

Canadian Press (July 4, 2005)

## **Quebec asks top court for 18-month delay in lifting ban on private health care**

BY DENNIS BUECKERT

OTTAWA (CP) - Quebec has asked the Supreme Court of Canada for an 18-month stay of its landmark judgment striking down a ban on private medical insurance in the province.

The delay is needed to protect public medicare from harmful effects of a parallel, private health care system, says a motion filed with the court by the Quebec attorney general.

The June 9 ruling in the case of Quebecer Jacques Chaouilli is widely seen as clearing the way for two-tier health in Quebec, and eventually across Canada.

Quebec's brief warns that allowing the private system to grow would draw medical personnel away from the public system, damaging the quality of care.

"It is to be feared that an unregulated system of new private health services could produce negative effects on the capacity of the public health system to deliver services to the public efficiently and equitably, especially during the transition period."

The June 9 ruling found that Quebecers' rights under the Quebec charter of rights were being violated by long waits for medical care in the public system. The same problem exists in all provinces.

In its brief, the Quebec government notes measures have already been taken to cut wait times, including adding more than \$4 billion in new money for health since 1999-2000.

"The arrival of services financed by the private sector, without special precautions, risks compromising the efforts of the department and the whole network of health and social services because some actors could operate outside the public system."

Quebec currently has shortages of doctors, pharmacists, nurses and medical technicians.

"In the context of such shortages of human resources, it seems necessary that the introduction of a private parallel system be accompanied by rules to ensure enough staff for the public system and a fair regional distribution of manpower."

The government must also be sure that any measures it takes are compatible with the Canada Health Act and NAFTA, says the study.

Quebec has already created an inter-departmental committee to respond to the judgment, and more experts may be named to it.

The federal government insists that two-tier health care won't happen in Canada, but hasn't offered any concrete proposal to ensure universality is preserved.

An 18-month suspension of the ruling would leave that unresolved issue hanging over the next federal election campaign.