

Provincial Advisory Council for the Inclusion of Persons with Disabilities
June 9-10, 2016
Conference Room A, Confederation Building, St. John's, NL
Meeting Notes

Attendees

Paul Walsh, Delia Connell, Elizabeth Chaulk, Dennis Gill, Justin Mercer, Mackenzie Mitchell, Patricia Moores, Nancy Reid, Paula Corcoran-Jacobs, Bruce Oldford, Katarina Roxon

Regrets

Don Connelly, Donna Piercey, Lorna Gilbert, Phil Lundrigan

Opening Comments

Paul Walsh, Chair, welcomed members to the 22nd meeting of the Council. The Chair noted that the Minister and Deputy Minister were attending out-of-province federal/provincial/territorial (fpt) meetings and would therefore not be able to attend their regular session with Council. The Chair congratulated Joanne MacDonald on her honorary doctorate in law and Katarina Roxon on ranking number 1 in the world in a breaststroke competition and being named to the Paralympic team for Rio. It was noted that the Chair and some Council members attended an Inclusive Communities Summit in April.

Tabled correspondence:

- Incoming:
 - Minister Gambin-Walsh's acknowledgement to the submission of the Assistive Technology Advice Paper
 - Minister Gambin-Walsh's letter on volunteer appreciation
 - Health and Community Services Invite to Medical Aid in Dying (MAiD) consultation
- Outgoing:
 - Minister of Child, Youth and Family Services on access to mental health services and supports for parents/guardians
 - Child and Youth Advocate regarding inclusion of children with autism in a service waitlist review being undertaken by this Advocate's office
 - Minister of Health and Community Services on counselling services in American Sign Language for patients/clients who are Deaf
 - Board of Trustees, English School District on accessibility priorities when considering school closures

Council raised issues regarding employment equity (impact of Gender Equity and Diversity Plans) and inclusive education (required hearing component in public exams). Both were flagged for exploration and discussion. The Learning

Presentations

- Medical Aid in Dying Dialogue - Michael Harvey, Assistant Deputy Minister of Health and Community Services, presented an overview of the proposed federal legislation and provincial actions to prepare. Council raised related issues including supports for community living, supports for communicating with

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healthcare professionals, access to palliative care, and access to early intervention, peer supports and mental health services.

- DPO News – Updates included: inclusion grant program, action plan update, accessible communication implementation plan and the new Independent Appointments Commission.

Budget 2016

Aisling Gogan and Stacey Cheater, staff from Poverty Reduction Strategy division in SWSD, presented an overview of Budget 2016 and impacts on Poverty Reduction Strategy (PRS) initiatives. Council:

- Recommended an impact analysis of incorporating the wage subsidy program for persons with disabilities into one wage subsidy program for everyone
- Requested information on the earning exemptions program; its impact on individuals receiving income support and comparison with other jurisdictions
- Identified potential eligibility gaps in the new NL Disability Supplement Program:
 - use of federal Disability Tax Credit (DTC) as eligibility criteria – The DTC has a limited definition of disability and excludes mental health.
 - lack of awareness and uptake of the federal Disability Tax Credit
 - requirement to file federal taxes in order to avail of the new NL supplement
- Raised cautions:
 - Home Support reductions may negatively impact choices and quality of life for persons with disabilities.
 - Budget reductions may potentially impact persons with disabilities more than the general population (analysis required).
 - Barriers exist with accessing information and transportation when applying for programs and services.
 - There may be subsequent and potential barriers with the new requirement that post-secondary students apply and be accepted for a student loan in order to access funding for disability-related supports.

The Work

Hunters and Anglers with Disabilities Program

Chair received correspondence from an individual about the Hunters and Anglers with Disabilities Program; requesting it allow someone to hunt on behalf of another person for reason of disability. Council engaged in a fulsome discussion about this program, the benefits of supporting and accommodating persons to engage in the sport of hunting and angling and people's right to access food by hunting and fishing. Council recommended that the program remain as is and that Government add a proxy option to legislation for persons who are unable to participate in any part of hunting activities for reason of disability.

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Discussion with Buildings Accessibility Advisory Board Chair

Council received an annual update from Cecilia Carroll, Chairperson of the Buildings Accessibility Advisory Board. Discussion included how the current legislation could be improved, such as reflecting Universal Design principles and requiring regular legislative reviews. Council reiterated the priority of renewing the legislation to meet current needs, standards and trends and engaged in a conversation on how its work could support the Buildings Accessibility Advisory Board (BAAB) and in turn advance the work in area of accessibility. Council offered suggestions for BAAB on how they might enhance the effectiveness of their Board.

Annual Report

Council reviewed its draft annual report 2015-16. Council directed a description of substantive achievements be added to the Highlights and Accomplishment section and identified grammatical changes.

Discussion with NL Human Rights Commission

Council received an annual update from Remzi Cej and Carey Majid, the Chair and Executive Director of NL Human Rights Commission. Information was provided on a new process called voluntary resolution. With this new process both parties can now agree to work on resolving the complaint as an immediate and timely first step. This is a neutral investigative process and if successful, this will speed up the entire complaint process. Other discussion points included the recent ruling in Ontario defining miscarriage as a disability and resulting impact; supported decision-making as an accommodation under the NL Human Rights Act, the role of the Human Rights Act (investigative versus advocacy) and how the Act could support inclusion-based legislation.

Actions

Council will:

1. Request feedback on how combining the wage subsidy for persons with disabilities into one wage subsidy program affects persons with disabilities.
2. Meet by teleconference to prepare Budget 2016 advice regarding impact on persons with disabilities.
3. Write the Minister of Environment and Conservation about enabling proxy hunting for reason of disability.
4. Meet with officials from the NL Human Rights Commission about supported decision-making; legislative framework and as an accommodation.
5. Participate in and inform the Medical Aid in Dying consultations.

Next Meeting

Next meeting is tentatively scheduled for September 7-8, 2016 at the Holiday Inn, St. John's, NL.