



Office of The Alberta
Health Advocates
2020-2021 Annual Report

Health Advocate
Mental Health Patient Advocate



Letter to the Minister of Health

The Honorable Jason Copping
Minister of Health
423 Legislature Building
10800 97 Avenue
Edmonton, AB Canada T5K 2B6

Dear Minister Copping:

On behalf of the Office of the Alberta Health Advocates (OAHA), I am pleased to present our 2020/21 Annual Report. This report is submitted in accordance with the provisions of Section 47(1) of the *Mental Health Act* and Section 6(1) of the *Alberta Health Act* for your presentation to the Legislative Assembly.

The report provides an overview of the roles, activities, and accomplishments of both the Mental Health Patient Advocate and the Health Advocate for the period of April 1, 2020 to March 31, 2021. It summarizes the activities of the Mental Health Patient Advocate in supporting patients receiving care under the *Mental Health Act*. We help ensure they understand and exercise their rights and we investigate complaints from or related to patients who are under Admission Certificates, Renewal Certificates, or Community Treatment Orders. Additionally, the report summarizes the activities of the Health Advocate in supporting Albertans to address and resolve concerns about health services and to navigate the health system. The Health Advocate also provides education to Albertans about the Alberta Health Charter.

While the OAHA operates independently from Alberta Health, we work closely with and appreciate the support of ministry staff and all stakeholders in the health care system. We look forward to continued collaboration with the Government of Alberta to achieve our mission of helping Albertans gain the knowledge they need to fully access, navigate, and advocate for themselves in the health care system in order to support the vision of the Health Charter and the rights of patients as outlined in the *Mental Health Act*.

Respectfully submitted,



Janice Harrington
Alberta Health Advocate & Mental Health Patient Advocate



Letter From Health Advocate/ Mental Health Patient Advocate

I took on the dual role of Alberta's Health Advocate and Mental Health Patient Advocate in November 2019, ready to embrace a new challenge and affect change where it may be needed and would add value to the work of the Office of the Alberta Health Advocates (OAHA).

Little did I know that change would indeed be coming, quickly and on a scale none of us could have anticipated. As the global pandemic hit in March 2020, our organization, like so many, began to shift how we work while doing everything possible to minimize any negative impact on the important services we offer Albertans. Fortunately, while the way in which our team works and where they work shifted in 2020-2021, the services we provided and our approach to helping advocate for Albertans did not change. Despite the significant increase in new files and those looking for assistance due to COVID-19, we were able to focus on operational needs like improving our processes and our database and still maintain our efforts to ensure patients' voices were heard.

As you will see reflected in the 2020-2021 Annual Report, the OAHA managed its operational, legislative, educational, and stakeholder relations goals successfully while navigating the pandemic. We did so while never wavering from our mission.

The most notable event for our organization in 2020-2021 was the proclamation of the [Mental Health Amendment Act, 2020](#). The amendments to the *Mental Health Act* provided much needed modernization of the legislation and improved efficiencies and patient rights. It enhanced the role of the Mental Health Patient Advocate and processes to improve access for formal patients. We appreciated the strong partnership with both Alberta Health and Alberta Health Services in developing and implementing the legislation.

The work of the OAHA involves many new files and issues every year. While the volume and breadth of the work could easily become the metrics by which we measure our

success and impact, our focus always has been and will remain on the people we serve. Listening to their stories, ensuring they understand their rights and feeding their experiences with policy and operational decisions back to the system guides everything we do and any recommendation we make. You will see examples of some of those stories highlighted throughout our annual report.

One of our goals each year is to maintain relationships with key stakeholders across the health care sector to share information and ensure the patient perspective is considered in planning and operation. These collaborative relationships make our job so much easier, and I am grateful for the support we receive from staff at Alberta Health, Alberta Health Services, and the regulatory colleges, agencies, and other advocate offices. I also want to extend a special thank you to OAHA staff for managing an increased workload during a challenging year and doing so with compassion and dedication to the patients and family members who trust us with their stories.

Janice Harrington

Staff: Office of the Alberta Health Advocates

Executive Administrator - Kelly Blenkin-Church
Acting Director - Catherine Douglas
Acting Manager - Ryan Bielby

Advocate Representatives - Bev Slusarchuk,
Carolina Ventura, Jennifer Ward, Robin
McClung, Eunice Abekah, Marj Buerger,
Brightina Opoku-Yeboah

Office Administrator - Lorraine D'Sylva

Health Advocate Statistics

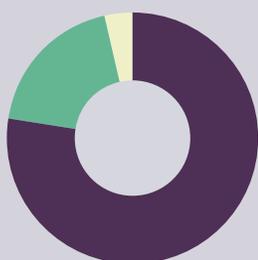
2020-2021



of individuals who were provided support by Health Advocate Representatives

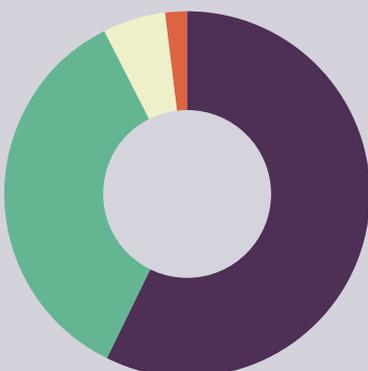


of issues managed by Health Advocate Representatives



Method of Contact

- Telephone
- Email
- Other



Core Function Breakdown

- Navigation Services
- Referrals (to other complaint mechanisms)
- Education/Explanation
- Investigations/Reviews

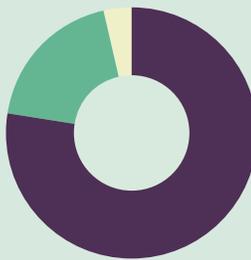
2019-2020



of individuals who were provided support by Health Advocate Representatives



of issues managed by Health Advocate Representatives



Method of Contact

- Telephone
- Email
- Other

Mental Health Patient Advocate Statistics

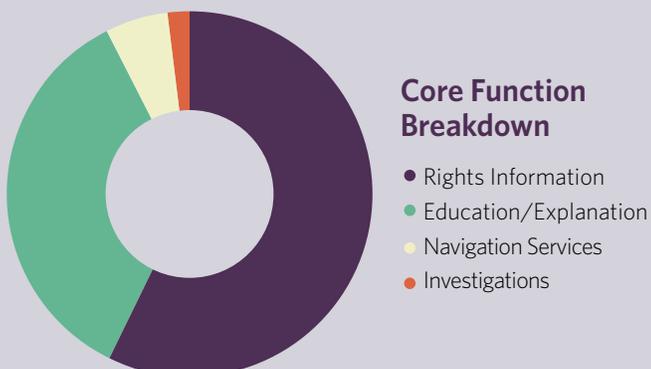
2020-2021



of individuals who were provided support by Mental Health Patient Advocate Representatives



of issues managed by Mental Health Patient Advocate Representatives



2019-2020



of individuals who were provided support by Mental Health Patient Advocate Representatives



of issues managed by Mental Health Patient Advocate Representatives



2020-2021 Highlights & Key Issues

- Over 400 files were COVID-19 related. Key issues included the safe return to work for employees, vaccination inquiries, visitation restrictions, and access to programs and services.
- Key issues for the Mental Health Patient Advocate included legal status, review panels, legal counsel, and treatment/control.
- The OAHA made a recommendation to the Minister of Health and Chief Medical Officer of Health (CMOH) that resulted in the CMOH clarifying and further defining the terms by which individuals in palliative care may receive visitors as a result of COVID-19.
- Amendments to the *Mental Health Act* and Regulation were proclaimed on September 30, 2020. The amendments include:
 - updated admission criteria, including a new definition of 'mental disorder' (proclaimed separately in March 2021)
 - changes to definitions and introductions of new definitions that impact criteria for Formal Patient Certification and Community Treatment Orders
 - improved access to care, including the addition of Qualified Health Professionals (Nurse Practitioners) to the legislation
 - stronger patient rights through improved requirements for hospitals and health care facilities to provide patients with free and timely access to medical records and information about legal counsel and the Mental Health Patient Advocate
- Improvements were completed to operational processes and the OAHA database to enhance data analysis and improve statistical reporting.
- A renewed focus was placed on collaboration with related offices and other stakeholders in an ongoing effort to ensure the role of the OAHA is understood and the patient perspective is considered in their operations and planning. This included:
 - participation on committees and task forces supporting seniors' health issues and COVID-19
 - sharing information and statistics related to visitation and essential caregiving for individuals in continuing care



John's story

John (not his real name) is the father of a suicidal teenager. He contacted our office after feeling he and his wife had exhausted all community resources in an effort to get help for their daughter. She was on a waitlist to see a psychiatrist, but the appointment was months away. An Advocate Representative gathered information about the family's situation including the resources they had accessed to date, the fact that their psychological support was becoming financially unaffordable, the mental health needs of other family members, and extensive police involvement. Our representative researched and identified other crisis supports for the family and outlined steps the family could take in an emergency to have their daughter brought to hospital through a court process, or by seeing a family doctor under the *Mental Health Act*.

Role of the Alberta Health Advocates

Overview: Office of the Alberta Health Advocates

The Office of the Alberta Health Advocates (OAHA) strives to empower Albertans to be effective advocates for their own health and care. We support and advocate for a health care system that is responsive and accountable to the people it serves.

Established in 2014, the OAHA is comprised of the Mental Health Patient Advocate and the Health Advocate. It has an arms-length reporting relationship to the Minister of Health.

Providing a single point of access for Albertans, the OAHA listens to the health service-related concerns of those who contact our office and helps them resolve their concerns. We can refer people to the appropriate programs and services to address their complaints. The OAHA can also conduct investigations into, or reviews of specific complaints related to mental health patient rights and the Alberta Health Charter. As well, our office provides education to Albertans about mental health patient rights set out in the *Mental Health Act* and the expectations of the Alberta Health Charter.

Seniors Health Issues

A significant number of individuals who contact the OAHA are Alberta seniors. While our office is mandated to support seniors around health and mental health issues, we also receive many out-of-scope inquiries on topics like housing, transportation, and finances. To prevent confusion and the need for seniors to contact multiple agencies or offices, the OAHA ensures these inquiries are referred to the appropriate support.

Alberta Health Charter

Alberta's Health Charter sets out the key values, expectations, and responsibilities of patients and providers within the health system. The Health Charter, required by legislation, was adopted in March 2014. It is intended to guide the actions of health service organizations, providers, patients, and government in the broader health system, for both publicly funded services and those purchased through insurance or directly.

The OAHA uses the Health Charter as a lens to consider concerns and complaints brought to our attention by Albertans. We also provide education about the Health Charter and how it applies to Alberta's health care system.

Alberta Health Advocate

The Health Advocate's authority is established in the *Alberta Health Act* and the Health Advocate Regulation. The Act was proclaimed on January 1, 2014. It set out the appointment of a Health Advocate and established Alberta's Health Charter. Following the proclamation, Alberta's first Health Advocate was appointed in July 2014.

The Health Advocate receives and responds to concerns and inquiries from Albertans related to their experiences

with health care programs and services as it relates to the expectations set out in the Health Charter. The services provided by the Health Advocate go beyond receiving and reviewing complaints. Our Advocate Representatives promote self-advocacy and support Albertans in dealing with their concerns about health services by:

- listening to Albertans' concerns and supporting them in finding ways to resolve their concerns
- referring Albertans to the appropriate complaints resolution process
- reviewing or investigating complaints under the *Alberta Health Act*
- providing information about health care services and programs and successful ways to function within the health system
- providing information on the role of the Health Charter in guiding expectations of the Alberta health system
- reporting to the Minister of Health on the Health Advocate's activities

Essentially, the role of the Health Advocate is to assist, help navigate, review, educate, and inform. The Health Advocate provides a patient-centred view in the ongoing governance and operation of the health care system.

Olu's story

Olu (not his real name) was referred to the OAHA by an MLA's office after having been sent to various other stakeholders. The 80-year-old lived independently but was homebound, relied on supplemental oxygen, and had significant health issues. Olu only left his home when he knew with certainty he could be in and out of an appointment quickly and the level of risk could be mitigated. Olu needed his COVID-19 vaccination and was looking for information on where he could make an appointment and receive assurance he would receive his vaccination quickly, which to that point he had not been able to secure. The OAHA connected with numerous health care stakeholders to explore options for vaccinations for homebound clients and ensure a process was being considered to support such clients. Olu was very happy with OAHA's services and was able to work out a specific plan with a pharmacy that accommodated him as the first customer in the morning.



Mariam's story

Mariam (not her real name) is a former Registered Nurse who contacted the OAHA requesting assistance in accessing a medication. A rare neurological condition had resulted in her being placed on permanent disability and the medication she was prescribed did not qualify under her health benefit coverage. With her decrease in income, she was struggling to cover the cost of the medication. Mariam's doctor had submitted several requests for the medication to be covered but those requests were denied. Our Advocate Representative was able to have Mariam's application considered by the Pharmaceutical Board, resulting in the interim approval of the medication and refunding of her initial expenses.

Mental Health Patient Advocate

The Mental Health Patient Advocate (MHPA) was established in 1990 and helps Albertans understand and exercise their rights under the *Mental Health Act*. Patient rights provide important checks and balances to ensure mental health patients are not wrongfully detained and, when detained, are treated fairly.

The MHPA is legislated to assist mental health patients who are being, or have been, detained in hospital under admission or renewal certificates and people who are under community treatment orders (CTO), as well as those acting on the patient's behalf.

The MHPA conducts impartial investigations into complaints and provides information and education

about patient rights to patients, families, community organizations, and the public. The role also involves making recommendations to improve patient care and the mental health system.

The protection of rights exists within the value of patient-centred care and treating patients with respect and dignity. It is critical when a patient loses their liberty, due to detainment or other restrictions, that they feel they are respected and have some control in their situation. To support this vulnerable population, the MHPA works collaboratively with health care providers and others to strengthen awareness and understanding of the importance of upholding patient rights.

The Health Advocate and Mental Health Patient Advocate cannot:

- represent an individual in court or at tribunals
- reverse a clinical or administrative decision
- take disciplinary action against any health service provider
- order fines or other penalties
- investigate complaints involving federal or municipal governments, police, universities, schools, or other non-health related companies



Avni's story

Avni (not her real name) contacted the OAHA and indicated she was being detained against her will in a designated mental health facility after voluntarily arriving there for a medication adjustment. Our Advocate Representative explained the process for detention, advised her of her rights under the *Mental Health Act*, and after determining that Avni was nervous about speaking with staff further about her situation, followed up with the facility and determined that she was a voluntary patient and her own decision maker. The Advocate Representative advised staff that Avni could not be detained against her will as a voluntary patient.

The staff spoke with Avni who agreed to stay voluntarily for the medication change however was soon detained under the *Mental Health Act* as a formal patient over a divergence in medication choices. Avni contacted the Advocate Representative again to review her rights and options and decided to appeal her formal status to the Mental Health Review Panel. She had her admission certificates cancelled and was able to be discharged from hospital. Avni followed up with the Advocate Representative and thanked her for the information and support.





Our Vision

To ensure the patient voice is equally included in the planning and operation of Alberta's health-care system.

Our Mission

We help Albertans gain the knowledge they need to fully access, navigate, and advocate for themselves in the health care system in order to support the vision of the Health Charter and the rights of patients as outlined in the *Mental Health Act*.

Our Values

We directly collaborate with the entire health care system to provide patient and family feedback on policy and operations to facilitate quality improvement.

Our Goals

Each year the OAHA develops an operational plan that guides our activities and helps ensure our work is focused on our vision and mission. The operational, legislative, awareness, and stakeholder relations goals guide the services and programs we offer, all of which are carried out in collaboration with our many partners in government, health care agencies, and similar offices representing Albertans in an advocacy capacity.

- 1. Operations Goal:** *Albertans are able to receive effective, high-quality support for their health care concerns.*
- 2. Legislation Goal:** *Effective review and implementation of legislation for the Health Advocate and Mental Health Patient Advocate. Ensure integration with related legislation.*
- 3. Awareness and Education Goal:** *Ensure that Albertans have access to information about the Office of the Alberta Health Advocates and the services it provides.*
- 4. Stakeholder Relations Goal:** *Maintain relationships with key stakeholders across the health care sector to ensure currency of shared information and that the patient perspective is considered in planning and operation.*

Progress on Goals in 2020-2021¹:

1. Operations

- Provided monthly reports to Minister of Health on client contacts and emerging trends.
- Completed development of database to ensure the effectiveness, quality, and consistency of information used to track and report on client issues and trends.
- Developed a new Policy and Procedures Manual.
- Began development of a staff training and education program.

2. Legislation

- Contributed to the development of legislative amendments that led to the proclamation of the *Mental Health Amendment Act* on September 30, 2020.
- Completed the 2019-20 Annual Report which was tabled in the Legislative Assembly by the Minister of Health in November 2020 and posted on the OAHA website.
- Continued the development of collaborative relationships and role clarity around legislative responsibilities with related offices (e.g., Office of the Advocate for Persons with Disabilities, Office of the Public Guardian, Protection of Persons in Care).
- Consulted regularly with Alberta Health on the patient perspective on various pieces of legislation and other policy.

3. Awareness and Education

- Updated OAHA website and incorporated it with other Government of Alberta websites.
- Developed new brochures for the Mental Health Patient Advocate.
- Integrated the Health Charter and informal reviews into client work and stakeholder engagement.
- Made numerous presentations to and held meetings with client and community groups, stakeholders, colleges, and universities on the OAHA and to ensure the patient voice was represented in community initiatives.
- Worked with stakeholders and other health complaint mechanisms to integrate and collaboratively address patient and family concerns.
- Participated in initiatives promoting equitable care and access (e.g., marginalized groups).
- Began development of a site visitation plan for all designated facilities in Alberta; continuing care and acute care facilities; community groups; and community health and mental health programs.

4. Stakeholder Relations

- Met regularly with Alberta Health senior executives and other senior government officials to inform them of emerging trends and issues experienced by patients and their families, and to maintain OAHA awareness of and input into relevant initiatives undertaken by the Ministry.
- Continued participation in stakeholder groups and committees, increasing outreach and expanding the patient voice (e.g., CMHAP, iKNOW Health, Continuing Care Collab).
- Continued collaboration with stakeholders to identify shared areas of interest and opportunities for partnership.

¹Due to COVID-19, a 2020-2021 Operational Plan was not developed. Progress reporting therefore is based on both the 2019-2020 Operational Plan and the 2021-2022 Operational Plan.

Financial Summary

The following represents the combined budgets for the Health Advocate and Mental Health Patient Advocate.

	2020-21 Budget	2020-21 Actual	2019-20 Budget	2019-20 Actual
Salaries and Employee Benefits	\$ 1,926,000	\$ 1,448,034	\$ 1,636,000	\$ 1,133,916
Travel and Accommodations	\$ 17,000	\$ 0	\$ 17,000	\$ 3,289
General and Administrative Services	\$ 33,000	\$ 46,676	\$ 33,000	\$ 10,663
Total	\$ 1,976,000	\$ 1,494,710	\$ 1,686,000	\$ 1,147,868

Contact Information

Office hours: Monday through Friday
8:15 a.m. to 4:30 p.m. (closed 12:00 p.m. - 1:00 p.m.)

Visit our website at: www.albertahealthadvocates.ca

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If calling after hours, please leave a message on our confidential voicemail service.

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