

I would first like to thank the standing committee for giving us this opportunity to speak to you on this important issue.

My name is Cheryl Marshall, Chief Steward of Cupe Local 4370 I am representing workers at Sarnia Lambton Community Living (SLCL) but first and foremost I'm a caregiver for individuals for the last 20 years. Sitting with me is Brian Biggers the President of Cupe Local 4370 who is also representing workers at Sarnia Lambton Community Living (SLCL) and who has been a front line worker for 17years. Between the two of us we have 37 years experience working in with families and individuals with developmental disabilities.

I have also been asked by Local leadership representing workers in Essex, Windsor and South Huron to make comments from our region as a whole. As we worked together to review Bill 77, it became clear that our experiences with the current system and our concerns with this bill are very similar. Over years we've watched the developmental services sector move leaps and bounds in the direction of providing the services and supports to meet identified needs of individuals with developmental disabilities. This being said ... there are still many who do not receive all the supports they truly need, some who are without any needed supports and other individuals and families who struggle with inconsistent support due to availability of supports and services.

As front line workers and service providers, we recognize that there are problems with the delivery of services and supports for persons with developmental disabilities.

We hear families and workers in our area saying ---- “we need improved access to supports and services”, “we need access to a wider range of service and supports so that individuals can have individualized plans developed to meet their individual needs”, “we need a strong system that people can rely on”, and most importantly “we need a high quality of support and services”.

We do not believe Bill 77 responds to these challenges. We are concerned that;

1. There is no commitment in the legislation to guarantee a level of supports and services that individuals and families can rely on

Currently we all too often see individuals finally being able to access residential services **only** when their family goes into crisis and can longer care for them --- this is not appropriate or fair to individuals or their families. Due to lack of funding the transition is not planned in a respectful and supportive way.

There needs to be a level of service that no matter where you live in Ontario it is mandated that they will be provided.

2. That application centres are evolving as a new bureaucracy rather than an expectation that agencies work in a collaborative model, as they already have the experience and structures to do this work. We do not need the emergence of a new bureaucracy that unnecessarily bleeds away resources from agencies.
3. No legislated requirement to use a common assessment tool to determine eligibility in order to ensure consistency across the province
4. Concern that the bill entrenches waiting lists. When talking to colleagues in other service areas we understand that waiting lists are not something that government has included in other legislation --- it raises big concerns why it is necessary in developmental services legislation?

To give an example of the current waiting list situation in the County of Windsor/Essex there are currently 255 individuals on a waiting. This a huge number and a huge problem

5. That under Section 19 subsection (4) it states“If there are not sufficient funds available in an application centre’s geographic area to provide one or more services specified in an applicant’s profile immediately or, where direct funding is requested, to provide the direct funding immediately, the application centre may place the applicant

on a waiting list for the services or funding, as the case may be” why if my child has been assessed in one part of the province should I be denied access to supports based on geographic funding. Do families need to move to follow funding from region to region? Where is the consistency to persons with similar degrees of developmental disability?

6. Direct funding does not ensure there will be services available to families when they need it
7. This Bill allows the purchase to buy services and supports from 3rd parties (or brokers) - it opens the very real possibility of “fly by night” operators and expansion of **FOR PROFIT COMPANIES**. This means a focus on finding a profit out of the already limited funds going into this sector. We have seen in home care and nursing homes a shift to for-profit providers and a system of competitive bidding which has not been good for service quality. Rolling back to the cheapest way of service provision is not good for those who we support or for those who provide the support. It is a lose lose!
8. Taking a system that is already struggling and fragmenting inadequate funding to potentially hundreds of new “employer” relationship thru direct funding makes real quality of service accountability virtually impossible.
9. The ministry’s spot light newsletter states that the bill grandparents those adults who are receiving services and they would not have to reapply or be reassessed for eligibility.

BUT the language in the bill - section 40 subsection (1) -- says

- In (a) - those receiving supports when the act comes into effect are deemed to be eligible for services and funding
- AND
- In (b) - shall continue to receive, or benefit from, those same services UNTIL such time as the application centre for the geographic area in which the person resides conducts a reassessment”

We worry this leaves a loophole that while adults are eligible for funding they may have levels of funding and/or services reduced when “the application centre for the geographic area in which the person resides conducts a reassessment”. The word “**until**” becomes a big concern!

There are some families who are interested in direct funding models. The parents we have spoken to believe direct funding is better than sitting on a waiting list. When we talk about the monies families have actually received thru Special Services at Home or Passport – to the person – they say it has not really addressed the needs of their child. They also say it has come with a catch 22

- either they pay more per hour to try and find someone who will stay around but then need to go with less service time

OR

- they pay less to get more service hours and then see a revolving door of workers.

They have all said finding and keeping people is daunting. In addition they are concerned about assuming the responsibility and liabilities of an employer.

- If agencies are having difficulties finding and keeping staff when they provide some benefits and pensions --- how are families going to be able to recruit and keep qualified staff?

When consistency of who is working directly with people is so vital there is a big concern with direct funding translating into revolving doors of care providers are not part of an agency which ensures training and accountability.

We believe that rather than addressing the challenges we experience in the sector, elements of Bill 77 will further erode the community based agency system while not really providing more choice to parents.

Addressing needs of individual disabilities takes resources --- with a system that continues to be underfunded no model can really be effective.

Bottom line --- our vision is where individuals and families can be supported based on their individualized plan. Whether they participate in community programs, agency programs, are employed or not, live in residential programs, independent living or with their families, ... required supports need to be reliable, consistent, flexible, and responsive. If the supports include needing staffing support then the worker needs to be trained, supervised and have working conditions that reduces the challenges we have seen across the province when it comes to training, recruitment and retention. We believe the services and supports that require staffing is best delivered thru an appropriately funded, not for profit, community living agency structure.

Thank you again for the opportunity to address you today.

