

CBA HEALTH LAW SUMMIT

Presented by the [CBA Health Law Section](#)
May 24-26, 2023 | Ottawa, ON
Fairmont Château Laurier

CRITICAL ISSUES IN CANADIAN HEALTH LAW

The shortage of healthcare personnel, the rapid increase in virtual care, and the ongoing developments with MAID are just some of the issues affecting Canadian health care institutions, health care professionals, and patients. Join our faculty of experienced health law practitioners and health experts at the forefront of developments from across the country to learn what you need to know about the most recent issues and the potential impact on your clients.

Gain insight into the following key areas:

- New responses to the challenges arising out of the scarcity of healthcare human resources across Canada.
- The intersection between the regulation of health professionals and professional wellness, including how fitness to practice issues are managed in different provinces.
- A cross-country analysis of the latest, most significant cases.
- Canada's expanding MAID framework through the lens of disability, mental health and gaps in care.
- Damage awards in complex medical negligence cases.
- The practical and legal implications of innovative virtual care.

Don't miss this opportunity to gain the knowledge you need, while reconnecting with colleagues and building new relationships with health lawyers from across the country.

Agenda Subject to Change

DAY 1: WEDNESDAY, MAY 24

TIME	EVENT
6:00 pm – 7:30 pm	Welcome Reception Sponsored by  Borden Ladner Gervais World Exchange Plaza, 100 Queen St., Suite 1300 Borden Ladner and Gervais Rooms

DAY 2: THURSDAY, MAY 25

TIME	EVENT
7:45 am – 8:15 am	Registration and Breakfast
8:15 am – 8:30 am	Opening Remarks Conference Co-Chairs: Valerie Wise , Wise Health Law (Oakville, ON) Catherine Gaulton , Healthcare Insurance Reciprocal of Canada (Toronto, ON) Julie LeBlanc Hultberg , Partner/Associée, Stewart McKelvey (Moncton, NB)
8:30 am – 10:00 am	Human Resources: The Greatest Challenge in Canadian Health Care Today Sponsor 

DAY 2: THURSDAY, MAY 25

TIME	EVENT
	<p>The scarcity of healthcare workers across the country is one of the biggest challenges the Canadian healthcare system is currently facing. Hear from a panel of health leaders and experts for insight into the crises and a forward-thinking discussion of the paths forward, considering issues arising out of access to care, variations in scopes of practices, and the mobility of health professionals.</p> <p>Moderator: Lisa Corrente, Torkin Manes LLP (Toronto, ON)</p> <p>Speaker(s): Heather L. Totton, Senior Director, Governance and General Counsel, Nova Scotia College of Nursing (Halifax, NS) Cynthia (Cindy) Clarke, National Group Head, Clients, Sectors & New Services, BLG (Toronto, ON) Dr. Jack Kitts, Retired hospital CEO and Health System Leader (Ottawa, ON) Ivy Lynn Bourgeault, PhD, Professor, School of Sociological and Anthropological Studies, University of Ottawa, and the University Research Chair in Gender, Diversity and the Professions (Ottawa, ON)</p>
10:00 am – 10:15 am	<p>Networking Break</p> <p>Sponsor</p> 
10:15 am – 11:45 am	<p>Regulating Wellness: When Fitness to Practice is Questioned</p> <p>Regulatory bodies are not only mandated to protect the public and act in the public interest. They also address concerns regarding a health care professional's fitness to practice. Concerns may be related to a health professional's mental health or to addiction issues. How well do health professional regulatory bodies respond to and address such issues? Given regulators' duties to provide procedural fairness and their obligations to aim for just results, do current legislative frameworks and their application provide the right framework for regulators to meet those obligations? What is the relationship between a disciplinary stream and a more supportive pathway in different provinces?</p>

DAY 2: THURSDAY, MAY 25

TIME	EVENT
	<p>Whether fitness to practice concerns arise as the result of a patient complaint or a mandatory report, the handling of such matters is taking on a growing prominence. If you are a lawyer who advises regulatory bodies or health care professionals, or you are involved in advising on policy or legislative changes, you need to understand the key aspects of fitness to practice cases involving health professionals with substance use and other mental health disorders.</p> <p>Moderators: Tracey M. Bailey, K.C., Miller Thomson LLP (Edmonton, AB) Martina Munden, Nova Scotia Health Authority (Halifax, NS)</p> <p>Speakers: Robert Sheahan, Partner, Gowling WLG (Ottawa, ON) Alexandra Wilbee, Partner, Weir Foulds LLP (Toronto, ON) Laura Inglis, Partner, Bennett Jones LLP (Edmonton, AB) Dr. Máire Durnin, Precision Medical Monitoring (Vancouver, BC)</p>
11:45 am – 12:00 pm	Networking Break
12:00 pm – 1:00 pm	<p>Lunch and Keynote Address: Mental Health in the Legal Profession</p> <p>Fairmont Château Laurier</p> <p>Keynote Speaker: The Honourable George R. Strathy, retired Chief Justice of Ontario (Toronto, ON)</p>
1:00 pm – 1:15 pm	Networking Break
1:15 pm – 2:45 pm	<p>Canada’s Expanding MAID Framework: Disability, Mental Illness, and Support Shortages</p> <p>Sponsor</p>  <p>This session will be presented in English and French with simultaneous translation available</p>

DAY 2: THURSDAY, MAY 25

TIME	EVENT
	<p>With Canada’s medical assistance in dying (“MAID”) framework poised to expand eligibility to include individuals with a mental illness as their only underlying medical conditions, it is worth taking a step back to consider how Canada’s expanding MAID framework is impacting Canadian health law, health policy, and healthcare. How does MAID impact the lives of Canadians with disabilities, taking into consideration the reality of systemic ableism, unconscious bias, and support shortages? How will an expanded MAID framework affect those with mental illness considering the ongoing need for and lack of mental health supports? Is Canada’s MAID legislation appropriately structured to guard against inequality, particularly from a gender equality and disability rights perspective? Understand the impact of the expanding MAID legislation on these and other questions.</p> <p>Moderators: Garifalia Milousis, The Acacia Group (Ottawa, ON) Martina Munden, Nova Scotia Health Authority (Halifax, NS)</p> <p>Speakers: Professor Trudo Lemmens, Scholl Chair in Health Law and Policy, University of Toronto (Toronto, ON) Dr. Karandeep Sonu Gaiind, Sunnybrook Hospital, Temerty Faculty of Medicine, University of Toronto (Toronto, ON)</p>
2:45 pm – 3:15 pm	<p>Networking Break</p> <p>Sponsor</p>  <p>The logo for Rosen Sunshine LLP, a law firm specializing in health and regulatory law. It features the name 'Rosen Sunshine' in a serif font, with 'LLP' in a smaller font to the right. Below the name is the tagline 'HEALTH & REGULATORY LAW' in a sans-serif font. To the left of the name is a circular icon with a stylized sun or flower design.</p>
3:15 pm – 3:30 pm	<p>Health Student Essay Contest Award Presentation</p>
3:30 pm – 4:30 pm	<p>Top Ten Health Law Cases: The Latest Developments in Canadian Health Litigation</p>

DAY 2: THURSDAY, MAY 25

TIME	EVENT
	<p>Sponsor</p>  <p>This rapid-fire session will highlight recent need-to-know cases from across Canada, covering medical malpractice, professional regulation, privacy, class actions, patented medicines and more!</p> <p>Moderator: John McIntyre, McIntyre Health Law (Toronto, ON)</p> <p>Speakers: Jennifer O'Dell, Sunnybrook Health Sciences Centre (Toronto, ON) Melissa Rico, Carbert Waite LLP (Calgary, AB)</p>
6:00 pm – 7:00 pm	Young Lawyers Reception
7:00 pm – 11:00 pm	Reception and Dinner

DAY 3: FRIDAY, MAY 26

TIME	EVENT
8:00 am – 8:30 am	Registration and Breakfast
8:30 am – 10:00 am	Damage Awards in Health Litigation: Trends and Predictions <p>Sponsor</p>  <p>This session will be presented in English and French with simultaneous translation available</p>

DAY 3: FRIDAY, MAY 26

TIME	EVENT
	<p>Take an in-depth look at damage awards in health negligence matters across the country and learn how an evolving legal and economic landscape is impacting the nature of claims. Hear diverse perspectives and gain insight into the quantification of damages in complex claims.</p> <p>Moderator: Julie LeBlanc Hultberg, Partner/Associée, Stewart McKelvey (Moncton, NB)</p> <p>Speaker(s): Kelley McKeating, McKeating Actuarial Services, Inc. (London, ON) Alexandre Brosseau-Wery, Associé / Partner, Kugler Kandestin, L.L.P. (Montreal, QC) Daniel Boivin, Partner, Gowling WLG (Ottawa, ON)</p>
10:00 am – 10:15 am	Networking Break
10:15 am – 11:45 am	<p>Virtual Health Care: Practical Implications</p> <p>Sponsor</p>  <p>The Pandemic forced an exponential increase in the use of virtual health care in Canada and beyond. While this was essential to the delivery of healthcare in Canada, and an important innovation as a continuing solution, many are identifying the need to more fully consider its implications including regulatory, privacy, health policy, and civil liability concerns. Experts in health regulation, privacy, health policy and medical malpractice implications will provide you with a deep, reflective, and practical exploration of these important issues.</p> <p>Moderators: Tracey M. Bailey, K.C., Miller Thomson LLP (Edmonton, AB) Chantalle Briggs, Bereskin & Parr LLP (Toronto, ON)</p> <p>Speakers: Dr. Ewan Affleck, Senior Medical Advisor – Health Informatics, College of Physicians & Surgeons of Alberta (Edmonton, AB)</p>

DAY 3: FRIDAY, MAY 26

TIME	EVENT
	Karen Bennett-Clayton , Stewart McKelvey (Halifax, NS) Ira Parghi , INQ Law (Toronto, ON)
11:45 am – 12:00 pm	Closing Remarks
	Conference Co-Chairs: Valerie Wise , Wise Health Law (Oakville, ON) Catherine Gaulton , Healthcare Insurance Reciprocal of Canada (Toronto, ON)
12:30 pm – 1:00 pm	Tours of the Supreme Court of Canada
	Requires pre-registration as numbers are limited.