

**Report to  
Rapport au:**

**Ottawa Board of Health  
Conseil de santé d'Ottawa  
30 October 2017 / 30 octobre 2017**

**Submitted on October 23, 2017  
Soumis le 23 octobre 2017**

**Submitted by  
Soumis par:**  
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**Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE      File Number: ACS2017-OPH-HPS-0004**

**SUBJECT:** OTTAWA PUBLIC HEALTH APPLICATION TO HEALTH CANADA FOR  
AN EXEMPTION FROM THE *CONTROLLED DRUGS AND  
SUBSTANCES ACT*

**OBJET:** DEMANDE DE SANTÉ PUBLIQUE OTTAWA À SANTÉ CANADA  
VISANT L'OBTENTION D'UNE EXEMPTION À LA *LOI RÉGLEMENTANT  
CERTAINES DROGUES ET AUTRES SUBSTANCES*

## **REPORT RECOMMENDATIONS**

**That the Board of Health for the City of Ottawa Health Unit:**

- 1. Authorize the Medical Officer of Health to apply to Health Canada for an exemption from the federal *Controlled Drugs and Substances Act* (CDSA) to operate supervised injection services (SIS) at 179 Clarence Street, as further described in this report; and**
- 2. That upon approval of Recommendation 1 and approval of Health Canada under the CDSA, authorize that SIS services continue to be provided at 179**

Clarence Street until such time as the Board of Health has the opportunity to consider the sixty (60) day review and next steps in Q1 2018 (regardless of when Sandy Hill Community Health Centre commences providing SIS services at 221 Nelson Street), as further described in this report.

## RECOMMANDATIONS DU RAPPORT

Que le Conseil de santé de la circonscription sanitaire de la ville d'Ottawa :

1. Autorise le médecin chef en santé publique à présenter à Santé Canada une demande d'exemption à la loi fédérale intitulée *Loi réglementant certaines drogues et autres substances* (LRCDAS), pour que la Ville puisse offrir des services d'injection supervisée (SIS) au 179, rue Clarence, comme l'explique le présent rapport ; et
2. Qu'une fois la recommandation 1 et la demande à Santé Canada concernant l'exemption à la LRCDAS approuvées, autorise que des SIS continuent d'être fournis au 179, rue Clarence, jusqu'à ce que le Conseil de santé puisse se pencher sur l'examen de soixante (60) jours et les prochaines étapes au T1 2018 (quel que soit le moment où le Centre de santé communautaire de la Côte-de-Sable commencera à fournir des SIS au 221, rue Nelson), comme l'explique le présent rapport.

## BACKGROUND

The Board of Health has been having regular discussions about opioids and harm reduction services since April 2016 and, at its meeting of June 2016, the Board adopted a [guiding principle and a consultation process](#) with respect to enhancing harm reduction services, including supervised injection services, in Ottawa. Further to the aforementioned report, OPH conducted a public consultation process over the summer and shared these results with the Board of Health on September 2, 2016.

At its meeting of September 18, 2017, the Board of Health received information about the recent increase in overdose rates in Ottawa and approved a proposal for Ottawa Public Health to begin operating a time-limited interim Supervised Injection Service (SIS) at its 179 Clarence Street location in cooperation with the Sandy Hill Community Health Centre (SHCHC). At this meeting, the Board also directed that the Medical Officer of Health bring forward a report, at the first meeting in 2018 based on the first 60 days of operation of the SIS, along with "recommendations for a more permanent

solution for enhancing OPH's harm reduction services through the provision of SIS, at fixed or mobile facilities, either directly or through partner agencies".

On September 22, 2017, Board Members received an email from the Medical Officer of Health advising that, further to a Health Canada inspection conducted on September 20<sup>th</sup>, Ottawa Public Health had received notice that Health Canada had provided an exemption under Section 56.1 of the *Controlled Drugs and Substances Act* authorizing the operation of Supervised Injection Services (SIS) on an interim basis at 179 Clarence Street in Ottawa, under the SHCHC's Health Canada application. This interim SIS has been operating daily since September 26, 2017.

It should be noted that the Health Canada exemption for the interim SIS specified that the exemption expires "*on the earliest of the following dates:*

- *March 31, 2018;*
- *The date on which the site subject to the exemption issued to Sandy Hill on July 26, 2017 begins offering supervised consumption services; or*
- *The date on which the exemption is revoked."*

It is also noted that the SHCHC is continuing with its preparations for an SIS at its own site, which requires significant renovation. As of the writing of this report, it remains unknown when the SHCHC will be ready to begin operations.

Additionally, Inner City Health and the Shepherds of Good Hope announced on October 12<sup>th</sup>, 2017 that they are taking steps to collaborate in offering SIS of their own, potentially in the parking lot of the Shepherds of Good Hope at Murray Street and King Edward Avenue in the lowertown area of Ottawa.

## **DISCUSSION**

### **Application for Health Canada Approval for SIS at 179 Clarence Street**

With respect to the interim SIS currently operating at 179 Clarence Street, OPH had intended to have the benefit of the full 120-days of operations, as approved by the Board on September 18, 2017, in order to be able to assess the uptake and bring forward fulsome and reasoned recommendations for next steps to the Board in early 2018.

However, in light of Health Canada's specificity with respect to the exemption for the interim SIS expiring upon SHCHC's SIS beginning operations, and the uncertainty as to

when this might happen, OPH is seeking through Recommendation 1 the Board's approval to submit its own exemption application to Health Canada, along with any supporting documentation, for an OPH SIS in order to maintain continuity of SIS services currently being provided out of 179 Clarence. Timely approval of an OPH SIS by Health Canada would avoid the need to immediately close down the SIS services currently being provided at Clarence Street when the SHCHC site opens and would allow services to continue seamlessly in the immediate future, until final options are received and considered by the Board in early 2018 pursuant to the September 18, 2017 motion directing the MOH to bring forward a report.

In addition, Recommendation 2 seeks Board approval to operate the SIS at Clarence Street beyond the initial 120 days as initially approved by the Board in September 2017. This request is again to avoid a disruption in SIS services at Clarence Street until the Board receives and reviews options and next steps at its first meeting in 2018. The 120-day limit initially approved by the Board would end on or about January 26<sup>th</sup>, 2018, which is prior to the first scheduled meeting of the Board in 2018.

### **Consideration of Future Options in 2018**

As indicated in the background section above, on September 18, 2017, during consideration of the report titled [Harm Reduction and Overdose Prevention – Status Report](#), the Board of Health directed the Medical Officer of Health to bring forward a report at the first meeting in 2018 based on the first 60 days of operation of the interim SIS at Clarence Street, including recommendations for a more permanent solution for enhancing OPH's harm reduction services through the provision of SIS, at fixed or mobile facilities, either directly or through partner agencies, provided that all legislative requirements can be met and subject to the availability of sufficient funding.

Without presupposing the outcome of the interim SIS evaluation or the recommendations that may arise as a result of same, potential scenarios for future expansion of harm reduction services in our community could include, but not be limited to:

- A permanent SIS operation at 179 Clarence, representing an enhancement of clinic services provided at that location prior to the opening of the interim SIS on September 26, 2017;
- Enhancement of OPH's mobile harm reduction services to include SIS;
- Provision of SIS services through partner agencies;

- Ceasing SIS services; or
- A combination of the above options.

Of note, in light of the Board direction of September 18<sup>th</sup> and given the annual timelines associated with fleet expansion requests, OPH submitted a fleet request for a ¾ ton van for mobile overdose prevention services. This was a place holder for the City of Ottawa Fleet Services, in order to allow OPH to explore the option of a Mobile Supervised Injection Service in 2018. Moving forward with the purchase would be subject to a variety of approvals that have yet to take place, including but not limited to, a Health Canada exemption allowing OPH to operate its own mobile SIS services and an ongoing funding commitment from the Province.

Similar to the fleet request referenced above, moving forward with a permanent SIS operation at 179 Clarence Street on a go-forward basis would be subject to a variety of approvals that have yet to take place, including approval by this Board of Health and a funding commitment from the Province.

Given the recent evolutions of SIS in Ottawa, OPH has been meeting with community partners such as Inner City Health, SHCHC, Somerset West Community Health Centre (SWCHC), Centretown Community Health Centre (CCHC), Overdose Prevention Ottawa (OPO) and Ottawa Police Service to continue discussions regarding the ongoing needs of people who use drugs, and to coordinate SIS services across Ottawa. OPH has committed to continue to provide leadership with this group of service providers and partners.

As indicated above, OPH is not presupposing the outcome of the upcoming interim SIS evaluation requested by the Board, nor the recommendations that may arise as a result of same.

## **Summary**

In summary, if the Board approves the recommendations contained in this report, the Medical Officer of Health will move forward with an OPH application to Health Canada for an exemption from the federal *Controlled Drugs and Substances Act* (CDSA) to operate supervised injection services (SIS) at 179 Clarence Street. Should Health Canada subsequently approve the OPH exemption application, the SIS at 179 Clarence Street would cease operating under the auspices of the SHCHC and would begin operating under the OPH exemption. Current operations (insofar as hours of operation,

policies and procedures or any other material aspects of the current service) would remain the same until the Board considers future options at its first meeting of 2018.

This proposal is intended to avoid any potential disruption in services until such time as the Board of Health can receive and consider the MOH's recommendations pursuant to the motion approved by the Board on September 18, 2017: *"that the Medical Officer of Health to bring forward a report, at the first meeting in 2017, based on the first 60 days of operation, including recommendations for a more permanent solution for enhancing OPH's harm reduction services through the provision of SIS, at fixed or mobile facilities, either directly or through partner agencies, provided that all legislative requirements can be met and subject to the availability of sufficient funding"*.

Of note, from September 26th to October 22nd, the interim SIS at 179 Clarence Street served 82 clients, for a total of 359 encounters. To date, the average client age has been 38. Also of note, from September 26 to October 9, the SIS operated from 3 p.m. to 8 p.m. and from October 10<sup>th</sup> to date, it has operated from 9 a.m. to 9 p.m.

## **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

## **CONSULTATION**

This report follows on previous recommendations and updates on this subject. Accordingly, no public consultation conducted in its preparation.

## **LEGAL IMPLICATIONS**

There are no legal impediments to implementing the recommendations of this report. Implementation of a supervised injection service is within the mandate of the health unit under the *Health Protection and Promotion Act* (HPPA) to protect and promote public health. The provision of supervised injection services is consistent with the minimum standards under the Ontario Public Health Standards that are published pursuant to section 7 of the HPPA, specifically standards related to injury and substance abuse as well as standards related to Sexual Health, Sexually Transmitted Infections, and Blood-borne Infections (including HIV). Pursuant to section 56.1 of the *Controlled Drugs and Substances Act* (CDSA), approval from the federal Minister of Health will be required prior to supervised injection services being made available at the interim site. The purpose of the exemption is to ensure that staff and clients will not be subject to criminal laws that prohibit the possession and trafficking of controlled substances under the CDSA.

**RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

**ACCESSIBILITY IMPACTS**

There are no accessibility implications associated with this report.

**TERM OF COUNCIL PRIORITIES**

The recommendations in this report align with the following Term of Council and Board of Health Strategic Priorities:

- Term of Council priority with respect to Healthy and Caring Community.
- Board of Health priorities with respect to Fostering Mental Health in our Community and Enhancing Collective Capacity to Reduce Preventable Infectious Diseases.

**DISPOSITION**

Staff to implement Board of Health decision and to continue to update the Board as appropriate.