

COMPLIANCE DETERMINATION

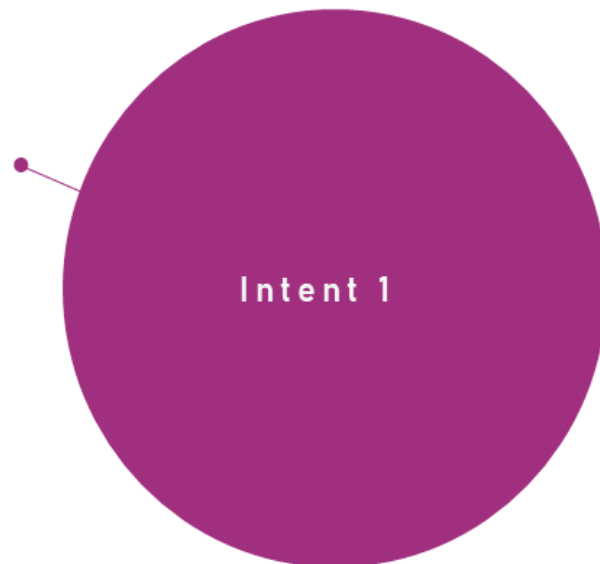
Angel's Story – Recommendation 6

Recommendation Summary: Amend the *Youth Drug Stabilization Act* to allow for longer or successive warrants to ensure medically supported withdrawal management services.

Primary Public Body: Manitoba Health

1. Amend *The Youth Drug Stabilization (Support for Parents) Act* so that longer warrants or successive warrants are possible to ensure for medically supported withdrawal management services

Manitoba Health reported no intention to pursue an amendment of this Act, citing that the facilities covered by the Act are not treatment facilities, but stabilization facilities, which do not require longer stays.



COMPLIANCE DETERMINATION



Recommendation Compliance Summary

In accordance with subsection 11(1) clause (d) of *The Advocate for Children and Youth Act* (ACYA), the Advocate retains the responsibility "to monitor the implementation of recommendations included in reports made under section 27 (investigation) or special reports made under section 31."

This form details the assessment of implementation of compliance made under the referenced subsection of the ACYA. MACY assesses implementation of compliance with recommendations once a year but receives updates from public bodies every six months.

1. Recommendation Information	
Special Report Name:	In Need of Protection: Angel's Story
Date Released:	12/13/2018
Full Recommendation: (including details)	<p>Recommendation Six: The Manitoba Advocate for Children and Youth recommends that the Department of Health, Seniors and Active Living, in collaboration with the Addictions Foundation of Manitoba and other stakeholders, amend <i>The Youth Drug Stabilization (Support for Parents) Act</i> so that longer warrants or successive warrants are possible to ensure children and youth get the medically supported withdrawal management services they need based on evidence-informed treatment best practices for addictions (e.g., methamphetamine, alcohol, opioids).</p> <p>DETAILS - Work to this effect should be:</p> <ul style="list-style-type: none"> • Overseen by an existing inter-departmental working group such as the Deputy Ministers of Health and Social Policy and Priorities (DMHSPP) committee/Healthy Child Deputy Ministers' Committee (HCDMC); and • Guided by evidence-informed best practices and knowledge in the areas of supported withdrawal management, addiction and mental health assessments, and accessibility of treatment services for children and youth.
Intent(s) of Recommendation:	The intent of the recommendation is to: <ol style="list-style-type: none"> 1. Amend <i>The Youth Drug Stabilization (Support for Parents) Act</i> so that longer warrants or successive warrants are possible to ensure for medically supported withdrawal management services.
Issue:	Mental Health and Addictions
Public Body	Manitoba Health and Seniors Care
Dates of Previous Official Updates from Public Body:	June 30, 2022
	July 13, 2021
	June 30, 2020
	December 31, 2019
	June 30, 2019
2. Compliance Determination	
Limitedly Compliant 0.25	Actions taken only implement a small part of the recommendation, requirements are only fulfilled to a limited degree by actions taken, resulting in significant deficiency in implementation.

Self-Assessment	Complete – Alternate Solution
Previous Compliance Determination	Limitedly Compliant
3. Rationale for Determination <i>(How did you reach this compliance determination)</i>	
<p>Intent 1: Amend <i>The Youth Drug Stabilization Act</i> so that longer warrants or successive warrants are possible to ensure for medically supported withdrawal management services</p> <p>2022</p> <ul style="list-style-type: none"> • Manitoba Health reported that there is no intention to pursue an amendment of <i>The Youth Drug Stabilization (Support for Parents) Act</i> (YDSA). The department is unwilling to further consult additional stakeholders, citing concern that the outcome of such consultation is uncertain. • The department indicates that the facilities under the YDSA are not treatment facilities, but stabilization facilities and there is, therefore, no need for elongated stay. • The department expressed concern over keeping children and youth in such facilities involuntarily beyond what is necessary for their stabilization. In doing so, the department did not address how they will ensure youth (like Angel) in life-threatening situations whose guardians and caregivers are stressing they urgently need longer medically supported withdrawal management, will receive such services. • The department recommends that the focus should be on expanding and enhancing treatment options, but did not provide any information or evidence of efforts to this end. <p>2021</p> <ul style="list-style-type: none"> • Manitoba Health and Seniors Care (MHSC) reported completing a review and is recommending that <i>The Youth Drug Stabilization (Support for Parents) Act</i> not be amended at this time. Justifications for this from MHSC include: <ul style="list-style-type: none"> ○ Non-Consensus among stakeholders: stakeholders were consulted in the spring of 2019 regarding challenges associated with the Youth Addictions Stabilization Unit (YASU) and <i>The Youth Drug Stabilization (Support for Parents) Act</i> and there was no consensus on the feedback received regarding lengthening the seven-day stabilization order. Further, amending legislation would require a consultation process with stakeholders that in the end, could see the stakeholders not recommending such a change. As such, MHSC reported there is a risk that this process would not lead to the amendment recommended by MACY. ○ Risk to infringing on youths’ rights: this amendment could be controversial in that it is proposing to increase the restriction on the rights of the individual through the use of involuntary apprehension and admission to a stabilization/detoxification facility. <i>The Youth Drug Stabilization (Support for Parents) Act</i> recognizes, and attempts to reconcile, the need to balance the rights of the individual with the need to protect the individual. ○ MHSC’s opinion that the recommendation does not address MACY’s initial finding that led to this recommendation: the finding states that, at present, “there are no viable treatment options within Manitoba for sexually exploited children and youth presenting with life-threatening addictions.” In response to this finding, MHSC recommends that the solution be focused instead on expanding and/or enhancing treatment options as opposed to amending the legislation to expand the length of the involuntary stabilization/detoxification period. 	

- Concern that the issues are at an organizational level, and therefore do not require a legislative amendment: a discussion between MACY and the MACY-RAP Subcommittee members (Families & Justice) has determined the issues and concerns raised are much broader than just the issue to be addressed through the amendment of this legislation. The development of an alternate solution is challenging because it is unclear as to whether such a solution should be focused solely on “involuntary” admission (as per the legislation) or whether these issues could better be addressed through the policies and procedures of the YASU.
- MHSC recommended their proposed alternative solution focus on expanding and/or enhancing treatment options as opposed to amending the legislation to expand the length of the involuntary stabilization/detoxification period.
 - According to MHSC, MACY’s report finding is being addressed by the Government of Manitoba’s recent announcement of additional resources to expand addictions treatment programs for sexually exploited youth. The Manitoba government invested \$800,000 in 2019/20 and \$1.5 million in 2020/21 to enable Neecheewam Inc. to expand its Winnipeg facility and improve access to Indigenous-led healing, care, and treatment services to sexually exploited youth.

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- While there is indication that an interdepartmental review of this recommendation is in progress, there has been no indication that any action has been completed towards implementing this recommendation, nor has there been any evidence-based documentation submitted.

Analysis Summary: The response provided by the department indicates that there is no intention to fulfill this recommendation. There has been no further work to move this recommendation forward. The department has recommended that the focus should be on expanding treatment options. The department, however, has not provided information about steps taken to fulfill this alternative solution proffered. The department provided no evidence of efforts to enhance continuity of service or treatment options. At this time, this recommendation is, therefore, assessed as limitedly compliant.