

# HAMILTON BOARD OF HEALTH TRANSITION

## OVERVIEW, REQUIREMENTS AND PROCESS

KARIMA KANANI

PARTNER | TORONTO

[KKANANI@MILLERTHOMSON.COM](mailto:KKANANI@MILLERTHOMSON.COM)

HAMILTON BOARD OF HEALTH | JULY 7, 2025 | BOH25018





# AGENDA

1. Semi-Autonomous Hamilton Board of Health
2. Board of Health Duties and Responsibilities
3. Role of Hamilton City Council
4. Transition to new Board of Health
5. Board of Health Approvals Required Today



# SEMI-AUTONOMOUS HAMILTON BOARD OF HEALTH

- Hamilton Board of Health was a single-tier municipality Board of Health
- Under the *City of Hamilton Act*, City had the powers, rights and duties of a Board of Health under the *Health Protection and Promotion Act* (s. 11)
- As of June 5, 2025, City Council ceased to be the Board of Health
- *More Convenient Care Act, 2025* (effective June 5, 2025)
  - amended *City of Hamilton Act* by repealing and replacing s. 11 (Powers of the City)
  - established new semi-autonomous Board of Health
  - defined new roles for City Council and the Board of Health
  - includes provisions to support transition and enable stability of Public Health Services operations



# SEMI-AUTONOMOUS HAMILTON BOARD OF HEALTH

- Now, under *City of Hamilton Act*, City Council to determine composition of and appointment of members to the new semi-autonomous Board of Health
- City Council has resolved that:
  - *the current composition of six Members of Council and six members of the public, plus one education representative, be approved as the composition for the semi-autonomous Board of Health*
  - *the current members of the Public Health Sub-Committee (six Members of Council and six members of the public, plus one education representative) be appointed to the semi-autonomous Board of Health for the 2022-2026 Term of Council*



# BOARD OF HEALTH DUTIES AND RESPONSIBILITIES

- *Health Protection and Promotion Act, 1990*
- Ontario Public Health Standards: Requirements for Programs, Services and Accountability (June 2021)
- *Municipal Act, 2001*
- *City of Hamilton Act, 1999*
- By-laws, Policies and Procedures



# BOARD OF HEALTH DUTIES AND RESPONSIBILITIES

- *Health Protection and Promotion Act, 1990*
  - Board of Health has oversight of public health programs and services, community health protection and communicable diseases
  - Medical Officer of Health responsible for the management of public health programs and services and employees
  - Medical Officer of Health reports directly to the Board of Health on issues relating to public health concerns and to public health programs and services (s. 67(1))



# BOARD OF HEALTH DUTIES AND RESPONSIBILITIES

- Ontario Public Health Standards: Requirements for Programs, Services and Accountability (2021)
  - Every Board of Health is to comply with Public Health Standards for mandatory program/services
  - Board of Health accountable for good governance practices to ensure effective functioning
  - Requires by-laws and policies on variety of matters



# BOARD OF HEALTH DUTIES AND RESPONSIBILITIES

- As a semi-autonomous Board of Health, the Hamilton Board of Health is also subject to the *Municipal Act, 2001*
  - Includes Board of Health in definition of “Local Board” (s.1(1))
  - Includes provisions on procedure by-laws for calling, place and proceedings of meetings
  - Terms applicable to Local Boards apply to Board of Health unless stated otherwise
  - Must be read together with the *Health Protection and Promotion Act*





# ROLE OF HAMILTON CITY COUNCIL

- *City of Hamilton Act* as amended defines the continued role of the City Council
- Despite the *Health Protection and Promotion Act*:
  - City Council to establish the Board of Health's size and appoint members to the Board of Health
  - City Council to appoint, reappoint and dismiss Medical Officer of Health, Associate Medical Officers of Health, and auditor
  - City Council to provide to Board of Health public health employees City considers necessary to enable Board to carry out its functions
  - City Council may request Board of Health to make recommendations on any issues within City's jurisdiction that involve public health considerations
  - City Council may request Board of Health to make annual report to the City on the Board's operations



# SUMMARY OF ACCOUNTABILITY FRAMEWORK

|  |  |
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| <b>Hamilton City Council</b><br><i>(City of Hamilton Act)</i>                              | <ul style="list-style-type: none"><li>• Determine composition of and appoint members to the Board of Health</li><li>• Appointment, reappointment and dismissal of Medical Officer of Health, Associate Medical Officer of Health, and auditor</li><li>• Provide to Board of Health public health employees City considers necessary to enable Board to carry out its functions, remain City employees</li><li>• May request Board of Health make annual report to City on Board's operations</li></ul> |
| <b>Board of Health</b><br><i>(Health Protection and Promotion Act)</i>                     | <ul style="list-style-type: none"><li>• Oversight of public health programs/services, community health protection and communicable diseases</li><li>• Oversight of Medical Officer of Health on issues relating to public health concerns and public health programs/ services</li></ul>   |
| <b>Medical Officer of Health</b><br><i>(Health Protection and Promotion Act)</i>           | <ul style="list-style-type: none"><li>• Responsible to the Board for management of public health programs/services</li><li>• Reports directly to the Board of Health on issues relating to public health concerns and public health programs/services</li><li>• Direct employees of and persons whose services are engaged by Board of Health if duties relate to delivery of public health programs/services</li></ul>  |
| <b>Associate Medical Officer of Health</b><br><i>(Health Protection and Promotion Act)</i> | <ul style="list-style-type: none"><li>• Under direction of Medical Officer of Health assists in performance of duties of Medical Officer of Health</li></ul>   |
| <b>Public Health Employees</b><br><i>(Health Protection and Promotion Act)</i>             | <ul style="list-style-type: none"><li>• Employees of and persons whose services are engaged by Board of Health subject to direction of and responsible to Medical Officer of Health if duties relate to delivery of public health programs/services</li></ul>  |



# TRANSITION TO SEMI-AUTONOMOUS BOARD OF HEALTH

## BOARD OF HEALTH APPROVALS REQUIRED TODAY

- Today, the Board of Health is being asked to approve the following foundational governance documents:
  - Hamilton Board of Health Procedural By-Law No. 2025-1
  - Hamilton Board of Health Delegation By-Law No. 2025-2
  - Board of Health Remuneration Policy
  - Board of Health Travel Expenses Policy

More to come on Board of Health transition....



**KARIMA KANANI**

**[KKANANI@MILLERTHOMSON.COM](mailto:KKANANI@MILLERTHOMSON.COM)**

**416.595.7908**

*Karima Kanani is a Lawyer and Partner at Miller Thomson LLP. She is one of the firm's top health industry specialists and her practice is dedicated exclusively to the health and social service sector. Karima provides corporate counsel to health and social service organizations of all sizes across the care continuum. Karima is a leading advisor and frequent industry speaker on non-profit governance, health system transformation and integration. She routinely provides her clients with strategic advice and thought leadership on industry developments. She has been named as one of the "Best of the New Generation" of lawyers by Precedent Magazine, a "Rising Star" and "Leading Canadian Corporate Lawyer to Watch" by Lexpert Magazine, and one of "Toronto's Top Lawyers, Healthcare" by Post City Magazine.*





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