

24 HOURS CONVENED A FORUM TO DISCUSS THE POSSIBILITY OF PRIVATE HEALTH CARE

Two-tier time is upon us Access will be threatened

In an historic decision, the Supreme Court of Canada ruled Quebec's ban on purchasing private health insurance violated Quebec's constitution.

"The message from six out of nine judges was that if you are going to ban access to private health care, you can't allow waiting lists to grow to the point that patient's lives are in jeopardy," said Victoria lawyer Robert Janes.

As Janes predicted years ago, the Supreme Court of Canada ruled that making a person suffer on ever-lengthening medical wait lists is a breach of their rights to liberty and the security of the person.

This unfortunately is a decision that for now applies only to Quebec. However, the Supreme Court's decision will likely trigger a flood of litigation in provinces such as B.C. and Alberta where the legislation banning private health insurance is identical to that of Quebec.

Essentially the Supreme Court of Canada has faced up to the reality that as our public health-care system collapses under the weight of our aging population base, people have lost their health, their freedom and even their lives while being relegated to ever lengthening surgical waiting lists.

It is worth remembering those who died, including 19-year-old Mary-Louise Carlos of Saanich died Dec. 21, 2004 of meningitis after being turned away from the ER at

Royal Jubilee Hospital in Victoria.

For years, WCB claimants received treatment at private health-care facilities, while the wealthy and the desperate have resorted to seeking private health-care services abroad. This decision opens the possibility that, as Canadians, we can purchase supplementary private-health insurance so, if injury or illness occurs, we can get treated right away at a private facility.

Meanwhile Canadians who can't afford private health insurance will also benefit, as waiting lists for treatment at public facilities will be significantly reduced. Thus all Canadians will ultimately benefit from this decision. But before that can happen there needs to be a ruling by the Supreme Court of Canada that Canada's ever growing medical waiting lists violates the Canada Charter of Rights and Freedoms and not just the Quebec Constitution.

Once that decision is rendered, Canada will join the rest of the Western world in having a mixed private and public health-care system. It is a decision that cannot come soon enough.

Michael Geoghegan is a political analyst and has his own consulting firm.

Anatole France, the famous French historian, in 1894 noted the irony that "The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread."

Today the Supreme Court of Canada offered us a similar bit of wisdom, ruling that all Canadians, rich and poor alike, have an equal right to use their own money to access health care in a timely manner. In a narrow 4-3 ruling the Supreme Court, after a year-long deliberation, said that Quebec patients can buy private insurance to speed up their access to health services. The case overturns earlier court decisions that the collective right to



health care on an equal basis is more important than individual rights to use their own money to obtain services more quickly than others.

The decision applies only in Quebec but will affect all Canadians as provinces move to bring their health systems into line with the Court ruling.

Despite what some are predicting, the Supreme Court ruling won't support more timely access to health care by all Canadians. Ironically, one of the main plaintiffs in

the case, 73-year-old George Zeliotis, would not benefit from the decision if he didn't have money. Seniors, most of whom earn less than \$20,000 per year, would be unable to obtain private-health insurance. For them, the court decision will not provide more timely access.

Studies do provide us with a hint of what may happen if governments do not act quickly to protect medicare. In countries that rely on private insurers and for-profit companies, the quality of care and the health status of citizens is compromised and the costs of care increase. Access to health care for middle class and poor people disappears or declines.

The Court's decision that "the prohibition on obtaining private health insurance is not constitutional where the public system fails to deliver reasonable services" suggests that a resolution should be found in shoring up the public system. While health-care budgets have grown, waiting lists remain a problem.

The people of Canada have consistently stated medicare is their number one priority.

Rather than open the door to more private health insurance, and a more American-style health-care system, we need to make sure the public system has the capacity to deliver the services needed.

Colleen Fuller is the chair of Pharmawatch and a research associate with the Canadian Centre for Policy Alternatives.

Do you think people should have access to a private health care system in B.C.?



Jean Reston

I don't believe in a two-tiered system. It's a slippery slope that will end up costing the public system in the long run.



Jan Rostkowski

Yes, it's a free country. If they're willing to pay for a service they should be able to. You get what you pay for and you pay for what you get.



Amber Proud

No, everyone should be able to get the same health care. If we have a private system it'll cause problems and people will be bumped.



Mark Stern

Yes, it can take some of the burden off the people that can afford it. I'm in favour of it as long as the gov't doesn't make cuts to the public system.



Ron Finch

No, it undermines the point of having public health care. Where are the good doctors going to be? Where the money is – not everyone can afford that.

What's on your mind this week?

IT'S WITH GREAT AMUSEMENT that I read the flaky reasons (*24 hours*, June 9) for voting for a comedian without a platform. Entering public life, you need to contribute more than jokes and rhetoric. You can also expect to hear criticism especially since so far his "job interview" has told us that he wants to run for city council because ... well, we don't really know do we?

- L. Spencer, via e-mail

MY QUESTION to Mr. Spenser is: Does he know what Mr. Maliha stands for? Did he look into it or did he simply know that he had done comedy and wanted to take a cheap shot at a man who's stance is looking out for the underdog? It is a sad commentary on public responsibility when things like this are said with out any due diligence. We know Patrick can handle an audience.

- Sean Wesenberg, Vancouver

A BEAVER'S NATURAL INSTINCT is to build a lodge. (*24 hours*, June 8). Unfortunately, its instinct contradicts man's needs, and "nuisance" beavers are destroyed. Lower Mainland municipalities primarily use the connibear trap to dispose of our national animal. Although the trap is inexpensive, it is very cruel. There has to be a kinder, more humane way of solving the "beaver problem".

- Mike Rogozinski, Port Coquitlam

MAYOR LARRY CAMPBELL'S PRESCRIPTION on marijuana has inspired me to suggest that we should "legalize and tax" bribery and auto theft, for the classical excuse that restrictive laws "don't work." This way Canada can save millions on Gomery Enquiry and RCMP. Government and municipalities will also earn commission on commissions of Liberal loot.

- Bijan K. Basak, Vancouver

AS A SCIENTOLOGIST, I also did not appreciate your paper's remarks (*24 hours*, June 6). I feel fortunate to have discovered Scientology almost 10 years ago. I have used its practical philosophy and "study technology" in raising both my boys, now 18 and 16. They have both won awards in academics, sports and leadership. Scientology's booklets have made parenting easy and a joy.

- Cindygail Thomson, North Vancouver

JUST WANTED TO SAY the lady who stands at the Edmonds Station every morning handing out *24 hours* has a sweet smile. The other morning I wanted to read my book, so opted for not taking an issue, but her smile and eye contact changed that. I read *24 hours* cover to cover.

- Sheila Tofini, Burnaby

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