

THE CITY OF TORONTO

City Clerk's Office

Minutes of Board of Health

Meeting No. 3

May 10, 2004

The Board of Health met on Monday, May 10, 2004 in Committee Room No. 1, 2nd Floor, City Hall, Toronto, commencing at 1:10 p.m.

Members Present:

Councillor John Filion, Chair	x
Trustee Sheila Cary-Meagher	x
Ms. Helen Chan	x
Councillor Janet Davis	x
Councillor Paula Fletcher, Vice-Chair	x
Mr. Brian Hyndman	x
Mr. Brian MacKay	x
Councillor Joe Mihevc	x
Ms. Nancy Peters	x
Councillor Karen Stintz	x
Councillor Michael Thompson	x
Mr. Lee Zaslofsky	x

Councillor Filion in the Chair.

Staff Recognition

The Chair announced that this week is Nurses' Week and a week to recognize all health care workers and introduced some members of the newly-formed Nursing Practice Council of Toronto Public Health. Liz Janzen, Regional Director for the South Region, Toronto Public Health, is the Chair of the Nursing Practice Council.

Confirmation of Minutes

On motion by Lee Zaslofsky, the Minutes of the meeting of the Board of Health held on February 23, 2004 were confirmed.

3.1 Toronto's No Smoking By-law (Municipal Code Chapter 709-Smoking) - Implementation Update

The Board of Health had before it a report (April 26, 2004) from the Acting Medical Officer of Health, providing an update on Toronto's No Smoking By-law and the communications and enforcement activities related to the implementation of the third phase of the By-law; and recommending that:

- (1) the Board of Health urge the Provincial Government to permit no new Designated Smoking Rooms (DSRs) following enactment of province-wide no smoking legislation, and that all existing Designated Smoking Rooms (DSRs) in Ontario be closed as of June 1st, 2007;
- (2) the Board of Health recommend that, should the Provincial Government not implement province-wide legislation by June of 2005 that requires closure of all DSRs by June 1, 2007, the Medical Officer of Health report further on amending Toronto's No Smoking By-law so that all DSRs in Toronto are closed by June 1, 2007; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Board of Health also had before it a communication (May 6, 2004) from Yong-Ki Chun, The Croissant Tree.

The Acting Medical Officer of Health gave a brief presentation.

The following persons appeared before the Board of Health in connection with the foregoing matter:

- Peter Oliver, Oliver Bonacini Restaurants;
- Karen Bodirsky, Fair Air Association;
- Michael Ferrabee, Canadian Restaurant and Food Services Organization;
- Tim Lambrinos, Adult Entertainment Association;
- Susan Berek, Ontario Lung Association;
- Andy Elder, Shoeless Joe's;
- Pamela Berger, Director, Customer Service, Woodbine Entertainment Group;
- Ryan Parks, Ontario Restaurant Hotel and Motel Association, and submitted a written brief;
- Steve Mastoras, Whistlers; and
- Bruce Davis, Urban Intelligence.

Councillor Cliff Jenkins presented a short video.

Councillor Jenkins and Councillor Nunziata were present during consideration of this matter.

Councillor Thompson moved that the position of the Board be forwarded to City Council and that Council be requested to forward its position with respect to this matter to the Provincial government, which **failed** on the following division of votes:

For: Councillor Thompson, Councillor Stintz

Against: Councillor Davis, Councillor Filion, Councillor Fletcher, Councillor Mihevc, Ms Chan, Ms. Nelson, Mr. Hyndman, Ms. Peters and Mr. Zaslofsky

The Board of Health:

- (i) adopted the recommendations contained in the aforementioned report;
- (ii) requested the Acting Medical Officer of Health to ask new applicants for DSRs and those applicants for DSRs that have been approved, but not yet built, to sign a form making them aware that there is a potential that the Province of Ontario or the City of Toronto may be phasing out DSRs (**moved by Councillor Mihevc**); and
- (iii) requested the Acting Medical Officer of Health to include in any report to the Board, pursuant to Recommendation No. (2) of the report, comment on a proposed moratorium on the construction of DSRs (**moved by Mr. Zaslofsky**).

(Premier of Ontario; Acting Medical Officer of Health; Minister of Health and Long Term Care c. Jane Speakman, Legal Services; Interested Persons – May 11, 2004)

3.2 Toronto's Health Status: Focus on Tobacco and Toronto Public Health's Tobacco Control Program

The Board of Health had before it a report (April 26, 2004) from the Acting Medical Officer of Health, providing current information regarding the effects of tobacco use and exposure to second-hand smoke on the health status of Toronto's 2.4 million residents, along with current estimates of the use of tobacco industry products by Toronto residents; also providing a summary of Toronto Public Health's comprehensive response to these issues and illustrates how health status information is used to plan, monitor, and evaluate programming as directed by the Provincial Mandatory Health Programs and Services Guidelines; and recommending that:

Board of Health Minutes
Monday, May 10, 2004

- (1) the Board of Health urge the provincial government to take action to fulfill its promise to make all public places and workplaces in Ontario smoke-free within three years;
- (2) the Board of Health encourage the provincial government to reinstate an agreement with Health Canada to make federal funding available to local public health initiatives to reduce youth access to tobacco;
- (3) the Board of Health urge the federal and provincial levels of government to increase their per-capita spending on tobacco control;
- (4) the Board of Health forward this report to key stakeholders including: Canadian Cancer Society (Ontario Division), Cancer Care Ontario, Central East Health Information Partnership, Centre For Addiction and Mental Health, Council For Tobacco-Free Toronto, Ontario Ministry of Health and Long-Term Care (MOH<C), Health Canada – Ontario and Nunavut Regions, Toronto Cancer Prevention Coalition, Toronto District Health Council, Toronto Heart Health Partnership, Public Health Units in Ontario, Association of Local Public Health Agencies (alPHa), Ontario Public Health Association (OPHA), Heart and Stroke Foundation of Ontario, Non-Smokers Rights Association, Ontario Lung Association, Ontario Tobacco Research Unit, Program Training and Consultation Centre of MOH<C, University of Toronto Department of Public Health Sciences, University of Waterloo Centre For Behavioural Research and Program Evaluation;
- (5) the Board of Health forward this report to: Federal Members of Parliament and Provincial Members of Parliament for Toronto; and,
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Mihevc, the Board of Health adopted the foregoing report.

(Premier of Ontario; Canadian Cancer Society (Ontario Division); Cancer Care Ontario; Central East Health Information Partnership; Centre For Addiction and Mental Health; Council For Tobacco-Free Toronto; Ontario Ministry of Health and Long-Term Care; Health Canada – Ontario and Nunavut Regions; Toronto Cancer Prevention Coalition; Toronto District Health Council; Toronto Heart Health Partnership; Public Health Units in Ontario; Association of Local Public Health Agencies; Ontario Public Health Associations; Heart and Stroke Foundation of Ontario; Non-Smokers Rights Association; Ontario Lung Association; Ontario Tobacco Research Unit; Program Training and Consultation Centre of MOH<C; University of Toronto

Department of Public Health Sciences; University of Waterloo
Centre For Behavioural Research and Program Evaluation Federal
Members of Parliament for Toronto; Provincial Members of
Parliament for Toronto c. Acting Medical Officer of Health; Prime
Minister of Canada; Jane Speakman, Legal Services – May 11,
2004)

3.3 Low Birth Weight

The Board of Health had before it a report (April 26, 2004) from the Acting Medical Officer of Health, describing the issues pertaining to Low Birth Weight (LBW) in Toronto; and recommending that:

- (1) the Board of Health advocate with the Honourable Carolyn Bennett, Minister of State for Public Health, to ensure that health promotion programs are included within the new Canadian Public Health Agency and specifically to maintain and enhance Federal Government support for the Canada Prenatal Nutrition Program (CPNP);
- (2) the Board of Health write to Health Canada to express its support for the CPNP and advocate for increased funds for CPNP, in particular to support priority access for teens at CPNP sites;
- (3) the Board of Health advocate to the Ontario Minister of Children and Youth Services for adequate funding for the Healthy Babies Healthy Children (HBHC) program to provide service to high-risk pregnant women in the City of Toronto;
- (4) the Board of Health request that the Office of the Registrar General (ORG) outline their plan for ensuring timely, complete, and accurate birth data that is useful for public health program planning and that links to the development and implementation of the Niday Perinatal Database for the Greater Toronto Area (GTA);
- (5) the Board of Health request the Ontario Minister of Children and Youth Services to provide resources to the Central East Health Information Partnership to continue developing the Niday Perinatal Database for the Greater Toronto Area (GTA) to enable health units to conduct timely analysis of comprehensive birth data;
- (6) the Board of Health urge the Canadian Institutes of Health Research (CIHR) to fund research which will contribute to an increased understanding of the differential effects of socioeconomic disparities on LBW and the biological mechanisms and modifiable factors associated with differences in rates of LBW among ethno-racial communities in Toronto;

- (7) the Medical Officer of Health keep the Board of Health informed of the findings pertaining to the potential link between periodontal disease and preterm birth, with a view to identifying possible strategies for public health dental services, and share these findings with Shelter, Housing and Support Division and Toronto City Council;
- (8) the Board of Health advocate to the Ministry of Health and Long-Term Care that there be a change to the care of pregnant women so that dental care becomes an integral component of obstetrical care covered by OHIP; and
- (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Acting Medical Officer of Health gave a brief presentation.

The Board of Health:

on motion by Brian Hyndman:

- (A) adopted the report as amended by:
 - (i) amending Recommendation No. 6 by adding after (CIHR) “and the Institute of Human Development, Child and Youth Health”;
 - (ii) striking out Recommendation No. 8 and replacing with:

“the Board of Health advocate to the Ministry of Health and Long Term Care for the extension of dental coverage under OHIP to Ontario residents who face social economic barriers to accessing dental care”;

and

on motion by Fiona Nelson:

- (B) took the following additional action:
 - (i) as 2004 is the 30th anniversary of the Lalonde Report, “Health for all Canadians”, the Toronto Board of Health requested the Honourable Carolyn Bennett, Minister of State for Public Health to designate the

year 2005 as the year to begin “The Healthiest Generation Possible”, by instituting a comprehensive program to improve birth outcomes for all babies born in Canada starting in 2005 and that the Federal Government, through CIHR or Statistics Canada be requested to track these babies in a longitudinal study and that Toronto, which celebrates the birth of 10 percent of Canada’s babies (approximately 100 per day or 30,000 per year) be the site for initiating this program if the federal government chooses to phase it in;

- (ii) congratulated Toronto Public Health staff for a useful comprehensive report which, if funded and implemented fully, should result in a significant improvement in the long term health of Toronto’s population; and
- (iii) congratulated the Elementary Teachers’ Federation of Ontario for developing and funding “Reflections on Body Image” project.

To summarize, the Board of Health:

- (1) advocated with the Honourable Carolyn Bennett, Minister of State for Public Health, to ensure that health promotion programs are included within the new Canadian Public Health Agency and specifically to maintain and enhance Federal Government support for the Canada Prenatal Nutrition Program (CPNP);
- (2) expressed to Health Canada its support for the CPNP and advocates for increased funds for CPNP, in particular to support priority access for teens at CPNP sites;
- (3) advocated to the Ontario Minister of Children and Youth Services for adequate funding for the Healthy Babies Healthy Children (HBHC) program to provide service to high-risk pregnant women in the City of Toronto;
- (4) requested that the Office of the Registrar General (ORG) outline their plan for ensuring timely, complete, and accurate birth data that is useful for public health

program planning and that links to the development and implementation of the Niday Perinatal Database for the Greater Toronto Area (GTA);

- (5) requested the Ontario Minister of Children and Youth Services to provide resources to the Central East Health Information Partnership to continue developing the Niday Perinatal Database for the Greater Toronto Area (GTA) to enable health units to conduct timely analysis of comprehensive birth data;
- (6) urged the Canadian Institutes of Health Research (CIHR) and the Institute of Human Development, Child and Youth Health to fund research which will contribute to an increased understanding of the differential effects of socioeconomic disparities on LBW and the biological mechanisms and modifiable factors associated with differences in rates of LBW among ethno-racial communities in Toronto;
- (7) directed the Medical Officer of Health to keep the Board of Health informed of the findings pertaining to the potential link between periodontal disease and preterm birth, with a view to identifying possible strategies for public health dental services, and share these findings with Shelter, Housing and Support Division and Toronto City Council;
- (8) advocated the Ministry of Health and Long Term Care for the extension of dental coverage under OHIP to Ontario residents who face social economical barriers to accessing dental care; and
- (9) authorized and directed the appropriate City officials to take the necessary action to give effect thereto.

(Minister of State (Public Health); Health Canada; Ontario Minister of Children and Youth Services; Office of the Registrar General; Canadian Institutes of Health Research; Institute of Human Development, Child Youth and Health; Acting Medical Officer of Health; Minister of Health and Long Term Care; Elementary Teachers' Federation of Ontario c. Jane Speakman, Legal Services – May 11, 2004)

3.4 Inclusion of Corn Gluten Meal in the City of Toronto Pesticide By-law (Municipal Code Ch. 612)

The Board of Health had before it a report (April 21, 2004) from the Acting Medical Officer of Health, giving the rationale for including corn gluten meal on the list of pest control products exempted from further control under the pesticide by-law; and recommending that:

Board of Health Minutes
Monday, May 10, 2004

- (1) the Board of Health endorse this report and forward it to City Council for approval;
- (2) City Council amend Ch. 612-1B(2) of the Toronto Municipal Code:
 - (i) to delete the words “any of” and replace them with the word “only”; and,
 - (ii) to add subclause “(k) Corn gluten meal.”
- (3) the Board of Health forward this report to the Works Committee, the Economic Development and Parks Committee, the Ontario Ministry of the Environment, and Health Canada’s Pest Management Regulatory Agency for their information and appropriate action; and;
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Mihevc, the Board of Health:

(A) recommended to Council for its meeting on May 18, 2004, adoption of the following Recommendations Nos. 2 and 4 contained in the report from the Acting Medical Officer of Health:

- (1) that City Council amend Ch. 612-1B(2) of the Toronto Municipal Code:
 - (i) to delete the words “any of” and replace them with the word “only”; and
 - (ii) to add subclause “(k) Corn gluten meal.”; and
- (2) that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and

(B) endorsed the report from the Acting Medical Officer of Health and directed that this report be forwarded to the Works Committee, the Economic Development and Parks Committee, the Ontario Ministry

of the Environment, and Health Canada's
Pest Management Regulatory Agency for
their information and appropriate action.

(Works Committee; Economic Development and Parks
Committee; Ontario Ministry of the Environment; Health
Canada's Pest Management Regulatory Agency c. Jane
Speakman, Legal Services – May 11, 2004)

(Clause No. 1, Report No. 3)

3.5 Service Agreement Contracts Awarded and Executed by the Medical Officer of Health

The Board of Health had before it a report (April 23, 2004) from the Acting Medical Officer of Health, updating the Policy and Finance Committee, through the Board of Health, about the purchase of service contracts currently awarded and executed by the Medical Officer of Health; and recommending that the Board of Health request the Policy and Finance Committee to:

- (1) authorize the Medical Officer of Health to amend service contracts as necessary to reflect adjustments in funding and contingent on City Council approval of the Toronto Public Health 2004 Operating budget for the Preschool Speech and Language program, the Infant Hearing Program, the Healthy Babies Healthy Children program, the Early Postpartum Discharge program, the Sexual Health program, and the Community Heart Health Partnership Initiative;
- (2) authorize the Medical Officer of Health to award and execute new purchase of service contracts for these programs within the approved budget and in accordance with corporate financial and legal protocols; and
- (3) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

The Board of Health also had before it a communication (May 6, 2004) from Ann Dembinski, President, CUPE, Local 79.

Anne Dubas, CUPE 79, appeared before the Board of Health in connection with the foregoing matter.

On motion by Mr. MacKay, the Board of Health adopted the foregoing report from the Acting Medical Officer of Health and recommended to the Policy and Finance Committee that:

- (1) the Medical Officer of Health be authorized to amend service contracts as necessary to reflect adjustments in funding and contingent on City Council approval of the Toronto Public Health 2004 Operating budget for the Preschool Speech and Language program, the Infant Hearing Program, the Healthy Babies Healthy Children program, the Early Postpartum Discharge program, the Sexual Health program, and the Community Heart Health Partnership Initiative;
- (2) the Medical Officer of Health be authorized to award and execute new purchase of service contracts for these programs within the approved budget and in accordance with corporate financial and legal protocols; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(Policy and Finance Committee c. Acting Medical Officer of Health; Jane Speakman, Legal Services; Interested Persons – May 11, 2004)

3.6 Comments on the Canada Health Protection Act – A Proposal to Renew Federal Health Protection Legislation

The Board of Health had before it a report (April 20, 2004) from the Acting Medical Officer of Health, informing the Board about the Health Protection Legislation Renewal process undertaken by Health Canada and to solicit Board of Health endorsement of the comments made to Health Canada by Toronto Public Health; and recommending that:

- (1) the Board of Health commend Health Canada on the proposed plan to modernize and strengthen Canada's health protection legislation;
- (2) the Board of Health endorse the Acting Medical Officer of Health's comments on the Proposed Canada Health Protection Act; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Mihevc, the Board of Health adopted the recommendations contained in the foregoing report.

(Health Canada; Acting Medical Officer of Health c. Jane Speakman, Legal Services – May 11, 2004)

3.7 Local Health Committee Minutes

The Board of Health had before it the following Minutes:

- (a) Scarborough Local Health Committee meeting held on November 19, 2003;
- (b) North York Local Health Committee meeting held on November 26, 2003;
- (c) Toronto/East York Local Health Committee meeting held on December 8, 2003;
and
- (d) North York Local Health Committee Meeting held on March 3, 2004.

On motion by Councillor Mihevc, the Board of Health received the foregoing Minutes.

3.8 Attendance at ALPHA meeting, June 13-15, 2004, in Stratford, Ontario

On motion by Mr. Hyndman, the Board of Health approved the attendance of Brian MacKay as the Board's representative at the ALPHA meeting to be held June 13-15, 2004, in Stratford, Ontario, and authorized that sufficient funding be allocated to cover the costs incurred.

(Acting Medical Officer of Health c. Brian MacKay; Jane Speakman, Legal Services – May 11, 2004)

3.9 SARS and Public Health

The Board of Health had before it the following:

- (i) Executive Summary of "The SARS Commission Interim Report – SARS and Public Health in Ontario" (April 15, 2004) by the Honourable Mr. Justice Archie Campbell, Commissioner; and

- (ii) Executive Summary of “For the Public’s Health: A Plan of Action – Final Report of the Ontario Expert Panel on SARS and Infectious Disease Control (April 2004).

The Board of Health also had before it a communication (May 6, 2004) from the Acting Medical Officer of Health, proposing the establishment of a Board of Health/Toronto Public Health Working group to review the recommendations of the aforementioned reports and assess the implications for Toronto Public Health.

The Acting Medical Officer of Health gave a brief presentation on the Walker and Campbell reports.

On motion by Councillor Fletcher, the Board of Health appointed the following Members to the Board of Health/Toronto Public Health working group to review the recommendations of the foregoing reports and assess the implications for Toronto Public Health:

Fiona Nelson;
Lee Zaslofsky;
Councillor Davis; and
Councillor Mihevc.

(Acting Medical Officer of Health c. Fiona Nelson; Lee Zaslofsky;
Councillor Davis; Councillor Mihevc c. Jane Speakman, Legal
Services – May 11, 2004)

3.10 Toronto Public Health 2004 Operating and Capital Budgets

The Board of Health had before it a communication (May 7, 2004) from the Acting Medical Officer of Health providing highlights on the Toronto Public Health 2004 Operating and Capital Budgets.

On motion by Councillor Fletcher, the Board of Health requested the Medical Officer of Health to report:

- (i) to the Board on the status of the student nutrition programs; and
- (ii) to the Board and the appropriate Standing Committees on the winding down of the Development Review Team.

(Acting Medical Officer of Health c. Jane Speakman, Legal Services – May 11, 2004)

3.11 Medical Officer of Health Selection Panel

The Board of Health appointed the following two citizen Board Members to the selection panel to recruit a Medical Officer of Health:

Brian Hyndman; and
Brian MacKay.

On motion by Councillor Fletcher, the Board of Health recessed to meet in-camera to consider the selection process, such information is to be considered in-camera having regard that the subject matter may contain personnel matters about identifiable individuals.

The matter remains confidential.

(Chair, Board of Health c. Brian Hyndman; Brian MacKay; Jane Speakman, Legal Services – May 11, 2004)

The Board of Health recessed at the following times:

Recessed to meet in-camera: 5:10 p.m.
Resumed: 5:14 p.m.

The Board of Health adjourned at 5:15 p.m.

Chair