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DEBATES and PROCEEDINGS

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Bill No. 157 – *The Human Tissue Gift Act, 2014*

Mr. Forbes: Thank you, Mr. Speaker. I rise today to enter into the debate on Bill No. 157. And the title's quite long actually. It's longer than several of the bills that I've had a chance to rise in this House and debate. But it's actually, the title for the folks at home and in the House here, *An Act to Facilitate the Donation of Certain Tissues from One Living Person to Another for Transplantation and to Facilitate the Donation, after Death, of Tissues, Bodies or Body Parts for Transplantation, Medical or Scientific Purposes and to make a consequential amendment to The Adult Guardianship and Co-decision-making Act*. That's the title.

Of course, we talked about the short title is *The Human Tissue Gift Act, 2014*. But as I have said just a few minutes ago, that title is longer than many of the Acts this government has put forward, particularly when I've had a chance to talk about their agricultural agenda. The title is longer than their farm agenda, for sure.

But this is an important piece of legislation, and one that we'll have a lot to say, a lot to say about because clearly one of the great breakthroughs, great innovations we've seen in the last half of the 20th century was the whole transplantation, particularly the heart or the kidney, and what that's done in terms of giving people new hope, new hope for their lives.

And we know there are challenges here though, and there are challenges in Canada particularly around . . . I know when I've talked to people about lung transplants and how do you get . . . You're on a waiting list, but the chances of getting a healthy lung or heart, kidney, can be challenging. And it's a tough, tough, it's a tough time for families, as they have so much hope, and they're waiting for someone else's tragedy when someone dies. And the odd thing from . . . And we've talked to many people about this and it'll be interesting to hear when we talk to organizations about how they feel about this piece of legislation because there's been challenges around, how do we have this on a driver's licence? How do we make sure we up the rates of donation?

But in Canada the challenge has been actually how . . . And it's a bit of an irony from what I understand that the fact that when you compare how we die in Canada to, say, how people die in some other countries, we don't die in the quick, tragic sense of accidents at the same rate, say, they do in other countries. And therefore when we die, often it's because of disease and where later on, whether it be cancer or that type of thing, other heart diseases, so really it puts our body parts, to be blunt, not in a very good place for use in terms of transplants. And so there's some real, real challenges here, but it's one that we have to come to deal with because in reality this is a very effective way to help people live longer.

Now this is an interesting piece of legislation before us for a whole host of reasons, but I do want to review the minister's comments. And of course one of the comments, and it was brought to our attention, and the minister alluded to it in sort of an interesting way, but that in fact that there will be this . . . This Act now changes the rules around organ donations and allows for the purchase of tissues. Now it hasn't been quite been completely spelled out, but this is something that has caused a lot of debate in the ethics and particularly health ethics of, how do we deal with that? And of course this is a big, big issue that we have to talk about.

So he talks about how "Unfortunately the current legislation prevents Saskatchewan's health system from being more innovative in finding matches . . ." And so we need . . . And that's fair enough. We need to challenge, rise to that challenge. That's hugely important. So we have to modernize the legislation to take a look at this.

And we're wondering what's happening across Canada, and we know that it's a bit of a mixed bag out there in terms of what other provinces are doing. But this is something that, particularly in our new Canada where we see people living right across the country, and you may be feeling that your family . . . Someone's living in Toronto, but somebody is living in Vancouver. Someone's living in Calgary. Someone's living in Saskatoon. But they're all under different rules, and they're all of the same family. It would be nice to have something consistent right across Canada.

So it allows now the Lieutenant Governor in Council to make regulations — talking about standards, practice, procedures — that will improve access to transplantation. This is important, allows some flexibility. But we have to think through this and say, so what are they unintended consequences? And this is the irony of this particular government that they don't often think through their legislation.

We saw this just earlier today in *The Education Amendment Act*, where the minister just a few short years ago, this government was saying, we need to make sure kids go back after Labour Day. They hadn't looked at a calendar to figure out that, you know, that can be quite late in the first week of September. Nobody mentioned this in that learned group over there, or maybe they were too busy talking about whether insofar is three words or is it two or one. But really now they're backing up.

So really for this government, they need to pay attention to the unintended consequences and think further than just a short-term plan. But that's the legacy of this government that

we probably will see many pieces of legislation come back before us because there's problems. There's problems, and they didn't see it, but we talked about it. We talked about it, and we warned them, but clearly they didn't heed that advice.

The minister talks about the need for organ and tissue transplants in Saskatchewan and how it far exceeds the number of donors. "For the approximately 90 people waiting for a kidney transplant," the minister tells us, ". . . [it] can mean months and years of intense, tiring, and time-consuming dialysis treatment three times a week." So this is really tough, and we appreciate that. We appreciate that.

We're not sure how this will have an impact, and those are the kind of questions we'll have in terms of, what is the impact here for really upping the number of donors? What can we do to make that happen? So this is really, really important that we talk about how can we make this program of donors even more attractive to . . . when people are able to make the choice for donations, that they can do that and do it easily and understanding the consent that they have given.

But you know, this is always a challenge, particularly now, and will be a challenge as we move forward with the driver's licences or other ways identifying that you agree to be a donor. But how will that continue on, and how will that be on your person when in fact you do pass away? And often, as I said, it's tragic circumstances that we find ourselves in, and we have to make those decisions, especially if you're a relative who can make a decision on behalf of someone and they're in a coma or . . .

The Speaker: It now being after the hour of 5 o'clock, this House stands adjourned to 10 a.m. tomorrow morning.