

Cambie Surgeries Corporation v. British Columbia

October 24, 2020

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UNIVERSITY OF TORONTO

Canadian Doctors for Medicare

Mission: *To provide a voice for Canadian doctors who want to strengthen and improve Canada's universal publicly-funded health care system. We advocate for innovations in treatment and prevention services that are **evidence-based** and improve **access, quality, equity and sustainability***

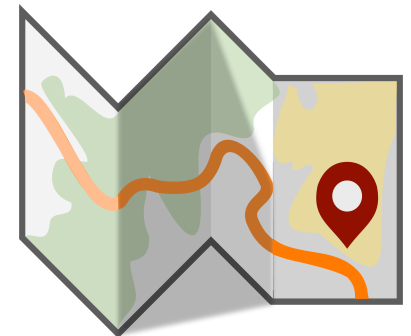


CANADIAN DOCTORS
FOR MEDICARE

MÉDECINS CANADIENS
POUR LE RÉGIME PUBLIC

Road Map

1. How did this all start?
2. Public, private, for-profit, not-for-profit.....
What is the case actually about??



Cambie Corporation

- ▣ Cambie Surgical Centre is a Vancouver surgical centre operated by Dr. Brian Day
- ▣ Brian Day is an orthopedic surgeon,
 - ▣ President of the CMA from 2007-08
 - ▣ Advocate for private, for-profit medicine
- ▣ Openly violated the law on extra billing, allowing patients to pay a “facility fee” to jump to the front of the line

Cambie & BC Supreme Court

- ▣ In 2008, launched Charter challenge claiming extra-billing restriction deprives patients of Charter rights
- ▣ Section 7: “Everyone has the right to life, liberty and security of the person”
- ▣ BC’s “Medicare Protection Act”

Cambie Corporation

- ▣ Audited in 2012 by the BC government
- ▣ Nearly \$500,000 in extra billing found – in 30 days

B.C. government warns private clinics about overcharging

By [Tyler Orton](#), 24 Hours Vancouver
Wednesday, July 18, 2012 7:19:40 PDT PM



What was being challenged

Three things:

- ❑ **Duplicative Private Insurance**
- ❑ **Extra-Billing for Publicly Insured Services**
- ❑ **Dual Practice (Public + Private)**

Case Progress

- ▣ **September 2016, BC Supreme Court started hearing the case**
- ▣ **Final arguments completed February 2020**
- ▣ **Judgement released September 2020, Victory for Medicare**

Public

Profit

**Not-
Profit**

Private



Public vs. Private

▣ Public vs. Private Financing

- ▣ Who pays for the service?

▣ Public vs. Private Delivery

- ▣ Who delivers the service?



Health System Financing: *Who Pays?*

- ▣ Public Financing
 - ▣ Government (tax revenue)
- ▣ Private Financing
 - ▣ Out-of-Pocket
 - ▣ Private Insurance



Health System Delivery: *Who Executes?*

- ▣ **Public Delivery**
 - ▣ **Government**

- ▣ **Private Delivery**
 - ▣ **Not-for-profit**
 - ▣ **For-profit small business/provider owned**
 - ▣ **For-profit corporate/investor owned**



So, what IS health care **privatization**??

- ▣ Private Financing
 - ▣ User fees
 - ▣ Out-of-pocket spending
 - ▣ Private insurance
- ▣ For-Profit Delivery
 - ▣ Investor-driven
 - ▣ Cream skimming



- ▣ **Private Financing**

- ▣ **User fees**

- ▣ **Out-of-pocket spending**

- ▣ **Private insurance**

- ▣ **For-Profit Delivery**

- ▣ **Investor-driven**

- ▣ **Cream skimming**