

HIGHLIGHTS

COMMISSION ADMINISTRATIVE DES RÉGIMES DE RETRAITE ET D'ASSURANCES (CARRA)

P. 27

The Québec Ombudsman reiterated the need for a regulatory amendment that would allow CARRA to forgive a debt arising from its own error that a beneficiary cannot reasonably be expected to notice.

COMMISSION DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL (CSST)

P. 29

The Québec Ombudsman noted that the CSST has been known to ignore certain provisions of the Act respecting industrial accidents and occupational diseases, thus depriving injured workers of the benefits stemming from the act or subjecting them to heavier requirements than necessary.

COMMISSION DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL (CSST) – DIRECTION DE L'INDEMNISATION DES VICTIMÉS D'ACTES CRIMINELS (IVAC)

P. 32

Crime victims had to wait many months before a decision was made concerning their eligibility for the compensation plan.

CURATEUR PUBLIC

P. 34

The Québec Ombudsman gives an account of situations in which the Curateur public downplayed how important stability is for vulnerable people, even though remaining in their current living environment was crucial.

LA FINANCIÈRE AGRICOLE DU QUÉBEC

P. 36

The Québec Ombudsman noted that La Financière agricole did not provide sufficient information about the consequences, especially financial ones, of refusing to participate in a Centre d'études sur les coûts de production cost study.

MINISTÈRE DU DÉVELOPPEMENT DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

P. 38

When a municipality fails to act in matters of shoreline protection, the Department must step in not only when the work carried out does not comply with a municipal permit, but also when there was no municipal authorization to begin with.

MINISTÈRE DE L'ÉDUCATION, DU LOISIR ET DU SPORT P. 40

The Québec Ombudsman received complaints that illustrate the Department's tendency to "pass the buck" to other instances or to citizens for situations that fall under its responsibility.

MINISTÈRE DE L'EMPLOI ET DE LA SOLIDARITÉ SOCIALE P. 45

The assistance granted for medically necessary items must be indexed because often the amounts granted are significantly lower than the going rate for these items. The Québec Ombudsman saw that this had a marked impact on people with physical problems or in a particularly precarious financial situation.

MINISTÈRE DE LA FAMILLE ET DES AÎNÉS P. 56

The Québec Ombudsman found that it can take several months for an illegal day care service to receive a notice of non-compliance further to complaints or inspections. One such centre continued operating for more than five years with the full knowledge of the Department.

MINISTÈRE DE LA JUSTICE P. 59

The Québec Ombudsman welcomed the various bills introduced to ensure implementation of the Justice Access Plan, aimed at ways of making the current system more flexible. The bills addressed three of the Québec Ombudsman's recommendations, among other things.

**MINISTÈRE DE LA SÉCURITÉ PUBLIQUE –
DIRECTION GÉNÉRALE DES SERVICES CORRECTIONNELS** P. 62

The Québec Ombudsman noted pronounced disparities among detention facilities when it comes to social reintegration. In fact, programs like Parcours, an important means of intervention for detainees at risk for re-offending, have been suspended. Furthermore, many institutions do not offer specialized services for inmates convicted of spousal violence or who have a drug addiction.

OFFICE DE LA PROTECTION DU CONSOMMATEUR P. 70

While the Office reports an average hold time of 10 minutes, the Québec Ombudsman found that, depending on the period, it could reach 40 minutes.

RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC (RAMQ) P. 73

Since changes related to aging, employment status and marital status can affect eligibility for the Prescription Drug Insurance Plan, RAMQ should remain attentive to them so it can make any required adjustments.

RÉGIE DU LOGEMENT P. 75

Again this year, there were many complaints to the Québec Ombudsman about the wait times for Régie du logement decisions. The legal framework governing the Régie must be changed to shorten wait times and improve efficiency.

REVENU QUÉBEC – TAXATION P. 77

The complaints submitted to the Québec Ombudsman revealed that Revenu Québec had charged citizens interest resulting from the Direction du contrôle fiscal's lateness in processing their case.

REVENU QUÉBEC – SUPPORT-PAYMENT COLLECTION P. 85

The Québec Ombudsman was informed that Revenu Québec was no longer applying the terms of a Superior Court judgment authorizing it to terminate a support obligation by mutual consent of the parties concerned. Further to the Québec Ombudsman's recommendation, 370 pending cases were processed.

SERVICES QUÉBEC – DIRECTEUR DE L'ÉTAT CIVIL P. 88

The Directeur de l'état civil should be more flexible in adapting its practices to the international mobility that impacts real life in Québec. The Québec Ombudsman was made aware of several situations in which the Directeur could have taken cultural specificities into account in matters of surnames while complying with the law.

SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC (SAAQ) – HIGHWAY SAFETY CODE P. 91

Whether it be medical check-ups required for maintaining a driver's licence in force or identity checks for driver's licence access, the SAAQ sometimes sets requirements that are impossible to meet or which, after study, prove to be pointless. On the other hand, the Québec Ombudsman has seen that the SAAQ has the openness required to solve certain unusual situations.

SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC (SAAQ) – COMPENSATION OF ROAD ACCIDENT VICTIMS P. 97

The Québec Ombudsman noted that the SAAQ uses video surveillance where other less intrusive means are available. However, it also took note of the SAAQ's steps to institute a new process to cut down on wait times for execution of Tribunal administratif du Québec decisions.

TRIBUNAL ADMINISTRATIF DU QUÉBEC P. 101

Over the past five years, the Québec Ombudsman has witnessed ongoing increases in Tribunal backlogs and processing times.

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX AND ITS SERVICE NETWORK P. 105

Most substantiated complaints and reports about the Ministère de la Santé et des Services sociaux had to do with difficulties accessing care and services, wait times or failure to respect users' rights.

→ **International Adoption** P. 110

At a time when the changing profile of adopted children presents numerous challenges for adoptive parents, the Québec Ombudsman has noted that there are not very many public pre- and post-adoption services, and the few that exist are available only in the Montréal region. Furthermore, the range of services available to applicants varies from one certified body to the next.

→ **Physical Disabilities, Intellectual Disabilities and Pervasive Developmental Disorders**

P. 113

The complaints handled by the Québec Ombudsman this year highlight how difficult it is for people with disabilities to obtain the services they need, as well as the complex logistics service network partners face in attempting to work in tandem.

→ **Addictions**

P. 118

Under the Regulation respecting the certification of drug addiction or pathological gambling resources, the Québec Ombudsman can now handle complaints and reports concerning residential, community or private resources that offer residential services and support services. Further to a report, the Québec Ombudsman conducted investigations in five addiction treatment facilities. Most of the problems raised were unfounded.

→ **Troubled Youth**

P. 119

In the wake of certain tragic events, the Québec Ombudsman reminded youth centres and health and social services centres of the importance of carrying out neutral and independent case reviews.

→ **Age-Related Loss of Independence**

P. 122

When the Québec Ombudsman intervened following a report, it found that in making the unclogging of emergency rooms a priority, the authorities had failed to factor in the impact of the hasty transfer of the residents, who were elderly and experiencing a loss of independence, to a transitional residential unit that was ill-prepared to accommodate them.

→ **Home Support**

P. 128

The extent and recurrence of problems in accessing long-term home support services prompted the Québec Ombudsman to carry out an investigation into the issue. The ensuing report showed that there is a gap between the aims of *Chez soi: Le premier choix – La politique de soutien à domicile* (the home support policy) and the daily lives of the people who receive—or should receive—these services.

→ **Mental Health**

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Again this year, the Québec Ombudsman had to intervene repeatedly regarding the questionable use of means of restraint, notably with respect to insufficient, if any, consideration of the use of alternative measures.

→ **Physical Health**

P. 133

Even though certain services such as physiotherapy, audiology and speech therapy or tests such as colonoscopies are offered in the public system, accessibility to them is reduced because of wait times. The Québec Ombudsman wonders whether access to these services, which can be obtained more quickly in private clinics, is equitable.

→ **Service Support**

P. 137

Several institutions within the health and social services network did not sufficiently inform citizens deemed non-residents of Québec about the fees they must pay for the care and services they receive at hospitals. In another vein, the Québec Ombudsman welcomes the Department decision to lower the ceiling for the minimum number of kilometres (from 250 to 200) for eligibility for the refund of travel and accommodation expenses incurred for medically prescribed treatments that are not available in a given region.

RESULTS IN FIGURES

P. 161

In 2011-2012, the Québec Ombudsman intervened with respect to 58 of the 80 government departments and public agencies and 190 of the 299 institutions and agencies in the health and social services network subject to its jurisdiction.