

April 25, 2007

Hon. George Abbott
BC Minister of Health,
Room 346
Parliament Buildings
Victoria, B.C.
V8V 1X4

BY FAX: 250-356-8273

Dear Mr. Abbott,

On behalf of the BC Health Coalition, I am writing to request you take urgent action in connection with the re-opening of the "urgent care" emergency room at the False Creek Surgical Centre.

Specifically, we request that you launch an immediate investigation of billing practices at the centre, using the powers your government assumed when you proclaimed sections of Bill 92 last December - the last time this facility tried to bill patients directly for emergency services.

This investigation and audit are essential to determine whether this medical business is complying with BC's *Medicare Protection Act*. In its annual report of 2003-04, Health Canada noted that the billing practices of BC's private surgical clinics, including False Creek, had been the subject of on-going discussions between the two levels of government since June 2000. We also request an investigation to determine whether False Creek continues to charge patients referred to it by practitioners a facility fee.

I remind you, Minister, that our public health care system in BC and across Canada is based on the principle that access to medical services is available to everyone equally based on medical need, not on ability to pay. The model promoted by the False Creek Surgical Centre appears to violate this principle and sends us down the road to US-style health care where those with higher credit card limits or better health insurance get better care.

We urge you to exercise the provisions of Bill 92 to their full extent and investigate False Creek Surgical Centre to ensure BC is in compliance with the

Canada Health Act. I point out that federal legislation specifically prohibits user charges for medically necessary services that are insured under medicare.

The clinic's claim that its doctors who provide "urgent care" are not enrolled in the Medical Services Plan (MSP) is irrelevant. Under the Canada Health Act, if a patient needs a service that is insured under medicare and the patient is covered by medicare, a physician or clinic has no right to charge fees. In addition, the Medicare Protection Act explicitly prohibits user charges for medical services above the fee established in MSP by both enrolled and unenrolled physicians.

The Medicare Protection Act was introduced in 1996 specifically to end extra billing by unenrolled and enrolled but opted out physicians. At the time, BC was penalized over \$2 million for physician billing practices during the previous 4 years. Your obligation now is to uphold existing laws in BC and to ensure our province complies with the Canada Health Act.

It's time for your government to demonstrate its commitment to medicare and the right of patients to receive timely medical care without being forced to pay extra fees.

It's also time for the BC government to build on the successes of many positive public solutions to health care challenges, such as the innovative public surgical projects which have reduced waiting times significantly in public facilities.

I look forward to an early reply to indicate when the action requested in this letter will be taken and what other measures the government is contemplating to address this serious situation.

Yours truly,



Joyce Jones, BC Health Coalition Co-Chair



Anne Shannon, BC Health Coalition Co-Chair

cc: Tony Clement, Federal Minister of Health
cc: Adrian Dix, BC Opposition Critic for Health