

Quebec's 'hybrid' medicare

Clinics to get public money and charge fees

Tom Blackwell
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A law about to be implemented in Quebec allows private health clinics to charge taxpayers for surgeries and bill the same patients user fees, opening what appears to be a controversial new avenue for private medicine in Canada.

The legislation was designed to respond to a landmark Supreme Court of Canada ruling in 2005 that said Quebec had to either reduce medical waiting lists or lift a ban on private insurance for medically necessary services.

Bill 33's main thrust is reducing wait times, but in doing so it creates new categories of private clinics that receive government funds for providing knee replacements and other medically necessary services. The legislation also lets those clinics charge patients certain, unspecified, fees for items not covered by medicare.

Doctors and hospitals can levy such "accessory" fees now. But it is the combination of the fees and government-funded private facilities that is generating controversy, fuelled by the recent opening in Montreal of Rockland MD, a massive private hospital already operating under a "hybrid" system.

"It's the most strategic development we've seen in health care in Canada in 30 years," said Mike McBane, spokesman for the Canadian Health Coalition, a union-affiliated champion of public health care.

"If it flies in Quebec, it will be up and running before you can blink an eye in British Columbia [and other provinces]."

Mr. McBane said it amounts to the government subsidizing health care that only the wealthy few can afford.

Others say the changes could be positive.

Letting private clinics receive taxpayer dollars for surgeries while providing some kind of enhanced service for a fee would give patients another option and might free up space in the public system, said Nadeem Esmail, an analyst with the Fraser Institute, a conservative think-tank.

"If Quebec wants to do a little experimenting ? they should be encouraged to do so," he said. "At the end of the day, this could increase the number of services provided."

Observers say such hybrid clinics existed in Quebec even before Rockland MD, tolerated by the province's Liberal government if not officially enshrined in legislation. Bill 33 would appear to provide that legal authority.

Entirely private medicine, where a doctor opts out of the public system and patients pay the full costs of care, has long been permitted in Quebec.

The new legislation, which one health law expert says makes "fundamental changes" to health care in Quebec, allows for private facilities, called specialized medical centres, that contract with public hospitals to provide hip and knee replacement and cataract surgery -- at the taxpayers' expense.

The list of services the centres can offer may be expanded later.

The centres are also permitted to charge fees, as regular hospitals and physicians can, for items and services not covered by medicare.

Exactly what that will mean when the law is fully implemented this year is murky.

Marie-Claude Premont, a law professor at McGill University who studies Quebec health law, said those fees are usually fairly minor, not in the hundreds or thousands of dollars.

In fact, a Quebec judge last year ordered the province to reimburse women who were charged facility fees of \$200 and more at private abortion clinics.

Rockland MD says it will charge patients for operating room time, support staff and related costs; a hernia operation, for instance, will cost about \$1,300 in extra fees after medicare pays for the doctor's services.

Louise Montreuil, a spokeswoman for the Quebec Health Ministry, said the charges proposed by Rockland would not be allowed under Bill 33. But she did not say if the province would take any action against the centre.

Prof. Premont, however, said she is seriously dismayed by changes being wrought by Bill 33.

She said she is not opposed to completely private health care, where no tax dollars are spent, but said the hybrid approach is dangerous.

"It's publicly subsidized private service to which only certain people have access," she said. "Why would the public purse subsidize services for the few when the majority don't have enough [health care] service?"

When the Alberta government last year proposed allowing doctors to operate in both the private and public system, Stephen Harper, the Prime Minister, wrote a letter saying the idea would put doctors in a conflict of interest. Alberta later abandoned its plans.

But successive federal governments have been milder in response to Quebec's burgeoning private health care sector.

Erik Waddell, a spokesman for Tony Clement, the Health Minister, said the Conservatives are committed to the Canada Health Act, which bars user fees for services covered by medicare, but did not criticize developments in Quebec.

"We are confident that Quebec will resolve the issue in an appropriate manner," Mr. Waddell said. "Our preference is to work with the provinces and territories to resolve Canada Health Act issues through consultation, collaboration and cooperation."

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