

Annual Report 2009-2010 – Facts and Highlights

Total complaints and inquiries received: 12,444

Special Ombudsman Response Team (SORT) investigations in 2009-2010:

- *Too Cool for School* (Bestech Academy – July 2009): **Page 29** – Recommendations included rigorous enforcement of *Private Career Colleges Act*; Ministry of Training, Colleges and Universities (MTCU) introduced new regulations to enhance enforcement powers and began levying fines in December 2009.
- *Too Cool for School Too* (Cambrian College – August 2009): **Page 30** – Urged stricter controls on colleges and compensation for students left unqualified upon graduation; MTCU agreed on need for binding policy directive to ensure accurate advertising and promotion of college programs.
- *Positron Emission Tomography* - (PET scans – July 2009): **Page 32** – Investigation into the Ministry of Health and Long-Term Care's administration of its Positron Emission Tomography program was resolved; Ministry agreed to insure PET scans for some indications and is working with Cancer Care Ontario to look at uninsured PET services; SORT continues to monitor.
- *A Vast Injustice* – (Avastin – September 2009): **Page 33** – Ministry of Health and Long-Term Care agreed in December 2009 to lift the funding cap and expand access to Avastin for colorectal cancer patients.
- Dental Implants – **Page 34** –OHIP coverage of medically necessary dental implants provided to complainant following SORT's intervention.
- Combination therapy for pulmonary arterial hypertension (PAH) – **Page 35** – Ministry of Health and Long-Term Care agreed to fund combination drug therapy for patients with pulmonary arterial hypertension and approved revisions to Exceptional Access Program reimbursement criteria for PAH drugs in wake of SORT's intervention. (Case was resolved without full investigation.)

Special Ombudsman Response Team (SORT) investigation updates:

- Coroner's inquest delays (March 2008): **Page 40** – Progress report by Coroner's Office in September 2009 noted measures in place to address backlog of cases through improved administrative and investigative practices. SORT will monitor.

- *A Test of Wills* (Legal Aid Ontario – February 2008): **Page 41** – Ministry of the Attorney General and LAO evaluating new protocol to ensure careful and effective expenditure of public funds.
- *Collateral Damage* (Mental health services for soldiers' children – April 2007): **Page 41** – An average 103 clients received services each month at CFB Petawawa's Phoenix Centre; wait times for therapy are no more than 4-6 weeks.
- *A Game of Trust* (Ontario Lottery and Gaming Corporation – March 2007): **Page 42** – Effective November 2009, OLG banned retailers from purchasing lottery tickets in their own stores; the Ombudsman welcomed the move.
- *Adding Insult to Injury* (Criminal Injuries Compensation Board – February 2007): **Page 43** – CICB caseload continues to shrink thanks to influx of funding and staff in years since Ombudsman's report, but claims still take almost two years to be processed and advisory committee of victims is still under consideration.
- *Getting it Right* (MPAC – March 2006): **Page 44** – MPAC committed to fine-tune the availability of "neighbourhood zone" information based on customer feedback.
- *Between a Rock and a Hard Place* (Children with special needs – May 2005): **Page 44** – Ombudsman staff worked with senior Ministry officials and service co-ordination agencies to ensure that families received services without giving up custody rights. Some 39 complaints were received relating to services and treatment for children with special needs this year, up from 24 last year.
- Long-term care and Hamilton Niagara Haldimand Brant Local Health Integration Network (HNHB LHIN): **Pages 38-39** – SORT's ongoing investigations into the monitoring of long-term care homes and the decision-making process of the HNHB LHIN are both in the process of being finalized. The Ombudsman will release his findings in both cases in the near future.

MUSH sector complaints (outside Ombudsman's mandate) – Page 15: 1,523

- Municipalities (excluding closed meeting complaints): 623
- Universities: 23
- School Boards: 110
- Hospitals and long-term care facilities: 233
- Children's aid societies: 296
- Police: 228

OMLET – Open Meeting Law Enforcement Team update: Pages 47-53

- New complaints: 68 (most resolved – only 4 full investigations)
- Municipalities mentioned in this report: Niagara Region, Fort Erie, St. Catharines, Kearney, Leeds and the Thousand Islands, Clarence-Rockland, Northeastern Manitoulin and the Islands, Plummer Additional, Prince and McKellar.

Successes achieved by Ombudsman staff (see Case Summaries section, Pages 54-67):

- Stopped Legal Aid Ontario from wrongly charging a woman \$802.28 and placing a lien on her property after it could not produce any documents supporting the fees charged (Page 54).
- Helped a grandmother receive \$1,700 in emergency set-up funding for caring for her grandchildren after she was wrongly told to submit receipts to a children's aid society (Page 55).
- Prompted the Family Responsibility Office to negotiate payment of support arrears to a woman after it failed to place a writ on her ex-husband's property when he sold it; the woman received \$14, 975. (Page 57)
- Helped a man get back \$9,150 from the Family Responsibility Office that it had wrongly collected from him despite a court order to the contrary. (Page 56)
- Obtained OHIP coverage for twin babies who were born in the U.S. because of lack of space at an Ontario hospital. (Page 62)
- Prevented an inmate from serving an extra 100 days behind bars due to a paperwork error (Page 58)
- Stopped Hydro One from cutting off the electricity for a bedridden woman's oxygen machine over an unpaid bill. (Page 60)
- Obtained a \$2,189 refund for a man who had been wrongly charged business rates on his home power use by Hydro One for six years. (Page 60)
- Helped an Ontario Disability Support Program recipient who was facing imminent eviction and was unable to pay for transportation visit her terminally ill mother in hospital (Page 58).
- Convinced the Ministry of Training, Colleges and Universities to:
 - pay more than \$2,000 in tuition reimbursements that it wrongly denied to an unemployed apprentice worker (Page 64);
 - direct a college to reimburse a part-time student \$1,355 after she was wrongly charged full-time tuition (Page 63); and
 - scrap an antiquated OSAP policy that discriminated against hairstyling students. (Page 65)
- Prompted the Ministry of Transportation to send out a forgotten reimbursement cheque for \$4,481.65 for car damage caused by its construction work, and identified a computer system inadequacy that undermined protection for used-car buyers. (Page 66)