



## REPORT FOR ACTION

### Provincial Funding Cuts and the Canada Health Act

**Date:** May 29, 2019  
**To:** Executive Committee  
**From:** City Solicitor  
**Wards:** All

#### SUMMARY

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This report responds to a request from City Council at its meeting of May 14, 2019, for a report from the City Solicitor on whether the Province of Ontario's proposed cuts to funding to Toronto Public Health would violate the *Canada Health Act*.

#### RECOMMENDATIONS

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The City Solicitor recommends that:

1. City Council receive this report for information.

#### FINANCIAL IMPACT

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There is no financial impact resulting from the adoption of this report.

#### DECISION HISTORY

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City Council requested the City Solicitor to report back to the Executive Committee, in conjunction with the City Manager's report, on whether any of the provincial funding cuts to Toronto Public Health would violate the *Canada Health Act*, and on what measures the City of Toronto can take, if, in fact, the *Canada Health Act* is violated.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.MM7.13>

#### COMMENTS

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The *Canada Health Act* is federal legislation that establishes criteria which must be satisfied by a provincial or territorial health care insurance plan in order for the province

or territory to qualify for a general cash contribution under the Canada Health Transfer. The Canada Health Transfer is the primary source of federal health care support to provinces and territories.

The criteria imposed on health care insurance plans pertain to insured health services provided by hospitals and medical practitioners or dentists. For example, the *Canada Health Act* requires that the health care insurance plan of a province must not impose any minimum period of residence in the province in excess of three months before residents of the province are entitled to insured health services. The *Canada Health Act* also prohibits extra billing and user fees for insured services.

The requirements of the *Canada Health Act* do not extend to provincial funding of public health units or funding for programs and services offered by public health units. Although the Province, at this time, has continued to make new announcements regarding funding changes and has not confirmed budget details, it is unlikely that any provincial funding cuts to Toronto Public Health would violate the *Canada Health Act*. Accordingly, the *Canada Health Act* will likely not serve as a basis for the City responding to any provincial cuts to public health funding.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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None