

November 10, 2017

[Original]

Health Care Services

Mr. Higgs: After 14 questions, we had somewhat of a revelation. The revelation is that it is not too late. We learned from the Premier yesterday that only the MOU has been signed. A memorandum of understanding is an intent to formulate an agreement if everything works out. Well, everything is not working out. We have thousands of people around the province who are saying no to this sole-sourced agreement with Medavie. We have Vitalité saying no. We have Horizon Health Network saying no. We have people in rural New Brunswick worried about the home care services that they have been receiving from the Extra-Mural Program for generations.

We have an opportunity now—and we know it—to cancel this deal. We have an opportunity to do what is right for health care in New Brunswick. I am asking the Premier this right now: Knowing that it is not too late, will he stop the discussions and will he cancel the deal with Medavie? Thank you.

Hon. Mr. Gallant: Delivering high-quality health care in a way that it is accessible to all New Brunswickers, including those in rural New Brunswick, is crucial to the people of our province and therefore crucial to their government. That is exactly what this project would help us do. It will ensure that we have a publicly funded Extra-Mural Program that is managed by a nonprofit organization. It will ensure that we can increase visitations to those who require and deserve strong home care. It will help us synergize, as well, when we are delivering care to patients across the province.

The Leader of the Opposition, on one hand, is saying that he does not have enough information, and on the other hand, he is saying to cancel the deal. Those two do not jibe together. We are giving the information. We are transparent about what this project will be able to help us accomplish. We ask that the opposition help us to ensure that we deliver good health care to all New Brunswickers.

Mr. Higgs: What we do know is that this proposal is the next step toward American-style health care, and that is our concern. That is the real concern.

We do not know the details. All we have is: Oh, it is going to get better—trust us. Well, that is pretty thin ice to be walking on, is it not? We do not have any details of the performance, so we will work that out after the deal is done. The opportunity now is to be fully transparent on this process, to lay it all out there and let people see the opportunities within our health care system. Let the professionals actually deliver the results, as I know they can and they have done for generations. Are there ways to improve? I expect there are, but I am sure they know it and



would love to be part of it instead of our just giving it away without any sort of visibility or transparency.

I will ask again, in relation to the details of this contract: Will the Premier commit today to sharing the actual details of this contract that he intends to sign with Medavie? If it is not signed already, that must mean he intends to do so.

[*Translation*]

Hon. Mr. Gallant: The performance indicators were shared with New Brunswickers at the public meetings, as well as with the Leader of the Opposition, who himself attended one of the meetings.

We are as transparent as we can be, but it must be understood that our government is involved in negotiations to finalize certain details. We are saying what the project will help accomplish, but, unfortunately, the Leader of the Opposition is trying to scare people, even though he knows that this program will be publicly funded, even though he knows that nurses will be working for the government, and even though he knows that it is just the management that will be taken over by a non-profit organization.

The Leader of the Opposition knows all this, but he is still trying to scare people. On our side of the House, we know that the project will help us innovate and increase the number of visits for people receiving home care.

[*Original*]

Mr. Higgs: For all the details that were shared in the public meeting, that is precisely the reason I am questioning this today. That is precisely why. I have not seen enough information that actually says we can have a better result with this deal.

The opportunity is real. The Premier has a chance to stop the discussions, to actually have a dialogue with health care services, to have a dialogue with extra-mural services, and to get a program that is done right and done properly.

I will ask the Premier this question: Would he agree that there are a lot of people right now who are not happy with this deal and who would like to have it stopped? Would he agree that right now, people are rallying by the thousands in this province, saying: We do not want this to happen? Would he agree that he has stated over and over again that he is listening to New Brunswickers and getting things done? Well, they are asking him not to do this, so do not get it done because they do not want it done. Would he agree to stop this contract at this point in time?

Hon. Mr. Gallant: There are, of course, people who have some concerns. That is fine, and we will certainly listen to those concerns and do the best we can do address them. Often, the best



way to address them is to simply explain what this project is and what this project is not. I can assure you that the Leader of the Opposition's fearmongering is not helping New Brunswickers to understand this project and what it really is.

He knows that there are matrices for performance. These include increasing by 15% the number of visits, decreasing by 15% the emergency room visits by EMP patients, going from three days to one day between the referral and the first intervention with the patient by EMP, increasing referrals by 20%, and ensuring that there is the same quality. These are the performance indicators that will have to be followed. They were explained to the Leader of the Opposition, yet he is getting up today and saying that he does not know and that he does not think there are any performance indicators. That is just not the case.

Mr. Speaker: Time.

Mr. Higgs: I will ask a simple question. On those soft targets that the Premier just talked about, what is the penalty clause if they are not met? What is the penalty clause for Medavie if it does not meet its targets?

Hon. Mr. Gallant: What is the Leader of the Opposition talking about, soft targets? Increasing EMP visits by 15%, decreasing emergency room visits by EMP patients by 15%, going from three days to one day as the time between the referral and the first intervention with the patient by EMP, increasing the number of referrals by 20%, and having the same quality... What is loose and goose about those? Those are very clear indicators that the Leader of the Opposition is aware of, yet he stands up again today trying to fearmonger.

This project has indicators that will increase health care performance, quality, and accessibility for the people of our province. This project will ensure that it is publicly funded. This project will ensure that the staff still work for the government, and this project will be managed by a nonprofit organization. Will the Leader of the Opposition please get up today, stop fearmongering, and admit that he knows all the things that I just said and that what he has been saying is nothing but fearmongering to the people of our province?

Mr. Higgs: What is loosey-goosey is any deal or any comment. Anything that this government has had its hands on ends up being loosey-goosey.

I want to know, with these soft targets, what is the penalty clause if they are not met. That is all I am asking at this point. What is the penalty clause if these soft targets are not met? Thank you.

Hon. Mr. Gallant: We have key performance indicators that are nothing but solid, and they are very clearly going to ensure that we deliver better health care in a way that is high-quality and more accessible. The Leader of the Opposition has been aware of these key indicators since day one, yet he gets up day after day fearmongering, saying that there are no key indicators in this



negotiation. He is trying to say that performance will drop when very much the opposite will happen.

In terms of what would happen if the key indicators do not get achieved, that is what is being negotiated. You can be certain that our government is going to hold Medavie and everybody involved to account to provide better health care, which is more accessible for all, to New Brunswickers. We believe that we can do this by working together and innovating, and we simply ask the Leader of the Opposition to talk about the real facts and to stop fearmongering.

Mr. Higgs: The question was this: What is the penalty clause? Does that mean that... Now, it is being negotiated. They have set up a program where they are putting out soft targets that are easy to meet. Does that mean that they do not get their bonus if they do not meet their targets, or does it mean that they lose their contract? There is a big difference. If you have soft targets that you cannot lose... It is one thing if you lose your bonus, but it is another if you lose your contract. Also, if you have targets that are easy to beat, you do not have any targets at all.

I want to know what is the penalty clause that would cause Medavie to lose this contract. Also, what are the requirements, and are they approved by, let's say, Medavie or Vitalité, basically to say: Do you know what? These are not real targets. These are just soft targets that anybody could meet. What is the penalty clause, and what is the exit clause to get out of a deal that is obviously heading down a road that is bad for New Brunswick?

Hon. Mr. Gallant: We have made it very clear to the people of our province that there will be an exit clause. Again, the Leader of the Opposition has to stop fearmongering. These are not soft targets.

In terms of increasing the EMP visits by 15%, I think that the patients of our province would love to see an increase of 15% in visits. In terms of decreasing the number of emergency room visits by EMP patients by 15%, I think that our hospitals and doctors would love to see that as well. In terms of going from three days to one day for the time between a referral and the first intervention with the patient by EMP, I think that the patients and the people of our province would love to see that happen. By increasing referrals by 20%, all the while having the same quality, making sure that it is publicly funded and managed by a nonprofit organization, and having staff work for the government, everybody is going to have better care that is accessible and high-quality.

Mr. Higgs: There you have it again. Everyone is going to get this. Everyone is going to get that. We know that it is just one more, oh, yes, we will hand it over, and everything will be better. We will not make it public. We will not make the requirements of how it can be better. We will not define the details of the contract. And the exit clause—what will that turn into?

The purpose here is to make the agreement public, not in the commercial terms but in the actual terms of delivery. Then, if you go to a second step of making it public, it would be in relation to why it is sole-sourced. Right now, let's ask one simple question. Let's make public



the conditions of where we are today and what this is going to do to improve it so that we know what is written into the contract and we know that it is not just about losing a bonus if you do not get it. It is about losing the contract if you do not meet it.

Hon. Mr. Gallant: I think we have been pretty clear. There is an escape clause. There are key indicators that have to be met in this contract for it to be a success.

I do want to take issue with what he said, “hand it over”. He is giving the impression again of something that is just not the case. I want to read a couple of quotes.

“Simply put, Medavie Blue Cross is uniquely positioned to deliver this critical service to those New Brunswickers who are uninsured.”

That was a former Health Minister, the member for Rothesay. He said that in a government news release on December 12, 2013, when the Conservative government sole-sourced the Drug Plan to Medavie.

Here is another great quote:

“Medavie Blue Cross is one of the largest employers in our province and a vital part of the information technology and business community in Greater Moncton,” said Government Services Minister Sue Stultz. “I am proud that our department and our strategic procurement division were able to negotiate the contract with Medavie Blue Cross to secure best value for taxpayer dollars on behalf of the Department...”

Mr. Speaker: Time.

Mr. Higgs: Medavie is struggling with Ambulance New Brunswick. We have heard lots of stories about that, so it is always a good reason to give it more if it has a problem with what it has. The point is this: Why would you do that? Why would you not get one problem sorted out before you would even consider going to the next step?

I have asked the questions about the deal. We realize that the deal is not signed. It is an MOU process. We have thousands of people protesting who do not want this to happen. We are concerned about American-style health care now coming to New Brunswick. There is an opportunity for the Premier to do the right thing. There is an opportunity to bring a halt to this and not to be on a timeline of January 1. We should say: We can fix this, and we can work with the people of New Brunswick. We can give the Extra-Mural Program an opportunity to do the job that it can do and do it better than it has ever done before, if we are setting targets that are really targets. I am committed, and I believe that it can do that.

Once again, will the Premier put a halt to this and stop these discussions until the people of the province...



Mr. Speaker: Time.

Hon. Mr. Gallant: I am surprised—I really am—with the line of questioning, clearly doubting that Medavie is going to be able to do a good job and be a good partner in delivering strong health care services in the Extra-Mural Program in a way that it is accessible to all. Why in the world would he be saying that when, and I quote:

“Simply put, Medavie Blue Cross is uniquely positioned to deliver this critical service to those New Brunswickers”

That was said by the member for Rothesay. This was when the Conservative government sole-sourced the Drug Plan to Medavie. It sole-sourced the Drug Plan to Medavie.

Another quote, again:

“Medavie Blue Cross is one of the largest employers in our province and a vital part of the information technology and business community in Greater Moncton,” said Government Services Minister Sue Stultz. “I am proud

I quote, “I am proud”.

that our department and our strategic procurement division were able to negotiate the contract with Medavie Blue Cross to secure best value for taxpayer dollars on behalf of the Department of Health and good-paying jobs for the people of New Brunswick.

Why was it okay for his government and not ours?

Mr. Savoie: May I have permission to speak from a chair other than my own?

Mr. Speaker: Do we have unanimous consent?

Hon. Members: Agreed.

Mr. Speaker: Proceed.

Government Policy and Procedure

Mr. Savoie: Thank you, Mr. Speaker. After 73 days, the Premier finally asked the member for Campbellton-Dalhousie to choose. That indicates that the Premier understands that it is wrong to be both an MLA and a lobbyist.

If the Premier understands that it is wrong to be both an MLA and a lobbyist, he must also understand that it is also wrong to be a minister campaigning and negotiating for a job while he is a minister. The Premier knew on August 21 that one of his ministers was negotiating for a job.



However, he allowed him to continue on as minister, to seek employment, and to negotiate that employment for another two weeks before he was removed from Cabinet. Will the Premier acknowledge now that he acted irresponsibly and that he should have removed this minister from Cabinet immediately upon learning that he was using that position to seek employment? Thank you.

Hon. Mr. Gallant: There we have it. The Leader of the Opposition, when questioned, runs and hides. Why will the Leader of the Opposition not explain, when his government sole-sourced the Drug Plan to Medavie in 2013, why it was okay for his government to do it but not for ours? The member for Rothesay said:

“Simply put, Medavie Blue Cross is uniquely positioned to deliver this critical service to those New Brunswickers

Why was it okay for the member for Rothesay to say it when he was the minister, and why is it not okay for our government to do something similar? The Government Services Minister Sue Stultz said:

“Medavie Blue Cross is one of the largest employers in our province and a vital part of the information technology and business community in Greater Moncton

Why was it good to be working with Medavie when he was in government, but it is not now? I will tell you the answer. He wants to farmonger. We on this side of the House are going to work with positive partners such as this nonprofit organization that is going to help increase visitations for the people of our province.

Mr. Savoie: I have two things: (1) saying it louder does not make you right and (2) the Premier is the one hiding because he is not answering this question and has not answered any of these questions on his actions with the member for Campbellton-Dalhousie.

On August 21, the Premier says that he and the minister went out for dinner and discussed the fact that the minister was negotiating for a job. On August 22, the Premier found that so egregious that he sent the minister a letter removing him from the portfolio of Labour. However, government press releases and the member for Campbellton-Dalhousie continued to suggest that he was still the Minister of Labour.

On September 5, the Premier decided that he was going to remove the minister from Cabinet. It then took well over a month for the Premier to decide that the member could not be a lobbyist and an MLA at the same time. What took so long for the Premier to realize the conflict that was so evident to everybody else? Will he answer that question? Thank you.

Hon. Mr. Gallant: I would ask the Leader of the Opposition to get up on his feet and explain why, when he was the Minister of Finance, it was okay for Minister Sue Stultz to say what follows.



“Medavie Blue Cross is one of the largest employers in our province and a vital part of the information technology and business community in Greater Moncton... I am proud that our department and our strategic procurement division were able to negotiate the contract with Medavie Blue Cross to secure best value for taxpayer dollars on behalf of the Department of Health and good-paying jobs for the people of New Brunswick.

This was when the Leader of the Opposition’s government went out and sole-sourced the Drug Plan to Medavie. The Leader of the Opposition has to get up on his feet and explain to New Brunswickers why it was okay for his government to sole-source and why, when he was in power, Medavie was a great organization to do business with and now everything has changed and he has to fearmonger, letting the people of our province believe that something has happened when it has not. We are going to deliver good services to the people of our province through this project.

Mr. Savoie: I have two things: (1) the people already chose their mandate in 2014 and (2) they will choose again in 2018. We are going to see whether the Premier is going to be asking questions from this side of the House after that day.

For two weeks, the Premier knew that one of his ministers was actively negotiating for employment. That seems to run counter to the federal *Conflict of Interest Act*. It seems to be a pretty clear conflict. However, this Premier allowed his minister to retain the title of minister and to retain his seat in Cabinet for the whole time that he was negotiating for a job. There were two weeks when this Premier knew explicitly what this minister was doing. The Premier allowed that minister to stay on as minister while he was negotiating for a job. This Premier enabled the process to continue. Will this Premier now accept responsibility for what he has done? Will he accept responsibility for allowing this minister to remain in Cabinet while he was negotiating for a lobbyist job? Thank you.

[Translation]

Hon. Mr. Gallant: We have already discussed this matter at length; as a government, we have taken concrete steps to make sure that we are transparent and accountable to New Brunswickers. It was not easy for our government to do this, but it was the right thing to do. That is precisely why we have taken these steps.

[Original]

With the member for Saint John East up on his feet, I have to ask this: Would he explain whether he agrees with his Leader of the Opposition? Does he agree that it was a good thing that the LNG terminal got the tax break that it got in 2005? Is he embarrassed that the Leader of the Opposition got up and said that he did not support and promote the LNG terminal tax break while we have evidence that, indeed, he supported and promoted the LNG terminal tax break? Is he ashamed that all that happened when the Leader of the Opposition does not



support Living SJ, a program to end generational poverty in his riding and in the city of Saint John?

Cannabis

Mr. Wetmore: My question is for the Minister of Health. Will the government's new cannabis Crown corporation be getting involved in the medical marijuana business now or in the future?

Hon. Mr. Bourque: I am happy to say that I served on the cannabis committee that the Legislative Assembly had. I chaired that, and I know full well that the member opposite was a member of that committee. I am quite confident in saying that the member opposite knows very well that medical marijuana is federally regulated. The provinces do not have a single thing to say when it comes to regulating medical marijuana. It is all federal, so we do not touch that.

We have been asked to regulate, based on Bill C-45 and Bill C-46 from the federal government, recreational marijuana. That is what we have done. Today, we will present some bills that will show New Brunswickers that we are taking this responsibility very, very seriously. New Brunswickers will know that we understand the risk. We want to protect our children, and we want to keep the profits out of criminal organizations. Thank you.

Mr. Wetmore: I certainly hope that the Minister of Health is not calling medical marijuana dispensaries criminal organizations. We have a number of medical marijuana dispensaries operated by responsible, dedicated, and professional independent health services providers. These people are knowledgeable, helpful, and focused on easing the pain and suffering of others. Are medical marijuana dispensaries going to be ordered to close after recreational marijuana becomes legal on July 1?

Hon. Mr. Bourque: During that time, we did meet with some people who run dispensaries. Yes, I agree with the member opposite that these are people who do want what is best and who do what they can. The fact of the matter is that those dispensaries are totally illegal, and that is a fact.

Again, that is regulated by the federal government. It has nothing to do with the provincial government. What we are doing is taking care of the recreational cannabis portion, which we have been mandated to do by the federal government. We are taking very important steps toward that. We are submitting five bills today that are all related to how to better protect the youth of our province and to ensure public awareness campaigns so that New Brunswickers will be able to have a safe way to consume cannabis while our children are protected. Thank you.

Mr. Wetmore: Will the government members lobby their federal cousins on behalf of medical marijuana dispensaries to come up with a way for these dispensaries to be licensed and to continue providing their unique service to New Brunswickers whose health care includes medical marijuana?



Hon. Mr. Bourque: I will reiterate the fact that this issue is totally under federal jurisdiction. We, on the other hand, are concentrating on recreational marijuana. I am happy to say that New Brunswick has been a leader in this field and other provinces are looking at what we are doing as a reference point of what to do to regulate the sale of recreational cannabis.

It is not only the sale of recreational cannabis but also how do we protect our youth. How do we keep the profits out of the hands of criminal organizations? I believe that through the Crown corporations model that we have, that is the best way to start. We have seen in other jurisdictions that there are risks involved in extending it too widely. There have been increases in emergency room visits and so on and so forth. We are taking the prudent, safe approach, and we want to protect the people of New Brunswick.

Health Care Services

Mr. B. Macdonald: The Gallant government has a record of following, not leading. The only explanation it is giving us for this \$2-billion award of a 10-year contract to Medavie—sole-sourcing it to Medavie—seems to be this: Well, you guys did it, so we are going to do it.

It is not too late for this government to lead. Will the Premier stop this contract and compete it in a fair, open, competitive, and transparent process?

Hon. Mr. Gallant: First off, I would like to point out that for days and days and days, we have been explaining why we are advancing with this project. It is because it is going to increase by 15% the visits to EMP patients and it is going to decrease the number of emergency room visits by EMP patients by 15%. We have key indicators that the period will go from three days to one day in terms of a referral and the intervention with the EMP patient and increase the referrals by about 20%. At the same time, we will have the same quality in a publicly funded situation, managed by a nonprofit organization.

The member opposite should have seen that we have taken days to explain the project. However, after a while, we have to point out that it was okay for the previous government to sole-source the Drug Plan to Medavie. When the members of the previous government were talking about that, they said that Medavie was great, that it was a great employer in Moncton, and that it was a great thing for the province.

All we ask is: What has changed? Why is it not okay for us to do something similar with Medavie?

Mr. B. Macdonald: I am glad to hear that the Premier is against sole-sourcing. My question to him is simple: If this contract is so good, why does he not just compete it?



[*Translation*]

Hon. Mr. Gallant: Once again, I repeat that we want to know why the previous government, within which the Leader of the Opposition served as minister, was, according to the Leader of the Opposition and the member for Rothesay, able to sign an agreement with Medavie to provide services under the New Brunswick Drug Plan for the people of the province. Why was it acceptable for the former government to work with Medavie, and why would it now no longer be acceptable for our government?

[*Original*]

Why was it okay for the previous Conservative government members to sole-source the Drug Plan to Medavie, which was a great organization, according to them back then? Why has that changed so that we, as a government, should no longer be working with Medavie? That is a simple question, and I think New Brunswickers certainly deserve the answer. If they do not want to answer, I will tell you why it is. It is because the Leader of the Opposition wants to play politics. He wants to fearmonger. He wants to give people the impression that they are not going to get the care that they deserve and need. In fact, they are, and it is going to be even better and more accessible.

Mr. Speaker: The time for question period has expired.

