



Hamilton

INFORMATION REPORT

TO:	Mayor and Members Board of Health
COMMITTEE DATE:	June 19, 2017
SUBJECT/REPORT NO:	Bill C-37 and Supervised Injection Sites (BOH17021) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Jessica Hopkins (905) 546-2424, Ext. 2169
SUBMITTED BY:	Jessica Hopkins, MD, MHSc, CCFP, FRCPC Associate Medical Officer of Health & Director of Communicable Disease Control & Wellness Public Health Services Department
SIGNATURE:	

Council Direction:

On April 12, 2017, Council requested that correspondence from David Sweet, M.P., Flamborough-Glanbrook, regarding Bill C-37 be referred to the Medical Officer of Health. M.P. Sweet requested that City Council write to the federal Minister of Health, Jane Philpott, to ask that she split Bill C-37 and provide the City's thoughts on the input City Council would like to have on the application for and approval of safe injection sites in the City of Hamilton.

Information:

Bill C-37 passed third reading in the Senate on May 15, 2017 and has since received Royal Assent on May 18, 2017.

BACKGROUND

Supervised injection sites (SISs) are places where people can inject pre-obtained drugs or substances in a clean environment where trained staff are available to provide aid, education, support and referrals. They are an effective harm reduction measure that benefits individuals who inject drugs, as well as the broader community. Board of Health Report BOH16037 (September 19, 2016) contains further information on SISs.

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SISs require a legal exemption under section 56 of the *Controlled Drugs and Substances Act* in order to operate lawfully in Canada. In 2015, the federal government introduced the *Respect for Communities Act*. This amended the *Controlled Drugs and Substances Act* and laid out the information to accompany an application to the federal Minister of Health to obtain an exemption to the *Controlled Drugs and Substances Act*. There are currently 26 requirements to accompany an application. The large amount of information required serves as a barrier to communities wanting to open SISs.

Bill C-37, an Act to amend the *Controlled Drugs and Substances Act* and to make related amendments to other Acts, was introduced by the federal Minister of Health on December 12, 2016. The proposed amendments decrease the requirements of applicants for an exemption under the *Controlled Drugs and Substances Act* from 26 to 5, thus reducing barriers to communities who wish to open SISs.

Appendix A to BOH17021 compares the proposed and current requirements for an application for exemption under the *Controlled Drugs and Substances Act*.

Hamilton Context

Prior to the introduction of Bill C-37, Council approved \$92,000 in the 2017 capital budget for Public Health Services (PHS) to conduct a needs assessment and feasibility study of SISs in Hamilton (BOH16057). The estimated time to completion of the study was Q1 2018. Following the introduction of Bill C-37, staff were requested to report back with a revised cost and timeline given the proposed reduction in requirements to obtain an exemption.

A revised cost of \$62,000 and completion of the study in Q4 2017 was brought to the Board of Health in March 2017 (BOH17004) under the assumption that Bill C-37 will eventually pass. The remaining \$30,000 will be returned to the Unallocated Capital Levy through the Capital Closing Report and in accordance with the Capital Closing Policy.

The SIS Needs Assessment and Feasibility Study is a mixed-methods study with both quantitative (numbers) and qualitative (opinions) components. The qualitative component has three parts including a survey of people who inject drugs, focus groups, and key informant interviews.

The Study is led by an Associate Medical Officer of Health (J. Hopkins) and the Study Team receives advice from a Community Advisory Group and a Scientific Advisory Group on the planning and conduct of the study.

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Addressing M.P. Sweet's Concerns

M.P. Sweet has raised concerns about SISs being located in municipalities without consultation with municipal councillors (“you”), city staff (“your administration”), local law enforcement or the community.

In Hamilton, the current study is being led by PHS staff who report to the Board of Health through the Medical Officer of Health. Councillors have been involved in the process leading up to funding the study. This included reviewing the results of an online community survey conducted in October 2016 in which 84% of people completing the survey supported SISs in Hamilton (BOH16057). Additionally, the Board of Health approved the Councillors from wards 2 and 3 as members of the Community Advisory Group (March 20, 2017). The composition of the Community and Scientific Advisory Groups is broad and includes police and community members (see Information Update May 1, 2017).

During the qualitative portion of the study, focus groups and key informant interviews will allow for further engagement and consultation with elected officials, law enforcement and the community.

SUMMARY

The proposed amendments to Bill C-37 support the Board of Health’s approach to conduct a needs assessment and feasibility study in a more cost-effective and timely manner and do not undermine the involvement of the community and councillors in the process.

Bill C-37 reduces the barriers to municipalities wishing to open SISs, while still maintaining a requirement to obtain expressions of community support and opposition. The current structure of the SIS Needs Assessment and Feasibility Study will support engagement and consultation with multiple groups, including councillors, appropriate city departments, business, community members, and people who inject drugs.

APPENDICES/SCHEDULES ATTACHED

Appendix A to Report BOH17021 - Comparison of current to proposed requirements to obtain an exemption under the *Controlled Drugs and Substances Act* to lawfully operate a supervised injection site