

SUMMARY TABLE OF FOLLOW-UP

FOLLOW-UP TO RECOMMENDATIONS IN THE QUÉBEC OMBUDSMAN'S 2007-2008, 2008-2009 AND 2009-2010 ANNUAL REPORTS

PUBLIC SERVICE

COMMISSION ADMINISTRATIVE DES RÉGIMES DE RETRAITE ET D'ASSURANCES (CARRA)		
INFORMATION		
RECOMMENDATION 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
That CARRA should inform the Québec Ombudsman of the results of the steps taken to improve the quality of the information provided when it implements its 2009-2010 action plan.	WORRIED that the anticipated improvement has not taken place.	WILL MONITOR the results of CARRA's efforts to improve the quality of information.
REMISSION OF DEBTS ARISING FROM ERRORS		
RECOMMENDATION 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
That CARRA take steps to obtain an amendment to the application regulation for the <i>Act respecting the government and public employees retirement plan</i> in order to include the possibility of remission of debts arising from errors that recipients cannot reasonably detect.	–	AWAITING the opinion of retirement committees and possible regulatory amendments.

COMMISSION DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL –
CRIME VICTIMS COMPENSATION DIRECTORATE

TELEPHONE ACCESS

RECOMMENDATION 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Crime Victims Compensation Directorate should provide the Québec Ombudsman with a plan of action by June 30, 2009, which should then be implemented without delay to bring the average waiting time as close as possible to the standard recommended by the Centre d'expertise des grands organismes.</p>	<p>APPRECIATES the results obtained, in particular the fact that the average waiting time has been reduced from more than six minutes to approximately one minute.</p> <p>CONFIDENT that effort will continue to be made to reduce the waiting time even further.</p>	<p>SATISFIED with the measures established and the results seen (call-hold time of one minute).</p>

CURATEUR PUBLIC

DELAYS IN LAUNCHING PROTECTIVE SUPERVISION PROGRAMS

RECOMMENDATIONS 2007-2008 AND 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Curateur public provide the Québec Ombudsman, no later than September 1, 2008, accurate data on the delays for obtaining a judgment subsequent to the receipt of the director general's reports attesting to the need for a protective supervision program. In addition, the Québec Ombudsman asked the Curateur public for a copy of its action plan, including the measures it plans to introduce to limit to the greatest possible extent the intervention delays when a protective supervision program must be launched.</p> <p>That the Curateur public present to the Québec Ombudsman a review of the measures it has introduced, and that it submit a report on its analysis of the results obtained as a result of the steps taken by other bodies.</p>	<p>DISSATISFIED. The Québec Ombudsman feels that a permanent correction to this problem is required.</p> <p>WORRIED about ongoing delays.</p> <p>WILL MONITOR progress carefully.</p>	<p>SATISFIED with the action plan and the report on measures implemented by the Curateur public to limit intervention delays as much as possible when a protective supervision program must be launched. On March 31, 2011, the wait time was 90 days in 65% of cases.</p>

CURATEUR PUBLIC (CONTINUED)		
CONSENT FOR INCAPACITATED INDIVIDUALS		
RECOMMENDATIONS 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Curateur public measure the results of its efforts, primarily to ensure that its message has been heard and understood by the main stakeholders involved in the issue of consent for care. This measure should also allow the Curateur public to determine whether institutions or actors are failing to obtain its consent when necessary.</p> <p>That the Curateur public notify the Québec Ombudsman of the results obtained.</p>	<p>DISSATISFIED with the delay in the follow-up to this recommendation.</p>	<p>SATISFIED with the proposed measures and the new way of processing consent for care applications.</p>
UNDERSTANDING THE CLIENTELE		
RECOMMENDATION 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That at one of the regular meetings between now and January 2010, the Curateur public submit to the Québec Ombudsman a review of the steps taken to understand the clientele.</p>	<p>WILL MONITOR the requested clarifications to confirm that the maximum target set by the Curateur public is realistic.</p>	<p>SATISFIED with the clarifications concerning the maximum target set (85%).</p>
REASSESSMENT OF PROTECTIVE PROGRAMS		
RECOMMENDATION 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Curateur public report to the Québec Ombudsman by May 2010 on the implementation of its plan action.</p>	<p>SATISFIED with the plan of action that has been introduced.</p> <p>WILL MONITOR its results to ensure that the problem regarding delays has been permanently corrected.</p>	<p>SATISFIED with the report on the measures taken by the Curateur public.</p>
FEES CHARGE TO THE PERSONS REPRESENTED		
RECOMMENDATION 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Curateur public should cease the practice of including the amount of the Shelter Allowance in its calculation to determine whether its wards should pay fees.</p>	<p>–</p>	<p>WORRIED about the Curateur public's delay in acting on this recommendation.</p> <p>AWAITING the results of the fee-review committee.</p>

MINISTÈRE DE L'ÉDUCATION, DU LOISIR ET DU SPORT		
AN IMPARTIAL AND CREDIBLE COMPLAINT MANAGEMENT SYSTEM		
RECOMMENDATION 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de l'Éducation, du Loisir et du Sport determine the most appropriate conditions for providing the school systems with a manner for handling complaints capable of ensuring the impartiality and credibility necessary to meet the needs of parents, students and institutions.</p>	<p>NOTES that complaints have been made in this respect.</p> <p>WORRIED that the regulation as adopted does not sufficiently ensure the legitimacy and impartiality of the new recourse.</p> <p>WILL MONITOR the implementation of the complaint processing system.</p>	<p>SATISFIED with the progress made creating various student ombudsmans and with school boards' complaints management systems.</p> <p>INVITES the Department to ensure that complaint management procedures comply with the regulatory provisions.</p> <p>AWAITING the passage of Bills 38 and 44 under which the university and cegep network would have a complaints management system.</p>

MINISTÈRE DE LA JUSTICE		
SIMPLIFICATION OF THE PROCESS OF REVISING CHILD SUPPORT PAYMENTS		
RECOMMENDATION 2006-2007 AND 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Civil Code and the Code of Civil Procedure be modified to relax the process for reviewing child support.</p>	<p>CONFIDENT that, in view of the priority granted by the Minister to the question of access to justice, simplified, low-cost measures will be implemented by 2011-2012.</p>	<p>DISSATISFIED because even though the Department acknowledged the importance of this issue as early as 2007, so far there has been no concrete action.</p>

MINISTÈRE DE LA SÉCURITÉ PUBLIQUE – CORRECTIONAL SERVICES		
A SOCIAL REINTEGRATION PLAN		
RECOMMENDATION 2007-2008 AND 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the government of Québec oversee the development of an action plan, no later than December 2008, for the creation and management of social integration services.</p> <p>Note: The government entrusted this task to the Ministère de la Sécurité publique.</p>	<p>SATISFIED with the preparation of a government action plan.</p> <p>WILL MONITOR its officialization and implementation, beginning in 2010-2011.</p>	<p>SATISFIED that the action plan was made official on December 15, 2010 despite delays.</p> <p>WILL MONITOR its implementation in the coming year.</p>

MINISTÈRE DE LA SÉCURITÉ PUBLIQUE – CORRECTIONAL SERVICES (CONTINUED)

REQUESTS FOR HEALTH SERVICES

RECOMMENDATIONS 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Sécurité publique evaluate in the near future options to make changes to the conditions governing written requests for health services.</p> <p>That it notify the Québec Ombudsman of the results of this review.</p>	<p>CONFIDENT that follow-up action will be taken, given the progress made in reviewing the conditions applicable to written requests.</p> <p>WILL MONITOR the Department's ongoing efforts.</p>	<p>WORRIED about the slow pace. The Direction générale des services correctionnels struck a working committee to examine the 2007-2008 recommendation in February 2010 only. We are still awaiting the comments on the recommendations made in November by the committee.</p>

CONFIDENTIALITY OF INFORMATION EXCHANGED BY INMATES AND MEDICAL STAFF

RECOMMENDATIONS 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Sécurité publique reassess the internal directives of individual institutions.</p> <p>That, in its directives, it emphasize the importance of respecting confidentiality and stipulate how this may be done.</p> <p>That it identify the necessary material conditions to allow for confidential consultations while limiting any security risks, and that it report to the Québec Ombudsman by December 31, 2009, on the steps taken.</p> <p>That it undertake discussions with the health and social services institutions that most often receive inmates, in order to determine the conditions required to allow confidential medical consultations in a secure environment.</p>	<p>WORRIED that the principle of confidentiality for discussions between medical staff and inmates is not acknowledged in the new instruction.</p> <p>WILL MONITOR the corrective measures taken as a result of these recommendations.</p>	<p>SATISFIED. On June 18, 2010, provincial directive 21S05 on hospitalized detainees was modified to the Québec Ombudsman's satisfaction.</p> <p>WILL MONITOR detention facility directors' compliance with the directive.</p>

COMMISSION QUÉBÉCOISE DES LIBÉRATIONS CONDITIONNELLES,
 MINISTÈRE DE LA SÉCURITÉ PUBLIQUE, MINISTÈRE DE LA JUSTICE,
 DIRECTOR OF CRIMINAL AND PENAL PROSECUTIONS

RELEASE ON PAROLE: CHRONIC POSTPONEMENT OF HEARINGS

RECOMMANDATIONS 2008-2009	APPRÉCIATION 2009-2010	APPRÉCIATION 2010-2011
<p>That the Ministère de la Justice, the Ministère de la Sécurité publique, the Director of Criminal and Penal Prosecutions and the Commission québécoise des libérations conditionnelles work together to analyze bottlenecks in the current parole release system, in order not only to improve existing practices but also to make suitable changes to the rules and simplify their operation, if possible. It also asks that they report to it on the changes made by January 2010.</p>	<p>DISSATISFIED with the time taken to follow up on this recommendation, in view of the large number of postponements that have occurred since the recommendation was made.</p> <p>WILL MONITOR the results of the work done to correct the situation.</p>	<p>SATISFIED with the action plan tabled in November 2010.</p> <p>WILL MONITOR the first report on action plan implementation across the correctional system.</p>

RÉGIE DES RENTES DU QUÉBEC

COMBINATION OF BENEFITS WITH NO NEGATIVE EFFECTS

RECOMMENDATION 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That, as part of the pension plan review that will take place in the fall of 2009, steps should be taken to ensure that the rules applicable to benefit combinations paid to citizens receiving compensation from the Société de l'assurance automobile du Québec do not have the effect of reducing their income from its original level.</p>	<p>SATISFIED with the measures introduced to minimize the impacts for citizens.</p> <p>WILL MONITOR the legislative amendments to be proposed in the coming months.</p>	<p>DISSATISFIED with the delay in follow-up to the recommendation.</p>

RÉGIE DU LOGEMENT

LEGISLATIVE AMENDMENTS TO REDUCE WAIT TIMES

RECOMMENDATION 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the legal framework under which the Régie du logement addresses cases involving the non-payment of rent be modified so as to incorporate a new procedure for improving the availability of decision-makers in this area while jointly hearing all cases within a reasonable time frame. That measures are taken to ensure that these changes are designed so as to respect the fundamental rights of all the parties, particularly with regard to procedures involving lease cancellation and the eviction of a tenant.</p>	<p>DISSATISFIED with the delays, which are depriving citizens of the opportunity to obtain justice within a reasonable time. The work announced in 2009 has not yet been completed.</p>	<p>DISSATISFIED with persistent delays.</p> <p>WILL MONITOR actions further to the Minister of Municipal Affairs, Regions and Land Occupancy's stated intention to introduce a bill to overhaul the <i>Act respecting the Régie du logement</i>.</p>

RÉGIE DU LOGEMENT (CONTINUED)		
POWER OF COMMISSIONERS TO DECLARE DEBARMENT		
RECOMMENDATION 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>The Québec Ombudsman makes the following recommendation to Minister of Municipal Affairs, the Regions and Land Occupancy: that the <i>Act respecting the Régie du logement</i> be amended to explicitly stipulate that commissioners have the power to declare debarment for citizens who abuse its procedures.</p>	-	SATISFIED with the follow-up to this recommendation.

SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC (SAAQ)		
OVERHAUL OF THE COMPUTER SYSTEM		
RECOMMENDATIONS 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That SAAQ should overhaul its computer systems so as to allow for a quick review of the licence and registration files of every citizen who effects a licence or registration transaction at a service centre, and also to avoid requirements that are contrary to the act.</p> <p>That SAAQ should treat the overhaul as a priority, and inform the Québec Ombudsman of the outcome of its time frame review by September 30, 2009.</p> <p>That, in the meantime, SAAQ should introduce the necessary administrative measures, regardless of the constraints involved.</p> <p>That SAAQ should submit an action plan to the Québec Ombudsman by June 30, 2009, detailing these measures.</p>	<p>CONFIDENT that the computer system overhaul that SAAQ intends to perform in 2011 will allow it to provide a service in accordance with the requirements of the Highway Safety Code, given the concern demonstrated by the agency's managers in this matter.</p>	<p>WILL MONITOR the results of the analysis conducted for overhauling the computer systems.</p>

HEALTH AND SOCIAL SERVICES

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX		
ADEQUATE INFORMATION, RESOURCES AND FACILITIES FOR THE COMPLAINT MANAGEMENT SYSTEM		
RECOMMENDATION 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That boards of directors of institutions in the health and social services network and regional agencies make sure that local and regional service quality and complaints commissioners have at their disposal adequate resources and operating conditions to carry out their responsibilities in an effective and efficient manner.</p>	<p>DISSATISFIED with the follow-up to this recommendation.</p>	<p>SATISFIED with the actions proposed.</p> <p>WILL MONITOR the follow-up on implementation.</p>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX – INTERNATIONAL ADOPTION		
SERVICES TO ADOPTIVE PARENTS		
RECOMMENDATIONS 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That services for parents of children adopted from Québec or from abroad be harmonized, to achieve equity.</p>	<p>DISSATISFIED that, despite the efforts of the Secrétariat and its partners, the supply of services for international adoption applicants has not been harmonized with the supply of services for domestic adoption applicants.</p>	<p>SATISFIED with the actions proposed.</p> <p>WILL MONITOR the follow-up on implementation.</p> <p>SATISFIED with the follow-up to this recommendation.</p>
<p>That the Ministère de la Santé et des Services sociaux report to the Québec Ombudsman no later than January 2010.</p>		<p>SATISFIED with the follow-up to this recommendation.</p>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX – INTERNATIONAL ADOPTION
(CONTINUED)

SERVICES TO ADOPTIVE PARENTS

RECOMMENDATIONS 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Santé et des Services sociaux ensure that an inter-sector agreement be entered into by the authorities responsible for providing services to applicants domiciled in Québec and where applicable, to the children who are adopted, at the pre-adoption, adoption and post-adoption phases in the process of adopting a child domiciled outside Québec.</p>	<p>–</p>	<p>SATISFIED with the follow-up to this recommendation.</p>
<p>That this agreement reiterate the responsibilities of the authorities concerned, and in particular of the following:</p> <ul style="list-style-type: none"> - the Secrétariat à l'adoption internationale; - Directors of Youth Protection; - youth centres; - health and social services centres; - accredited agencies; 	<p>–</p>	<p>SATISFIED with the follow-up to this recommendation.</p>
<p>That this agreement define all the services that the authorities concerned undertake to provide to applicants and, where applicable, to the children adopted, at every step in the process of adopting a child domiciled outside Québec.</p>	<p>–</p>	<p>SATISFIED with the follow-up to this recommendation.</p>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX - PHYSICAL DISABILITIES,
INTELLECTUAL DISABILITIES AND PERVASIVE DEVELOPMENT DISORDERS

AVAILABILITY OF SPEECH THERAPY

RECOMMENDATION 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Santé et des Services sociaux take the necessary measures to implement special access mechanisms for making speech therapy services available within a reasonable time frame.</p>	<p>WORRIED that the waiting time has simply been shifted to another position in the process.</p> <p>WORRIED that the standards of the service access plan are not applied to people who were on the waiting list before November 8, 2008, and that the first service does not necessarily correspond to the user's priority needs.</p>	<p>WILL MONITOR innovative work organization projects to optimize the use of speech therapy resources.</p>

AVAILABILITY OF PHYSICAL DISABILITY, INTELLECTUAL DISABILITY
AND PERVASIVE DEVELOPMENT DISORDER SERVICES

RECOMMENDATIONS 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Santé et des Services sociaux take the necessary steps to ensure that users enrolled on residual waiting lists be served as promised by November 1, 2010.</p>	<p>–</p>	<p>SATISFIED with the follow-up to this recommendation.</p>
<p>That it set acceptable wait times between the beginning of the needs evaluation process and the provision of actual rehabilitation services.</p>	<p>–</p>	<p>WORRIED ABOUT the progress made with regard to wait times between needs evaluation and the delivery of services.</p>
<p>That it clearly define what is meant by "first service" to ensure that it addresses the user's priority need.</p>	<p>–</p>	<p>WILL MONITOR the follow-up to this recommendation.</p>
<p>That it inform the Québec Ombudsman of the results of implementing these recommendations by February 1, 2011.</p>	<p>–</p>	<p>AWAITING the outcomes of these recommendations.</p>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX – AGE-RELATED LOSS OF INDEPENDANCE

INSPECTION OF FACILITIES AND QUALITY INDICATORS

RECOMMENDATIONS 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Santé et des Services sociaux continue and intensify its efforts to inspect institutions.</p> <p>That notably inspection programs, as additional security measures, be developed for private residential facilities serving vulnerable persons, and that these facilities be constrained to a certification program and complaint management system.</p> <p>That the Ministère de la Santé et des Services sociaux, in view of its role and obligations regarding quality of care and services, encourage each institution to implement quality indicators.</p> <p>That the Ministère de la Santé et des Services sociaux prepare an annual progress report on quality indicators developed and used by institutions.</p>	<p>DISSATISFIED with the follow-up to this recommendation.</p> <p>DISSATISFIED with the delay in the process of certifying private seniors' residences.</p> <p>DISSATISFIED that the Department is still at the planning stage, and that no indicators have yet been designed.</p> <p>DISSATISFIED with the follow-up to this recommendation.</p>	<p>WILL MONITOR the inspection visits to be carried out in the coming months.</p> <p>WILL MONITOR the proposed improvement measures and the proposed amendment of the regulation concerning certification and its application.</p> <p>SATISFIED with the follow-up to this recommendation.</p> <p>SATISFIED with the follow-up to this recommendation.</p>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX - AGE-RELATED LOSS OF INDEPENDANCE (CONTINUED)

QUALITY ASSURANCE

RECOMMENDATIONS 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Santé et des Services sociaux step up the pace of its quality assessment visits in order to offer CHSLD residents a quality living environment.</p> <p>That private seniors' residences be included in the resources that must undergo priority ministerial assessment visits.</p> <p>That quality indicators be included in management agreements between agencies and institutions, and that the contracts made with private resources explicitly set out the level of quality expected and the means of quality control.</p> <p>That the capacity of the resources to meet the specific needs of their residence be ascertained.</p>	<p>DISSATISFIED with the follow-up to this recommendation.</p> <p>DISSATISFIED with delays in the certification process.</p> <p>DISSATISFIED that the Department is still at the planning stage, and that no indicators have yet been designed.</p> <p>DISSATISFIED with the follow-up to this recommendation.</p>	<p>WILL MONITOR the inspection visits to be carried out in the coming months.</p> <p>WILL MONITOR the proposed improvement measures and the proposed amendment of the regulation concerning certification and its application.</p> <p>LIKES the actions proposed.</p> <p>AWAITING their implementation.</p> <p>WILL MONITOR the effect of the measures adopted to meet residents' specific needs.</p>
RECOMMENDATIONS 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Santé et des Services sociaux ensure that the certification process for private seniors' residences is completed by December 31, 2010.</p> <p>That private seniors' residences be included in its quality assessment visits.</p>	<p>–</p> <p>–</p>	<p>WORRIED ABOUT the delays in completing the certification of private seniors' residences.</p> <p>WILL MONITOR the proposed improvement measures and the proposed amendment of the regulation concerning certification and its application.</p>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX - AGE-RELATED LOSS OF INDEPENDANCE (CONTINUED)

LIVING ENVIRONMENTS

RECOMMENDATION 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
That the Ministère de la Santé et des Services sociaux advise the Québec Ombudsman with regard to the measures it will adopt to ensure the implementation of the department orientations regarding the living environment in all CHSLDs.	DISSATISFIED with implementation of the measures, and in particular with the time taken to implement measures to improve living conditions in the centres.	WILL MONITOR the effect of the measures adopted to ensure implementation of the Department's orientations regarding the living environment in all CHSLDs.

ENVIRONMENTS THAT ALLOW PRIVACY AND RESPECT

RECOMMENDATION 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
That residential and long-term care centres provide an appropriate environment to allow users to spend time with their loved ones in private, and ensure that bodies are treated with respect at all times, up until they are taken away by the undertaker.	WORRIED that no guarantee has been given to the effect that a portion (albeit small) of the budget granted for functional renovations will be used to develop a suitable environment that provides users with privacy at the end of their lives.	WILL MONITOR the reminder to institutions in the spring of 2011. WORRIED ABOUT the fact that the service review has been postponed to 2015.

CODE OF CONDUCT AND AGGRESSIVE OR VIOLENT INDIVIDUALS

RECOMMENDATION 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
That residential and long-term care centres develop and institute a policy and methods for controlling individuals who are violent and aggressive with residents, employees or managers.	DISSATISFIED with delays in circulating guidelines for addressing violent behavior by third parties or relatives of residents.	LIKES the idea of proposing to the Canadian Council on Health Service Accreditation that it assess this aspect during its accreditation visits. WILL MONITOR what happens to this proposal.

FILING REPORTS IN CONFIDENTIALITY AND WITHOUT FEAR OF REPRISALS

RECOMMENDATION 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
That residential and long-term care centres develop mechanisms to enable employees to confidentially blow the whistle on any situations where users' rights are compromised, while also advising staff members that they can contact the Québec Ombudsman, who will confidentially handle their report, should they fear reprisals.	DISSATISFIED with the follow-up to this recommendation.	WILL MONITOR the effect of the proposed improvement measures as follow-up to this recommendation.

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX - AGE-RELATED LOSS OF INDEPENDANCE (CONTINUED)

QUALITY LIVING ENVIRONMENTS FOR PEOPLE IN RESIDENCES

RECOMMANDATIONS 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Santé et des Services sociaux step up assessment visits in order to enforce the implementation, by December 2011, of its departmental guidelines concerning a quality living environment for residents.</p>	<p>-</p>	<p>WILL MONITOR the visits conducted in the coming months.</p>
<p>That it report to the Québec Ombudsman the measures it intends to take, in addition to assessment visits, to ensure that work and services are organized so as to adequately meet the needs of the residents and respect their rhythm and lifestyle.</p>	<p>-</p>	<p>WILL MONITOR the actions proposed for ensuring that residents' rhythm and lifestyle are respected.</p>
<p>That it design guides, tools and quality standards for institutions to follow in order to reorganize their work and services to truly meet the needs of the seniors they house, including those with cognitive deficits combined with disruptive behavioural disorders, while respecting their rhythm and lifestyle.</p>	<p>-</p>	<p>LIKES the actions proposed in response to residents' needs.</p> <p>WILL MONITOR implementation of these actions.</p>
<p>That it report to the Québec Ombudsman, by April 2011, on the measures it intends to adopt to guarantee to all users with behavioural disorders, even before they are referred and admitted to a residential resource, that the institution that accepts them will be able immediately to provide all the services required by their condition, especially in terms of organization and environment, without infringing on the other residents' right to privacy, security and dignity.</p>	<p>-</p>	<p>LIKES the actions proposed.</p> <p>WILL MONITOR implementation of the integrated service plans for seniors announced by the Minister of Health and Social Services.</p>
<p>That it report to the Québec Ombudsman, by April 2011, on the steps it intends to take to follow up on the recommendations issued in the national report on quality assessment visits carried out from September 2004 to June 2007.</p>	<p>-</p>	<p>SATISFIED with the follow-up to this recommendation.</p>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX – MENTAL HEALTH

EVALUATION OF SERVICES AND QUALITY OF LIFE

RECOMMENDATIONS 2007-2008 AND 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the follow-up of the action plan under the responsibility of the Ministère de la Santé et des Services sociaux include an evaluation of the quality of services and the quality of life of users, regardless of the site of service delivery or type of services.</p> <p>That the results of the team of experts tasked to evaluate implementation of the 2005-2010 mental health action plan be transmitted as soon as they are known.</p>	<p>WILL MONITOR the progress and anticipated results of the evaluation of action plan implementation.</p>	<p>SATISFIED with the follow-up to this recommendation.</p> <p>WILL MONITOR the follow-up to this recommendation.</p>

GIVING PRECEDENCE TO RESPECT FOR HUMAN RIGHTS ABOVE ALL ELSE

RECOMMENDATIONS 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Santé et des Services sociaux confirm that respect for users' rights has priority over all other considerations except those provided for in the <i>Act respecting health services and social services</i> and the <i>Act respecting the protection of persons whose mental state presents a danger to themselves or to others</i> (P-38), notably by preparing and releasing guidelines with regard to chemical substances as a control mechanism, as announced in the <i>Orientations ministérielles relatives à l'utilisation exceptionnelle des mesures de contrôle: contention, isolement et substances chimiques</i>.</p> <p>That this statement be clear and unambiguous, like that prohibiting sectorization practices that violate mental health users' rights to choose their provider of services.</p>	<p>DISSATISFIED with the follow-up to this recommendation.</p> <p>–</p>	<p>SATISFIED with the follow-up to this recommendation.</p> <p>SATISFIED with the follow-up to this recommendation.</p>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX – MENTAL HEALTH (CONTINUED)

LEGISLATIVE FRAMEWORK AND CONTROL MEASURES IN MENTAL HEALTH

RECOMMENDATIONS 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That the Ministère de la Santé et des Services sociaux formulate guidelines to direct and standardize the application of the legal framework governing all types of forced confinement.</p>	<p>–</p>	<p>WORRIED ABOUT the delay in follow-up to these recommendations, pending since December 31, 2010.</p>
<p>That it provide practitioners and workers with a standardized form to avoid the abusive interpretation of the rule of law and ensure it is able to monitor practices.</p>	<p>–</p>	
<p>That it require institutions to report on their practices, including the annual number of confinements, the reasons for them, and their duration.</p>	<p>–</p>	
<p>That it inform the Québec Ombudsman by December 31, 2010, of how it intends to implement these recommendations.</p>	<p>–</p>	
<p>That the Ministère de la Santé et des Services sociaux review the notion of isolation to define it more clearly in order to avoid abuse.</p>	<p>–</p>	<p>SATISFIED with the follow-up to this recommendation. WILL MONITOR its implementation.</p>
<p>That it supervise the use of chemical substances as a control measure.</p>	<p>–</p>	<p>DISSATISFIED with the follow-up to this recommendation.</p>
<p>That it ensure that institutions obtain consent from users or their representatives in instances where planned control measures are used.</p>	<p>–</p>	<p>SATISFIED with the follow-up to this recommendation. WILL MONITOR its implementation.</p>
<p>That it ensure that institutions fulfill their duty to provide users and their families with information on the use of control measures.</p>	<p>–</p>	<p>SATISFIED with the follow-up to this recommendation. WILL MONITOR its implementation.</p>
<p>That it ensure that professionals write down the reasons for the use of control measures in the user's file.</p>	<p>–</p>	<p>SATISFIED with the follow-up to this recommendation. WILL MONITOR implementation of the related framework.</p>
<p>That, as set out in its action plan, it design and implement a standardized data collection tool that must be completed by professionals every time a control measure is used, and that it suggest a method for data compilation and monitoring.</p>	<p>–</p>	<p>WILL MONITOR whether in the coming months the standardized tool is made available to those concerned.</p>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX – MENTAL HEALTH (CONTINUED)

LEGISLATIVE FRAMEWORK AND CONTROL MEASURES IN MENTAL HEALTH (CONTINUED)

RECOMMENDATIONS 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
That it develop guidelines to direct the health and social services agencies in the approval of the institutions' protocols for use of control measures.	–	SATISFIED with the follow-up to this recommendation.
That it ensure that the institutions' boards of directors receive all the information they need to enforce respect for users by monitoring the use of control measures within their institutions.	–	WILL MONITOR whether boards of directors have all the information they need to follow up on this recommendation.
That it assess the impact of implementing its guidelines.	–	AWAITING the decision expected from the Department's evaluation section.
The Québec Ombudsman asks to be informed, by December 31, 2010, of the measures that the Ministère de la Santé et des Services sociaux intends to take in response to these recommendations, and the schedule for their implementation.	–	SATISFIED with the information received so far.

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX – PHYSICAL HEALTH

TREATMENT OF EMERGENCY SERVICE USERS

RECOMMENDATION 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
That the Ministère de la Santé et des Services sociaux plan temporary solutions for the interim period, so that users whose state of health is evaluated at priority level 4 or 5 can gain access to front-line services.	DISSATISFIED at receiving no real response as follow-up to this recommendation.	WILL MONITOR implementation of the solutions proposed by the Ministère de la Santé et des Services sociaux for ensuring access to front-line services.

END-OF-LIFE PALLIATIVE CARE POLICY

RECOMMENDATIONS 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
That the Ministère de la Santé et des Services sociaux submit a report to the Québec Ombudsman, by December 2010, outlining the steps it intends to take to implement its End-of-Life Palliative Care Policy, particularly in terms of training.	–	SATISFIED with the follow-up to this recommendation.
That it inform the Québec Ombudsman of its results by December 1, 2011.	–	SATISFIED with the follow-up to this recommendation.

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX – IN-HOME CARE		
FOLLOW-UP ON WAITING LISTS		
RECOMMENDATION 2007-2008	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That social services centres establish time frames for communicating with users to update their status, notify them of their position on the waiting list, and advise them of the approximate delay before services will be available.</p>	<p>DISSATISFIED with the delay in beginning work on the standards governing access to home support services.</p>	<p>SATISFIED with the follow-up to this recommendation.</p>
IN-HOME CARE		
RECOMMENDATIONS 2008-2009	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2009-2010	QUÉBEC OMBUDSMAN'S ASSESSMENT IN 2010-2011
<p>That, in the home support service access plan it is about to develop, the Ministère de la Santé et des Services sociaux specify the prioritization criteria for access to service and that it instruct institutions to apply them with timelines and specific accountability, in order to ensure consistent handling of requests for home support, no matter which institution is approached by a person in need of such services.</p>	<p>DISSATISFIED that the Department's efforts to follow up on these recommendations have not yet produced any real results.</p>	<p>LIKES the proposals in the integrated service plan for seniors.</p> <p>WILL MONITOR implementation outcomes.</p>