

# Know Your Rights

## Patient's Rights

### ***Eating Disorders Awareness Week Act, 2020, S.O. 2020, c. 32 - Bill 61***

#### ***Provides Social Context and Establishes the Value of Education on Eating Disorders***

• According to Section 1 of the *Act*, the week beginning February 1 of each year is proclaimed as Eating Disorders Awareness Week.

#### • This Act

- Understands how eating problems and access to treatment and prevention are influenced by structural conditions;
  - Understands how the social determinants of health are essential to promoting awareness and providing useful education on eating disorders.
- Proclaiming Eating Disorders Awareness Week in Ontario will make a powerful statement about the value of building awareness around healthy relationships with our bodies and the need for culturally relevant and responsive resources for treatments, education, and prevention of eating disorders.
- Dr. Becky W. Thompson coined the concept “eating problems,” which shows us that eating problems may be a response to poverty, sexual abuse, racism, heterosexism, social class inequality, and acculturation.
- The following social and public factors influence the development and treatment of eating disorders:
    - Visual culture;
    - Food and income security;
    - Access to housing;
    - Access to healthcare;
    - Acculturation and mental health supports.
- Education of the following factors promotes greater awareness of how they contribute to the development of eating disorders:
- Size and appearance-based discrimination and harassment;
  - Body-shaming and bullying.
- Anyone can develop an eating disorder, and eating disorders impact different people in different ways (Indigenous, Black and racialized women and girls, immigrants, queer people, transgender people, people with disabilities, etcetera).

### ***Excellent Care for All Act, 2010, S.O. 2010, c. 14***

#### ***Provides New Obligations for Ontario Healthcare Organizations and Establishes Patients at the Centre of the Healthcare System***

- This *Act* sets out certain organizational and accountability requirements for healthcare organizations in order to ensure high quality health care.
- Currently, the hospitals subject to the ***Public Hospitals Act*** are the only healthcare organizations to which the *Act* applies; however, the government has indicated an intention to look at expanding the scope in the future.
  - Through this *Act*, hospitals are expected to have:

1. A patient declaration of values;
2. Quality Improvement Plan (annual);
3. Satisfaction Surveys;
4. A Quality Committee;
5. Executive compensation that meets the requirements under the ECFAA;
6. A patient relations process.

- The establishment and maintenance of hospitals and other facilities and the regulation of health professions fall exclusively within the jurisdiction of the provinces.

- The Act's Preamble:

- Believe in the importance of our system of publicly funded healthcare services and the need to ensure its future so that all Ontarians, today and tomorrow, can continue to receive high quality healthcare;
- Believe that the patient experience and the support of patients and their caregivers to realize their best health is a critical element of ensuring the future of our healthcare system;
- Recognize that a high quality healthcare system is one that is accessible, appropriate, effective, efficient, equitable, integrated, patient centred, population health focussed, and safe;
- Share a vision for a Province where excellent healthcare services are available to all Ontarians, where professions work together, and where patients are confident that their healthcare system is providing them with excellent healthcare.

- According to Section 1 of the Act - Interpretation - Definitions: (relevant)

- **Annual quality improvement plan:** the quality improvement plan required under section 8; ("plan annuel d'amélioration de la qualité").
- **Caregiver:** "caregiver" and related terms have the meaning or meanings provided for in the regulations; ("fournisseur de soins").
- **Healthcare organization:**
  - (a) a hospital within the meaning of the *Public Hospitals Act*, and
  - (b) any other organization that is provided for in the regulations and that receives public funding; ("organisme de soins de santé").
- **Health sector organization:**
  - (a) a hospital within the meaning of the *Public Hospitals Act*,
  - (b) a health service provider or Ontario Health Team that is provided for in the regulations and that provides a prescribed home and community care service pursuant to funding under section 21 of the *Connecting Care Act, 2019*;
  - (b.1) an integrated community health services centre within the meaning of the *Integrated Community Health Services Centres Act, 2023*, unless the centre is subject to an exemption provided for by the regulations;
  - (c) a licensee within the meaning of the *Fixing Long-Term Care Act, 2021*.
- **Local health integration network:** a local health integration network within the meaning of the *Local Health System Integration Act, 2006*; ("réseau local d'intégration des services de santé").
- **Medical assistance in dying:** within the meaning of section 241.1 of the *Criminal Code* (Canada); ("aide médicale à mourir").
- **Patient declaration of values:** the patient declaration of values provided for in section 7; ("déclaration des valeurs des patients").
- **Patient ombudsman:** the patient ombudsman appointed under section 13.1; ("ombudsman des patients").

- **Patient relations process:** the patient relations process provided for in section 6; (“processus de relations avec les patients”).
- **Quality committee:** “quality committee” means a quality committee established and maintained under section 3; (“comité de la qualité”).
- **Responsible body:**
  - (a) with respect to a health care organization that is a hospital within the meaning of the **Public Hospitals Act**, its board within the meaning of that Act;
  - (b) with respect to any other health care organization that has a board of directors, the board of directors, and;
  - (c) with respect to any other health care organization that does not have a board of directors, the responsible body as provided for in the regulations; (“organisme responsable”).
- **Right to a Patient Ombudsman:**
  - 13.1 (1) The Lieutenant Governor in Council shall appoint a person to be the patient ombudsman. 2014, c. 13, Sched. 5, s. 4.
  - (2) The functions of the patient ombudsman are:
    - (a) to receive and respond to complaints from patients and former patients of a health sector organization and their caregivers, and from any other prescribed persons;
    - (b) to facilitate the resolution of complaints made by patients and former patients of a health sector organization and their caregivers, and by any other prescribed persons;
    - (c) to undertake investigations of complaints made by patients and former patients of a health sector organization and their caregivers, and by any other prescribed persons, and to undertake investigations of health sector organizations on the patient ombudsman’s own initiative;
    - (d) to make recommendations to health sector organizations following the conclusion of investigations; and
    - (e) to do anything else provided for in the regulations. 2014, c. 13, Sched. 5, s. 4.
- **Patient Ombudsman Rights Affecting Patient: (relevant)**
  - 13.2(4) Patient to be informed re complaints
  - 13.3(3) Patient to be informed re investigation
  - 13.3(6) Organization and patient to be informed re investigation
  - 13.3(7) Investigations are private
  - 13.3(10) Opportunity to be heard