

December 9, 2015

[Original]

## Human Resources

**Mr. Fitch:** Yesterday, we heard that the Minister of Health had promised to share more information on his firing of the Chief Medical Officer of Health, that is, of course, if he gets permission to speak from Dr. Cleary. I cannot imagine someone giving permission to be slammed in public without the ability to defend themselves.

The minister likes to use the words “open” and “transparent”, and that is fine, even though he hides behind human resources policy and his deputy minister. I will give the minister the benefit of the doubt in my first question this morning and ask him this: Did the minister take the time to reach out and to ask Dr. Cleary for permission so that he can give the information that the people of New Brunswick are asking for, to clarify exactly why he fired Dr. Cleary?

**Hon. Mr. Boudreau:** The opposition members have been asking questions for three days now, and I believe that I have answered the questions to the extent that I am able to answer the questions. The Leader of the Opposition knows very well that all human resource matters fall under the responsibility of the deputy minister as per the *Civil Service Act*. The member opposite should also know that all human resources information is confidential as per the *Right to Information and Protection of Privacy Act*. Maybe he should be consulting someone such as the former Minister of Health and former Attorney General, the member for Rothesay. I think that, if the member for Rothesay had paid attention when he was in law school, he would understand that this is not something that I can comment on specifically. I simply cannot do that as per the laws of the land.

**Mr. Fitch:** Based on what the minister said, there is a former Health Minister who has commented on this. A former Liberal Health Minister has commented on this. Former member Mike Murphy was quoted in the *Acadie Nouvelle* today. He said that he hired Dr. Cleary when he was the Minister of Health. What has changed in the hiring procedure in government? Has the staffing policy manual been changed without our knowledge?

Again, it seems that we now want to ask questions about the procedure and how things came about. If the minister is going to hide behind the fact that it is now the deputy minister’s job to do the hiring and firing, when the present Minister of Health was told that Dr. Cleary was going to be fired, did the present Minister of Health approve of, condone, and continue with that firing?

**Hon. Mr. Boudreau:** Again, we hear the Leader of the Opposition suggest that it is the ministers who hire and fire people within government when the *Civil Service Act* is very clear that it is the responsibility of the deputy head of the department. If the member for Rothesay has been out



of law school too long and has maybe forgotten some of the things related to labour law, maybe the member for Oromocto-Lincoln, who is currently enrolled in law school, could provide some feedback and give some advice to the Leader of the Opposition.

(Interjections.)

**Mr. Speaker:** Order. Order.

**Hon. Mr. Boudreau:** However, it is very clear that we cannot comment on human resources matters or on personnel matters, as the Leader of the Opposition is asking me to do.

(Interjections.)

**Mr. Speaker:** Order.

**Hon. Mr. Boudreau:** The Leader of the Opposition knows very well that, if I do that, the next words out of his mouth will be to ask for my resignation for having breached privacy law, so I will not do that.

**Mr. Fitch:** Again, I am asking the minister about the process. The minister is saying that the deputy minister fired Dr. Cleary. Again, there are conflicting reports from former Liberal Minister of Health Mike Murphy. He actually said that the Premier and the minister would probably be involved in something such as that. We have a differing opinion here. I will go to the process today, and I will give the present minister the benefit of the doubt. When the deputy minister fired Dr. Cleary, did you support the deputy minister's recommendation? Did you advise the Premier of the recommendation of the deputy minister, and did the Premier support that firing?

[*Translation*]

**Hon. Mr. Boudreau:** For the last time—I am indeed saying that this is the last time, because I will no longer answer the same question asked in different ways—I cannot comment on this subject. It is a human resource issue, a confidential matter. The member opposite should be familiar with the Acts and regulations; he has been a minister, and he knows how this works. On the other side of the House, there is a former Minister of Health and Attorney General, as well as another member who is currently enrolled in law school, and the Leader of the Opposition could consult them for advice. As far as I am concerned, I will no longer speak on the subject, because I am not legally authorized to do so.

[*Original*]

**Mr. Fitch:** Again, we are going back to process. We are going back to talking about some of the themes that we have seen with this government in the way that it hires and fires people. Many



deputy ministers have been fired by this government. This goes back to the fact that... When Jane Garbutt was fired from Finance, who fired her?

The minister is hiding behind the deputy minister with regard to Dr. Cleary. He is not saying whether he approved or did not approve of it. Was the Premier involved? The former Minister of Health says that the Premier and the deputy minister should be involved. We have conflicting statements.

I wonder why a particular recommendation given by the deputy minister was followed without question by the present Health Minister and the Premier when the recommendation from staff was not to give Atcon \$50 million. In spite of some of the issues that were going on there, the present minister said: Go ahead. I will sign.

**Mr. Speaker:** Time.

**Hon. Mr. Boudreau:** Maybe the member did not understand me. I am not going to answer any questions in relation to that file anymore. Seeing that he is insistent about asking me questions, I am going to talk about the *Choices* report. That is what is important to New Brunswickers.

We were left with a financial situation that cannot continue. We were left with a province that is in deficit and that has been in deficit for eight years running. Unfortunately, the former government had promised that it was going to address that situation and it failed. We are now attempting to fix the problem. Contrary to the former Finance Minister, the current Minister of Finance and I have the support of our Premier. We have the support of our caucus. We are going to get the job done.

**Mr. Fitch:** It is funny. Yesterday, I mentioned Atcon and the \$50 million. I also mentioned some of the purchases that were made, such as the Aruba rock and some of the other issues. The member for Dalhousie... The Minister of Natural Resources jumped up. I guess they are off that item.

I will go back to... It is not a question of information about an individual. It is just this question: Was the Premier involved? Was the Premier told of this firing by the minister? Did the minister inform the Premier? Did the Premier condone that firing? That is the question. It has nothing to do with the reason for firing Dr. Cleary. We are just asking the minister... In this case, he followed the deputy minister's recommendation. Did he inform the Premier? Was the Premier supportive of that firing?

[*Translation*]

**Hon. Mr. Boudreau:** I will continue to talk about the *Choices to Move New Brunswick Forward: Strategic Program Review* report. As we have indicated, we have choices to make. This report presents revenue and spending options worth about \$1 billion to resolve the deficit situation in



New Brunswick. We have set a goal of \$500 million to \$600 million in order to erase the provincial deficit once and for all.

In the first budget tabled by my colleague, the Minister of Finance, we have been able to find \$115 million. There is still approximately \$485 million for which choices have to be made in order for us to reach our goal. The report includes choices worth about \$1 billion; essentially, half of the measures it includes have to be implemented. What we are asking the people of the province is to help us make the right choices for the future of New Brunswick.

[Original]

### Postsecondary Education

**Mr. Holder:** We are going to take another run at this today. Yesterday, I asked the Minister of Post-Secondary Education, Training and Labour when we could expect a plan with respect to postsecondary education, and we did not receive an answer. There is a crisis. People do not know where this government is going with respect to postsecondary education. Students are waiting, the universities are waiting, and average, everyday New Brunswickers are waiting. I will ask the minister one more time: When can we expect to see a plan with regard to the future of postsecondary education in New Brunswick?

[Translation]

**Hon. Mrs. Landry:** For more than a year, we have been meeting with university and college stakeholders, students, and faculty members. We are now in the process of preparing a sustainable plan for postsecondary education. This plan will focus on the future of New Brunswick, and it will enable students in our province to access affordable postsecondary education. We will also have a system that New Brunswickers can afford. So, we are actively working on preparing this plan, and we will soon have news about it.

[Original]

**Mr. Holder:** When the government cancelled the tuition tax rebate, it said: “We feel there are better ways to support students who need it most. The New Brunswick Tuition Rebate helped only those students who have already graduated”. Can the minister name one of those two better ways? I am asking for only two. The minister has had 18 months now. Can she give us some indication of what those... Can she give us just two ideas that she has that will make postsecondary education more accessible?

[Translation]

**Hon. Mrs. Landry:** You know, the funding formula for the university system dates from 1979. This system is based on enrolment. Since then, enrolment has gone down by 18% in New Brunswick. As for tuition fees, they have increased by 25%. New Brunswickers are contributing



34% more to the university system. It is no longer a sustainable system for New Brunswickers. We are currently investing more than \$310 million in the university system, which represents 61% of university funding. As enrolment is down, we cannot support this system any more. We are currently working with business people, universities, administrators...

[Original]

**Mr. Holder:** The minister could not give me two examples. She cannot give me a timeline in terms of when we can expect a plan. If anybody believes this government has a vision for postsecondary education, I have an Atcon-built bridge in the Northwest Territories I will sell to him or her.

(Interjections.)

**Mr. Speaker:** Order.

**Mr. Holder:** We have asked for a wider, facilitated conversation with all the stakeholders, very similar to what the previous Graham government did with respect to poverty reduction. Why can we not have an open, facilitated, wide conversation with all the stakeholders across the province? Will the government commit to that today?

[Translation]

**Hon. Mrs. Landry:** Our government takes the review of student financial assistance programs very seriously. In fact, we are currently having discussions with the New Brunswick Student Alliance, for example, and we have recently had meetings with FEECUM. Students are telling us that the Tuition Rebate was not working.

We are currently reviewing all student financial assistance programs, and we intend to make postsecondary education affordable and accessible for all New Brunswickers. We must help students during their studies, while they are in school, rather than at the end of the process. So, we have committed to reinvesting the Tuition Rebate funding to make...

[Original]

## Armed Forces

**Mr. B. Macdonald:** My question is for our Minister responsible for Military Affairs. As New Brunswickers, we are all proud of the work done by our troops from Base Gagetown as they deploy overseas and even here at home. Over the last few weeks, many troops from Base Gagetown have deployed overseas to the Middle East.

Professional soldiers should always be treated as such. They should always deploy overseas with their personal weapons, they should always conduct their duties in uniform, and they



should always be tasked with their own personal security and never be asked to rely on others to defend those troops. These are fundamental, inalienable principles of being a soldier. I am wondering whether our Minister responsible for Military Affairs in New Brunswick is satisfied that these core principles are being followed in the current deployment of New Brunswick troops overseas to the Middle East.

**Hon. Mr. Horsman:** As the Minister responsible for Military Affairs, it is my duty to consult and communicate with the leaders of CFB Gagetown, in our situation. We have continually met with the Commander of CFB Gagetown, the colonel. We keep talking with him. We go to events to make sure that, if there is anything that we, as a provincial government, can do, we will surely assist. We are looking at ways that we can help families who come live in our area and who settle in our area. They are not living in just Oromocto or CFB Gagetown's PMQ. They are everywhere in the Fredericton-Oromocto area, and they are living in everybody's communities. We will continue to communicate with the colonel, the Base Commander of CFB Gagetown, and we will help them in any way that we can as a province—not as the federal government. Thank you.

**Mr. B. Macdonald:** Along with the Minister responsible for Military Affairs, I share his confidence in our troops, but the reality is that they are not always their own masters. As soldiers, their fortunes are dictated by politicians and they follow the orders that they receive. The condition, nature, and location of their deployment are not up to them. It is up to their political masters.

This is my question for the New Brunswick Minister responsible for Military Affairs: Is he communicating with his colleagues and peers in the federal government, his political colleagues—the Minister of National Defence and the Prime Minister—to make sure that every possible measure is being taken care of for our soldiers who are deployed to the Middle East and that every possible measure is being taken to ensure their self-defence?

**Hon. Mr. Horsman:** We will certainly continue to speak with Colonel MacIsaac of CFB Gagetown and our federal counterparts. I am sure that Colonel MacIsaac is well aware of how the soldiers are treated. I am sure that the number-one-rated equipment that they do need...

We will certainly make sure that we keep open the lines of communication with our federal counterparts. As of now, I have not spoken with the federal minister yet, but we will certainly make sure that we reach out to that person to make sure that our troops that do go overseas are safe and have the proper equipment. Thank you.

**Mr. B. Macdonald:** I know Colonel MacIsaac well. He is an excellent fellow. The reality is that Colonel MacIsaac is not responsible for where our troops get deployed overseas, how they are equipped, and how their self-defence measures are taken care of.

My question, again, for the minister is this: Can he assure the House today that he will speak with our Minister of National Defence and question that minister on how our troops are being



guarded overseas, what their personal equipment is, and what their personal weapons are, to make sure that all our New Brunswick troops that are deployed to the Middle East have the proper personal equipment to be responsible for their self-defence?

**Hon. Mr. Horsman:** Again, we will keep our lines of communication open with CFB Gagetown. I think that it is very important. I grew up in that environment. My father was in the military, and I am very proud of it. My brother also serves in the military, as do nephews. I want to make sure that, when they do go overseas to protect our country, our province, and our citizens, they do have the proper equipment. I want to make sure that the lines of communication will always remain open. That is why we have a back-and-forth with Colonel MacIsaac. I am sure that, as the Base Gagetown Commander, he certainly should be well aware of what is needed for his troops.

In terms of opening the lines of communication with the minister federally, I will certainly look into keeping those lines of communication open as well. Communication, as I have learned by being in this position so far, has been very much lacking in the government in the last four years. I want to continue to reopen those lines of communication, and I will continue to do so. Thank you.

### Prescription Drugs

**Mr. Stewart:** On Rare Disease Day in February 2014, then-Health Critic and current Minister of Energy and Mines released a statement regarding access to treatments for rare diseases. In that statement, he said:

*we know that over 50 per cent of all rare diseases affect children. ...people who suffer from them frequently encounter difficulties accessing adequate care and, in many cases, securing financial support*

The statement continues:

*In New Brunswick, a new prescription drug program will soon be in place. Unfortunately, the new plan will only cover drugs that are currently listed on the provincial formulary. This leaves a lot of people, including those suffering from rare diseases, without the support*

The statement concludes by saying:

*we can—and must—do better.*

My question today is for the Minister of Health. Do these sentiments still ring true, and, if so, why are you not doing better?

**Hon. Mr. Boudreau:** I would presume that the member for Southwest Miramichi-Bay du Vin has been in the Legislature long enough to understand how the process works. There is a national



Common Drug Review process that all drugs have to go through before they are formally approved within the country. Then, there is the Pan-Canadian Pricing Alliance, which basically negotiates the cost of those drugs with the large pharmaceuticals.

It is not a perfect system, but, at different points, all provinces can add these drugs to their formularies. Formularies vary across the country, from province to province. We are actually working collaboratively with the other three Atlantic Provinces to try to find some common ground in our formularies, to make sure that we are being consistent in the region.

**Mr. Stewart:** Canada Health approved this drug in 2014. Morgan Doucet is a 10-year-old boy from Baie-Sainte-Anne who suffers from Morquio syndrome. This rare and progressive disease leads to heart, airway, and bone and joint disease, corneal clouding, shortened stature, deterioration in walking ability, and a severely shortened lifespan. Last year, Canada Health approved the drug to treat Morquio syndrome. While not a cure, this treatment can dramatically slow down or completely halt the progression of the disease, allowing patients to live a more normal, pain-free, and healthier life.

A few short weeks ago, the Minister of Health denied access to this life-saving drug for Morgan Doucet, even though the treatment was recommended by his genetic specialist at the IWK and is recommended by the Canadian expert panel on Morquio syndrome. It is considered the gold standard of care under the international treatment guidelines. Given this, I ask the Minister of Health: Why are you making medical decisions and overruling and contradicting medical experts, clinicians, and researchers regarding best practice and treatment for Morgan Doucet?

**Hon. Mr. Boudreau:** Once again, obviously, I cannot discuss the specifics of this issue on the floor of the Legislature. What I can talk about is the process that is in place at the Department of Health.

Again, I am a little surprised that the member for Southwest Miramichi-Bay du Vin would not be familiar with the process, seeing that he was part of the former government that actually put in place this process for rare drugs. It was the member for Rothesay, who was the Minister of Health, who put in place the drug plan for rare diseases. That drug plan lays out a process. Part of that process, because we do not have the level of expertise on these rare diseases and rare drugs here in the province, is that we rely on the province of Ontario. This is a process that was put in place by the former minister, who is the current member for Rothesay. It is a process whereby we send the file and the request to the department in Ontario. They review it and come back to us with an answer.

**Mr. Stewart:** The drug that Morgan requires is currently being funded by Saskatchewan, Ontario, and Quebec and in most developed countries. Morgan's application was denied by a single reviewer from Ontario, a reviewer who no longer practises medicine and has never used this treatment. Recently, Saskatchewan found errors in the same review process conducted by the same reviewer.





The people in Saskatchewan wanted to ensure that they got the decision on whether to deny life-saving medication right, and they ordered a second review. They consulted the true experts who deal with the disease and who have experience with this drug and the impact that it has on patients. In Saskatchewan, they decided that it was better to look at the overwhelming clinical expert opinion, patient-reported outcomes, and peer-reviewed published journals to help them make life-and-death decisions, rather than relying on the opinion of one person alone.

Based on this, I ask the Minister of Health and the Premier this: Will they show the same leadership and do the right thing by ordering a new review of Morgan's file, and will they provide immediate access to this life-saving treatment while that review is taking place?

**Hon. Mr. Boudreau:** These are very difficult situations. These are not easy files to deal with. I can assure you of that. Everybody in this Legislature has a heart and understands that these decisions are difficult to make.

Without talking about the case in particular, I can tell you that, across the country and in New Brunswick, some cases get approved and some cases do not. We follow a process. I am not an expert. We do not even have those experts within our department or within our province.

(Interjection.)

**Mr. Speaker:** Order.

**Hon. Mr. Boudreau:** That is why a process was put in place by the former government. We are following that process. This is the process. The file gets sent to Ontario, which has the specialists needed to do these types of analyses, and they come back with a report. There have been times where they have come back with a report that has said: You should fund this drug for this individual. There are other cases where that has not been so. We are following the process that is in place.

## Police Services

**Mr. Fairgrieve:** I want to begin by acknowledging my respect for Roger Brown, the Commanding Officer of the RCMP in New Brunswick. This week, his job was made more difficult when information surfaced that four of his officers in the Woodstock detachment have been suspended for discreditable conduct.

My question is for the Minister of Public Safety. The Woodstock detachment is staffed by approximately 20 officers. With 20% of this force now on suspension, can the minister ensure residents that adequate policing is ongoing?

**Hon. Mr. Horsman:** I would like to thank the member opposite for the question. It is imperative that all towns, villages, and cities are policed at the highest standard. I would like to ensure the



member from the Woodstock area that I was speaking with Roger Brown and there are still 20 members policing that area—no more and no fewer. The RCMP still maintains that.

I would also like to commend the work that the police and all first responders do in our province. They continually protect our citizens. They continually leave their families to protect ours. As the member for Gagetown-Petitcodiac always states, we go one way, the public goes one way, and the first responders go the other. I know that this is the case today, not just in the Woodstock area but also all over the province. Thank you.

**Mr. Fairgrieve:** It is good to know that staffing levels have been maintained. However, I would ask this of the minister: As three of those officers have been suspended since early November, according to statements issued yesterday, can he inform this Legislature when his office was first made aware of this? What has the minister done to address it? If staffing levels have been maintained at 20 officers in the Woodstock detachment, where did those officers come from?

**Hon. Mr. Horsman:** I know the member for Carleton is a new member, and I have only been here for a little over a year. However, I will not comment on anything that the RCMP does or from where it brings its members. That will be left to Assistant Commissioner Roger Brown.

I will, again, stand up to thank the people who are first responders, members of the RCMP and members of municipal police forces—all first responders in this province—for the good work that they do. Just this past September, we had a heavy rainfall. I can attest that I was in that storm coming back from St. Andrews. First responders were out within an hour protecting the public. They were out in the rain and away from their families to make sure that we were safe. I know that they will continue to do so. That is our number one priority at the Department of Public Safety. I know that protecting the people of this province is the number one priority of Assistant Commissioner Roger Brown as well. Thank you.

**Mr. Fairgrieve:** I share the minister's high opinion of our first responders. However, the question was about ensuring adequate policing services for the residents of the area served by the Woodstock detachment.

Earlier this year, the town of Hartland and a number of nearby local service districts expressed their intention to look into alternatives other than the RCMP, based on a perceived reduction in service and rising costs. Has the minister instructed his department to explore other options related to community policing outside the RCMP contract?

**Hon. Mr. Horsman:** Again, I want to thank the member opposite for the question. We at the Department of Public Safety know that there is a high, rising cost of policing. It is not a New Brunswick problem. It is a Canadian or even a North American problem. We at Public Safety continue to work with our stakeholders, be it the chiefs of police, the unions, or the commission, to make sure that a high standard of policing is set and will continue to be met here in New Brunswick.



Our number one priority at Public Safety is the protection of the people of this province. We want to make sure not only that job creation is important, not only that we get our fiscal situation and our economy in order, but also that we ensure the safety of the people, to make this the best place to live and raise a family.

**Mr. Speaker:** The time for oral questions has expired.

