

NEWS RELEASE

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April 3, 2014**BC public health care advocates applaud Alberta court ruling upholding ban on private payment for health care**
BC to face similar, but broader, constitutional challenge this year

Public health care advocates in B.C. are celebrating an Alberta Court of Queen's Bench decision to uphold the province's ban on private health insurance for medically necessary services.

The court was not persuaded that wait times in Alberta are linked to the province's ban on private insurance that duplicates what is covered under Medicare.

"This decision is good news for Alberta, and for all Canadians," says Rick Turner, co-chair of the BC Health Coalition. "We don't want to go the route of the United States, where private health insurance costs the average family \$16,000 a year. Evidence from Europe and the US shows that duplicate insurance leads to higher costs in the public system and longer waits for those who can't afford to pay, making access to care more unequal."

A similar, much broader, constitutional challenge to Medicare is scheduled to go to trial in BC Supreme Court this September. The case is driven by Dr. Brian Day, owner of the Vancouver-based Cambie Surgery Centre, a for-profit surgical clinic known for unlawfully billing patients for health care services.

Dr. Day is seeking to strike down BC's rules that protect fair and equal access to care by prohibiting doctors from charging patients extra for services already covered under provincial insurance plans. He's also taking aim at BC's ban on duplicate private health insurance.

"Dr. Day claims that the defining principle at the heart of Canadian Medicare – that health care be provided according to patients' needs, not their ability to pay – is unconstitutional," says Turner. "If Dr. Day wins in B.C., those laws will inevitably be struck across Canada, undermining our entire universal public health care system. We'd be left with a system that looks very much like that of the US."

Similarly to arguments made by the plaintiff in the Alberta case, Dr. Day argues that wait times would improve by striking down Medicare laws. But evidence from Canada, Australia, New Zealand, Europe and the UK shows the opposite: a two-tier system leads to longer wait times and worse health outcomes. Only those who can afford to pay have shorter wait times when they buy their way to the front of the line. Everyone else waits longer because doctors can only treat one patient at a time.

"We're encouraged to see the Alberta decision this week and hope for a similar outcome in B.C.," says Turner. "Canada does not need health reform through an end-run in the courts, driven by for-profit clinic owners. What we need is evidence-based improvements in the public system to reduce wait times for elective surgeries."

The BC Health Coalition has intervener status in the BC constitutional challenge.

For more information contact:

Adam Lynes-Ford, BC Health Coalition
Cell: 604-787-6560 adam@bchealthcoalition.ca