

Bill No. 145
2013

By-law No. A.-_____

A By-law to approve the Long-Term Care Home Service Accountability Agreement with the South West LHIN, to authorize the Mayor and Clerk to execute the agreement, and to delegate certain authority to the City Manager, or written designate.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* S.O. 2001, c.25 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Minister of Health and Long-Term Care may provide funding to a local health integration network (LHIN) under the *Local Health System Integration Act, 2006 (LHSI Act)*;

AND WHEREAS, pursuant to the *LHSI Act* a local health integration network is an agent of the Crown and may exercise its powers as an agent of the Crown;

AND WHEREAS, pursuant to subsection 19(1) of the *LHSI Act*, a local health integration network may provide funding to a health service provider, defined to include a municipality that maintains a long-term care home under Part VIII of the *Long-Term Care Homes Act, 2007*, in respect of services that the service provider provides in or for the geographic area of the network;

AND WHEREAS, pursuant to subsection 19(2) of the *LHSI Act*, the funding that a LHIN provides under subsection 19(1) shall be on the terms and conditions that the network considers appropriate and in accordance with the funding that the network receives from the Minister of Health and Long-Term Care, the network's accountability agreement and any prescribed requirements;

AND WHEREAS section 20 of the *LHSI Act* provides that a LHIN and a health service provider that receives funding from the LHIN shall enter into a service accountability agreement, as defined in Part III of the *Commitment to the Future of Medicare Act, 2004*;

AND WHEREAS sections 9 and 10 and 23.1 through 23.5 of the *Municipal Act, 2001* authorize a municipality to delegate its powers and duties under this or any other Act to a person or body;

AND WHEREAS Council has passed By-law A-6517-17 to implement a policy for the "Delegation of Powers and Duties" that provides any delegation of a power or duty shall be by by-law;

AND WHEREAS Council wishes to delegate its authority to approve and execute documentation that relate to reports required by LHIN, and to make declarations of compliance with the terms of agreements with LHIN;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Long-Term Care Home Service Accountability Agreement, for the period April 1, 2013 to March 31, 2016, to be entered into with the South West Local Health Integration Network with respect to the Dearness Home, attached as Schedule A to this By-law, is approved.

2. The Mayor and Clerk are authorized to execute the Agreement approved in section 1 above.
3. The City of London's City Manager, or written designate, is hereby delegated the authority to:
 - (a) approve and execute documents (including but not limited to reports) required by LHIN under this agreement with LHIN; and,
 - (b) make declarations of compliance with the terms of agreements with LHIN, as required.
4. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 26, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First reading - March 26, 2013
Second reading – March 26, 2013
Third reading – March 26, 2013