

Submission to the
Standing Committee on Finance and Economic Affairs
With Respect to Pre-Budget Consultation

Presented by
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THE CANADIAN HEARING SOCIETY 

Introduction

Founded in Toronto in 1940, The Canadian Hearing Society (CHS) is a community-based, multi-service, non-profit agency serving the needs of the deaf, deafened and hard of hearing communities throughout Ontario. It is the only agency of its kind in the province. It employs approximately 420 people, including deaf, deafened, hard of hearing and hearing individuals, in 13 regional offices and 15 sub-offices. A significant part of CHS's early mandate continues to this day, namely, advocating for and promoting the rights of deaf, deafened and hard of hearing consumers who require hearing aids and related technical devices (such as TTY phones and FM systems) to communicate and function effectively. According to Statistics Canada, in 2001 there are 1.47 million Ontarians over age 65 with hearing loss; by 2026 that number will have increased to 2.9 million – a 100 percent increase.

CHS has prepared this brief to assist the standing committee on Finance and Economic Affairs in its deliberations on Pre Budget Consultations. We are very pleased that Liberal government has repeatedly committed to enhance education, health and the Ontarians with Disabilities Act during new government mandate. Your consultations and the policy decisions that will eventually result from them should serve to help older Ontarians and Ontarians with disabilities, including deaf, deafened and hard of hearing individuals, while also increasing public awareness about the stereotypes and negative attitudes associated with aging and disability issues.

Legal and Legislative Developments- Duty to Accommodate for Persons with Disabilities

Currently, individual complaints of discrimination have to reach all the way to the Supreme Court of Canada before change occurs. In 1997 the Supreme Court of Canada granted intervenor status to CHS, the Canadian Association of the Deaf, and the Advocacy Resource Centre for Persons with Disabilities in *Eldridge v. British Columbia*. The Court ruled that the failure to provide sign language interpretation where it is needed for effective communication in the delivery of health care services, social services, education and training and employment violates the rights of deaf consumers. Further, the Court stated that governments couldn't escape their constitutional obligations by passing on the responsibility of policy implementation to private entities not directly under the jurisdiction of the Charter of Rights and Freedoms.

In November, 2000, the Ontario Human Rights Commission's Policy and Guidelines on Disability and the Duty to Accommodate came into force. Accommodation with dignity is part of a broader principle, namely, that our society should be structured and designed for inclusiveness. This is to ensure equal participation for those who have experienced a disadvantage from society's benefits. The duty to accommodate persons with disabilities means accommodation must be provided in a manner that respects the dignity of the person, meets the individual's needs, promotes integration and full participation and ensures confidentiality.

Even with these landmark cases and policies, individuals continue to shoulder the responsibility to fight for their rights if a school, hospital, business or government department does not provide access. It is costly in time, money and human dignity to take every violation before the Human Rights Commission on a case-by-case basis.

The Liberal government plans to reduce hearing aids from Assistive Devices Program that are not consistent with Ontario Human Rights Commission Consultation reports entitled: “Time for Action: Advancing Human Rights of Older Ontarians” and “The Opportunity to Succeed: Achieving Barrier-free Education for Students with Disabilities,” as well as the federal government’s “Commission on the Future of Health Care in Canada – Romanow Report.”

Concerns with Dalton McGuinty Government’s Plans

It was reported on January 13 that your government is considering reducing funding for hearing aids. Since then we have been inundated with calls from deaf, deafened and hard of hearing consumers expressing shock and fear.

This is a population that has already suffered with the OHIP delisting of audiology testing in 2001. As a result of that delisting, introduced by the former Conservative government, these consumers must incur between \$75 and \$120 for each round of audiology testing and each hearing aid evaluation. This may not sound significant, but when you consider that many people – especially children and seniors, the most vulnerable members of our society – may require this testing every six months for years and years, resulting in a huge financial burden on many individuals and families. (**See attachments on Backgrounder # 1: Financial Impact on Consumer, Backgrounder #2: A Case of False Economy and Example #3: Child**)

With the average price of a hearing aid is \$2,000, you can appreciate that these consumers are already facing major expenses. If you were to reduce the \$500 ADP funding for hearing aids, thousands of people will simply not be able to afford to buy the hearing aids that they need.

Without support from the Assistive Devices Program, ADP, thousands of Ontarians will be left without the means of earning a livelihood, getting an education, living independently and overcoming health and safety issues. Otherwise trainable and employable people will be trapped on welfare. Children who are currently gaining maximum benefit from their hearing aids and listening devices will find their language development falling behind their peers. Seniors who have been living independently in the community will find themselves isolated, unsafe and unnecessarily dependent on others.

New Huge Barriers Facing Deaf, Deafened and Hard of Hearing Consumers

Double hit for consumers: in 2001, the government de-listed audiological services from OHIP coverage, forcing people with hearing loss to pay for these tests themselves. Now the government is considering adding another financial burden to these same people- many of whom are among the most vulnerable members of our society, namely seniors and children.

Ontarians with Disabilities Act: we are delighted that the McGuinty government has been so clear about its commitment to a strong and effective Ontarians with Disabilities Act (ODA). That commitment, however, would be seriously undermined should the government cut support to hearing aids- a fundamental tool to breaking down barriers in communication for deaf, deafened and hard of hearing people

Infant Hearing Program: Again, CHS is pleased that the government is in step with the global trend of many first world countries to provide universal infant hearing screenings. The Ministry of Health program recognizes the importance of the identification and early intervention in the success and development of children with hearing loss. How could the government then abandon these families once their newborns are identified with a hearing loss?

Risks: With hearing aids, the ability of thousands of Ontarians to work, get an education and live independently and safety is at risk.

Broken Promise: Refer to an e-mail sent to Moneca Proce (CHS Ottawa) by then Leader of the Opposition McGuinty in response to the PC's delisting of audiology services. "Audiology services are vital to the health and well-being of so many Ontarians, children and seniors alike. I recognize that hearing aids are absolutely essential to the future success of our hearing-impaired children. Without affordable access to the services required for these aids, their learning skills, self-reliance, and speech/language children-including those with special needs-deserve every possible opportunity for success. My team and I will do our utmost to ensure they get each and every one of those opportunities

We are also very concerned that there is more delisting to come. Rest assured, however, that we will continue to fight the Tories on this."

Recommendations

CHS strongly recommends that the standing committee considers the following:

1. Retain current funding levels of Assistive Device Program (ADP) for hearing aids and technical devices,

2. Explore and identify revenue generation opportunities by establishing accommodation levy funds via increasing users fees provincial sales taxes or penalty fees for government, service providers and employers for the failure of accommodation provisions for persons with disabilities
3. Strengthen provisions seeking to prevent new barriers from being created with taxpayers' money
4. Implement policies and procedures for contractors which must meet barrier-free design and barrier removal and preventative strategies in order to save further costs of additional renovations and
5. Implement anti-ableism/anti-audism awareness training for policymakers, to save all parties, including government from costly, time-consuming legal battles.

Conclusion

Because of a reduction in this type of ADP funding would disproportionately impact children and seniors, we find it contradicts the intentions of the Ontario Human Rights Commission Consultation reports entitled: "Time for Action: Advancing Human Rights of Older Ontarians" and "The Opportunity to Succeed: Achieving Barrier-Free Education for Students with Disabilities," as well as the federal government's "Commission on the Future of Health Care in Canada—Romanow. It would also be seriously undermined should the government cut support to hearing aids- a fundamental too to braking down barriers in communication for deaf, deafened and hard of hearing people.