



NATIONAL ASSEMBLY OF QUÉBEC

THIRD SESSION

FORTY-THIRD LEGISLATURE

Bill 691

**An Act respecting maintaining
seniors' autonomy**

Introduction

**Introduced by
Madam Marie-Karlynn Laflamme
Member for Chicoutimi**

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EXPLANATORY NOTES

This bill aims to maintain the autonomy of seniors. To that end, it recognizes seniors as having a number of rights, including the right to live in their own homes for as long as possible, the right to affordable housing adapted to their needs and the right to financial security. It also amends the Charter of human rights and freedoms to entrust the Commission des droits de la personne et des droits de la jeunesse with the mission of ensuring that those rights are respected.

The bill also establishes a national strategy for seniors' autonomy and continued living at home. The main objectives of that strategy are to guarantee seniors adequate access to quality adapted care and services, to facilitate continued living at home as a priority and to ensure that seniors are satisfied with the public services they receive.

The bill also creates the obligation for the Government to table a five-year action plan specifying the activities it intends to carry out to achieve those objectives.

LEGISLATION AMENDED BY THIS BILL:

- Charter of human rights and freedoms (chapter C-12).

Bill 691

AN ACT RESPECTING MAINTAINING SENIORS' AUTONOMY

AS everyone should be able to grow old in conditions that respect their dignity and preserve their autonomy;

AS everyone should be able to live in their own home for as long as possible;

AS, in order to meet the specific needs of seniors, it is essential to provide them with access to home support care and services and to affordable and adapted housing, regardless of the region of Québec they are living in;

AS the active participation of seniors in social and community life contributes to their well-being while also benefiting society as a whole;

AS a collaborative and intersectoral approach is important to optimize the overall care of seniors;

AS the aging of Québec's population requires appropriate responses;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

1. The purpose of this Act is to guarantee and promote maintaining seniors' autonomy by promoting living conditions that are dignified and adapted to their needs. Its primary objective is to enable each senior to remain in their own living environment for as long as possible, in particular through access to quality home support care and services, affordable and adapted housing and accessible mobility options.

2. The following principles guide the application of this Act and the development of measures to ensure that seniors' autonomy is maintained:

- (1) respect for the dignity and autonomy of seniors;
- (2) security and well-being;
- (3) universal access to home support care and services;

- (4) active participation of seniors in society;
- (5) intersectoral coordination between health services, social services and community organizations; and
- (6) adaptability of services to the changing needs of seniors.

CHAPTER II

SENIORS' RIGHTS

3. All seniors with decreasing autonomy have the right to assistance measures adapted to their needs and resources, taking into account their aspirations and life plan. Those measures must be designed to promote their well-being and autonomy, regardless of their lifestyle or specific condition.

4. All seniors have the right to live in their own home for as long as possible.

To that end, all seniors must have access to home support care and services, regardless of their place of residence. The home support care and services must include care, in particular medical, psychological and social support.

5. All seniors have the right to affordable housing adapted to their needs. The housing must meet their mobility conditions and contribute to their quality of life.

6. All seniors have the right to be protected from all forms of maltreatment, whether physical, psychological or financial.

7. All seniors have the right to a dignified end of life and to benevolent palliative care in their own home or in an institution.

8. All seniors have the right to a level of financial security that provides for their basic needs.

9. All seniors have the right to actively participate in social and cultural life.

CHAPTER III

NATIONAL STRATEGY FOR SENIORS' AUTONOMY AND CONTINUED LIVING AT HOME

10. A national strategy for seniors' autonomy and continued living at home is established.

11. The goals of the national strategy are the following:

(1) to promote the autonomy of seniors by guaranteeing them adequate access to quality adapted care and services;

(2) to guarantee the freedom of choice of seniors by facilitating, as a priority, continued living at home, in particular by providing them with the resources they need to live safely and comfortably in their living environment; and

(3) to ensure seniors' satisfaction with respect to the public services they receive.

12. In order to achieve the goals of the national strategy, actions must be oriented along the following axes:

- (1) supporting continued living at home;
- (2) guaranteeing seniors' rights;
- (3) promoting seniors' health and well-being;
- (4) encouraging the citizen participation and social inclusion of seniors; and
- (5) ensuring seniors' financial security.

13. Actions related to continued living at home must be aimed at, in particular,

(1) strengthening the place of home support care and services in the organization of the health and social services network and seeing that access to them is improved, in particular by making local community service centres the main gateway;

(2) ensuring better territorial coordination for the benefit of seniors and their close relations;

(3) supporting caregivers;

(4) facilitating access to housing adapted to seniors' needs; and

(5) enabling the independent mobility of seniors, in particular by ensuring the accessibility of public transportation.

14. Actions related to seniors' rights must be aimed at, in particular,

(1) putting an end to ageism and maltreatment in all its forms;

(2) taking into account the specific needs of seniors by establishing appropriate mechanisms to guarantee that their rights are respected;

(3) promoting the collective defence of seniors' rights, including through seniors' rights associations;

(4) respecting the decision-making autonomy of seniors; and

(5) ensuring adequate funding for palliative care in order to respect the wishes and dignity of end-of-life patients.

15. Actions related to health must be aimed at, in particular,

(1) strengthening the prevention of diseases and the promotion of healthy lifestyle habits among seniors;

(2) ensuring universal public funding of health care and services intended for seniors;

(3) enhancing the quality of the care offered to seniors; and

(4) increasing seniors' access to health services, including mental health services.

16. Actions related to citizen participation and social inclusion must be aimed at, in particular,

(1) promoting the integration of seniors into their community;

(2) encouraging intergenerational initiatives that strengthen ties between seniors and young people in the community;

(3) taking into account the specific needs of seniors in terms of sustainable development, transportation, access to housing, food security and land use planning; and

(4) fighting against social isolation and loneliness among seniors.

17. Actions related to financial security must be aimed at, in particular,

(1) putting in place tax measures and financial assistance to guarantee a viable income for seniors, in particular through tax credits;

(2) regulating rent increases to ensure the affordability of housing for seniors;

(3) providing financial support to low-income seniors to maintain the accessibility of residential housing offering health care;

(4) protecting seniors against pension plan insolvency; and

(5) reducing the financial burden associated with funeral expenses.

CHAPTER IV

GOVERNMENT ACTION PLAN

- 18.** The Government adopts a five-year action plan to specify the measures to be put in place to achieve the objectives of the national strategy.
- 19.** The plan must include specific targets regarding home support care and services.
- 20.** The plan must provide for the development of adapted and affordable housing for seniors in each region of Québec.
- 21.** The plan must provide for intersectoral coordination mechanisms to ensure that in-home services, medical care and social services work in synergy to meet the needs of seniors.
- 22.** The Minister Responsible for Seniors must submit to the Government, no later than one year before the end of each five-year period, a report detailing the progress made and the adjustments required to achieve the objectives set.

CHAPTER V

AMENDING PROVISION

CHARTER OF HUMAN RIGHTS AND FREEDOMS

- 23.** Section 57 of the Charter of human rights and freedoms (chapter C-12) is amended by inserting “, that the rights recognized by the Act respecting maintaining seniors’ autonomy (*insert the year and chapter number of this Act*) are respected” after “in this Charter are upheld” in the second paragraph.

CHAPTER VI

TRANSITIONAL AND FINAL PROVISIONS

- 24.** The Government must, before (*insert the date that is six months after the date of assent to this Act*), adopt and make public its first five-year action plan to implement the national strategy for seniors’ autonomy and continued living at home.
- 25.** This Act comes into force on (*insert the date of assent to this Act*).

