

We are now moving on to the bill as a whole. Shall the title of the bill carry? Carried.

Shall Bill 141, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Agreed? Agreed.

I would like to thank all members and staff for this wonderful, collegial work that we have done. Thank you, everyone. Thank you, Eric. Thank you to legislative counsel and all our interpreters, Hansard and everyone else who has been so helpful. This is a wonderful example of collaboration, and I am so thrilled that we can now refer this bill back to the House. Hopefully, it will pass third reading and receive royal assent. Congratulations.

Madame Gélinas.

M^{me} France Gélinas: Can I apologize? I shouldn’t have singled him out. Our Clerk is very competent and has done a very good job.

The Clerk of the Committee (Mr. Eric Rennie): I don’t mind at all.

The Chair (Ms. Natalia Kusendova): All right. This committee is now adjourned.

The committee adjourned at 1653.

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