



Chaoulli v. Québec

ACTION ALERT

Dear Citizen,

The recent Supreme Court ruling struck a blow to the heart of Canada's Medicare system.

Four of seven Supreme Court justices ruled that the remedy to waiting times in the public system is to grant a constitutional right for those who can afford private medical insurance to jump the queue. The majority decision argues forcefully for the rights of private health insurers while at the same time arguing that the poor have no constitutional right to health care. The decision is a perversion of Canadian values and is likely in violation of international human rights law.

Canadians don't believe in the values expressed in the Supreme Court's Chaoulli v. Quebec decision. Waiting time problems need to be fixed in the public system so that all Canadians have equal and timely access. Health is a human right.

We agree with Prime Minister Martin's recent comments:

"The way you avoid all of the problems of a two-tier system, which we see in the United States, for example, every single day, is to make sure your public health-care system is very, very strong....Health care should not be based on your pocketbook, it should be based on need." (Canadian Press, June 21, 2005).

But words are not enough. Faced with the Supreme Court intervention, concerted action is urgently required.

Strategic investments are needed to reduce wait times and increase the number of health care providers. Other essential reforms include:

- * improved access to safe and effective drugs
- * improved primary care
- * expanded home care
- * a national strategy on health human resources
- * the same physician cannot practice in both the public and private systems

Public funding for health care must be invested in the public system not for private care. These new investments must, in the words of Roy Romanow: "buy change".

Continued ...

Wait time reduction strategies will fail without a plan to stem privatization of delivery.

Two-tier health care siphons scarce human resources from the public system. We have a shortage of nurses, physicians, radiologists, technicians, etc in the public system. Every health professional that leaves the public system to work in a private, parallel system, increases wait times and erodes the public system.

The obligation is on governments to fix what they broke through previous funding cuts. Canadians want the problems in the public health care system fixed. They don't want the system dismantled.

In light of the serious threats to Canada's public health care system, the government of Canada must:

1. **Recommit to defend the right of all Canadians to universal and equal access to health services, regardless of ability to pay. This includes tracking public funds to ensure they are invested in care not profits.**
2. **Develop benchmarks for waiting times and strategies for applying them to ensure timely access and to conform with the Canadian Charter and other human rights law.**
3. **Work with provincial and territorial governments to ensure their Medicare laws protect equality of access with equal terms and conditions and shield health insurance and service delivery from commercialization and international trade agreements, including NAFTA and the GATS.**
4. **Enforce compliance with the Canada Health Act and stem the tide of privatization that undermines the objectives of the Act and threatens the viability of Medicare.**

***Visit, Write, Phone, Fax or Email
your politicians today !!***

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Download the new Canadian Health Coalition *Backgrounder* on the Chaoulli Supreme Court decision. It is available on our website at: www.medicare.ca

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