

MANITOBA ORDER IN COUNCIL

DATE: December 15, 2021

ORDER IN COUNCIL No.: 470/2021

RECOMMENDED BY: Minister of Health and Seniors Care

ORDER

- 1. The appointment of Gerard Simard as a member of the Manitoba Health Appeal Board (the "Board") is revoked.
- 2. The appointment of Richard Kennett as a member of the Board is revoked and his designation as vice-chairperson is concurrently revoked.
- 3. Lisa Fainstein is appointed as a member of the Board for a term of office commencing on December 15, 2021 and expiring on December 14, 2024, unless her appointment is revoked before that date, and continuing thereafter until she is reappointed, a successor is appointed, or her appointment is revoked.
- 4. Kristen Legrange is appointed as a member of the Board for a term of office commencing on December 15, 2021 and expiring on December 14, 2024, unless her appointment is revoked before that date, and continuing thereafter until she is reappointed, a successor is appointed, or her appointment is revoked
- 5. Robert Duttchen is appointed as a member of the Board for a term of office commencing on December 15, 2021 and expiring on December 14, 2024, unless his appointment is revoked before that date, and continuing thereafter until he is reappointed, a successor is appointed, or his appointment is revoked.
- 6. Edna Nabess is appointed as a member of the Board for a term of office commencing on December 15, 2021 and expiring on December 14, 2023, unless her appointment is revoked before that date, and continuing thereafter until she is reappointed, a successor is appointed, or her appointment is revoked.
- 7. The appointment and term of office of Dr. Rajinder Bhullar, a current member of the Board, is extended to December 14, 2023, unless his appointment is revoked before that date, and continuing thereafter until he is reappointed, a successor is appointed, or his appointment is revoked.
- 8. Joan Holmstrom is reappointed as a member of the Board for a term of office commencing on December 15, 2021 and expiring on December 14, 2022, unless her appointment is revoked before that date, and continuing thereafter until she is reappointed, a successor is appointed, or her appointment is revoked.
- 9. Dr. Allen Kraut is reappointed as a member of the Board for a term of office commencing on December 15, 2021 and expiring on December 14, 2023, unless his appointment is revoked before that date, and continuing thereafter until he is reappointed, a successor is appointed, or his appointment is revoked.
- 10. John Peters is reappointed as a member of the Board for a term of office commencing on December 15, 2021 and expiring on December 14, 2023, unless his appointment is revoked before that date, and continuing thereafter until he is reappointed, a successor is appointed, or his appointment is revoked.
- 11. Monica Wood is reappointed as a member of the Board for a term of office commencing on December 15, 2021 and expiring on December 14, 2022, unless her appointment is revoked before that date, and continuing thereafter until she is reappointed, a successor is appointed, or her appointment is revoked.

- 12. Elaine Graham is reappointed as a member of the Board for a term of office commencing on December 15, 2021 and expiring on December 14, 2023, unless her appointment is revoked before that date, and continuing thereafter until she is reappointed, a successor is appointed, or her appointment is revoked.
- 13. Joan Holmstrom is redesignated as the chairperson of the Board.
- 14. Dr. Rajinder Bhullar is designated as vice-chairperson of the Board.
- 15. The remuneration to be paid to the members of the Board is:

(a) chairperson \$256.00 per ½ day (up to 3.5 hours) or

\$446.00 per day (3.5 hours or more);

(b) members who are not \$146.00 per ½ day (up to 3.5 hours) or physicians \$255.00 per day (3.5 hours or more);

(c) members who are physicians are to be paid based on speciality and location of service at the sessional rates established for medical practitioners by the Sessional Rates for Services Regulation (made under The Health Services Insurance Act (C.C.S.M. c. H35)), as amended from time to time.

16. The remuneration to be paid to the members of the Board for pre-hearing preparation, post-hearing work and duties unrelated to hearings is:

(a) chairperson \$74.33 per hour;

(b) members who are not physicians \$42.50 per hour;

- (c) members who are physicians are to be paid based on speciality and location of service at the sessional rates established for medical practitioners by the Sessional Rates for Services Regulation (made under The Health Services Insurance Act (C.C.S.M. c. H35)), as amended from time to time.
- 17. If the vice-chairperson is required to act as chairperson, the vice-chairperson shall be paid at the rate of remuneration payable to the chairperson.
- 18. In addition to remuneration, the members of the Board are to be reimbursed for reasonable travel and out-of-pocket expenses incurred in carrying out their responsibilities, as provided in the General Manual of Administration for the Province of Manitoba.
- 19. This Order comes into effect on December 15, 2021.

AUTHORITY

The Health Services Insurance Act, C.C.S.M. c. H35, states:

Manitoba Health Appeal Board established

9(1) The Manitoba Health Appeal Board is established consisting of not less than five members appointed by the Lieutenant Governor in Council.

Term of office

9(2) A member shall be appointed to hold office for the term specified in the order by which he or she is appointed, and shall continue to hold office until the member is reappointed, a successor is appointed or the appointment is revoked.

Chairperson and vice-chairperson

9(3) The Lieutenant Governor in Council shall designate one of the members to be chairperson of the board and another to be vice-chairperson.

Remuneration and expenses

9(4) The members of the board shall be paid remuneration and receive reasonable expenses at rates determined by the Lieutenant Governor in Council.

BACKGROUND

- Dr. Rajinder Bhullar was appointed as a member of the Board by OIC #264/2019. His appointment and term of office is being extended. He is also being designated as vicechairperson of the Board.
- Joan Holmstrom was appointed as a member of the Board by OIC #105/2017. Her term of office has expired. She is being redesignated as Chairperson.

- 3. Dr. Allen Kraut was reappointed as a member of the Board by OIC #264/2019. His term of office has expired. He is being reappointed as a member of the Board.
- 4. John Peters was appointed as a member of the Board by OIC #136/2018. His term of office has expired. He is being reappointed as a member of the Board.
- 5. Monica Wood was appointed as a member of the Board by OIC #264/2019. Her term of office has expired. She is being reappointed as a member of the Board.
- 6. Elaine Graham was appointed as a member of the Board by OIC #105/2017. Her term of office has expired. She is being reappointed as a member of the Board.
- 7. Richard Kennett was reappointed as a member of the Board by OIC #264/2019. His term of office has expired.

Expiry Date

- 8. Gerard Simard was appointed as a member of the Board by OIC #264/2019. He has resigned. Lisa Fainstein is his successor.
- 9. When this Order is in effect, the Board will consist of the following members:

Joan Holmstrom, Chair December 14, 2022 Dr. Rajinder Bhullar, Vice-Chair December 14, 2023 Ian Craven August 6, 2022 August 6, 2022 Robert Duttchen December 14, 2024 Lisa Fainstein December 14, 2024 Dr. Roger Lee Gingerich August 6, 2023 Flaine Graham December 14, 2023

Members

Elaine Graham
December 14, 2023
Dr. Allen Kraut
December 14, 2023
Kristen Lagrange
Alan McLauchlan
Edna Nabess
December 14, 2023
Monica Wood
December 14, 2022