

Protecting, or posturing? The Liberal government's Public Health Care Protection Initiative – a CUPE analysis

November 10, 2005

The Liberals' response to NDP demands to address health care privatization was superficial and inadequate. The NDP rejected it, but the Health Minister Dosanjh went ahead and released the plan, calling it the "Canadian Public Health Care Protection Initiative".

Dosanjh has touted the Initiative as a "constructive and comprehensive proposal". Below are highlights of the plan, and an analysis of why it fails to address health care privatization.

What the Liberals offered

"Where private involvement threatens the integrity of the single payer system, the federal government will act to ensure that the terms and conditions for any new federal dedicated funding require that these funds be spent within the public health care system."

How the Liberal offer falls short

- The Liberal promise to ensure that federal funds be spent within the public system only applies to future and dedicated funding. It does not apply to the biggest pot of money – the Canada Health Transfer – and it does not apply to existing dedicated transfers, including the 10-year, \$41 billion Health Accord funding.
- It is a promise, not a legally binding requirement.
- The Liberals may not want to admit it, but the minister of health is already obliged under the *Canada Health Act* to withhold funding from provinces that allow for-profit providers to operate in a manner that offends the criteria of the *Act*. Yet, despite many examples of such non-compliance, Liberal Ministers of Health have never once withheld funding from provinces for being in breach of *Act's* criteria.
- The requirement to spend only in the public system would only kick in "where private involvement threatens the integrity of the single payer system". How will the government determine the public system's integrity has been threatened? Even now, the federal government refuses to collect information from the provinces on public and private spending – information that it needs to monitor, report and enforce the *Canada Health Act*, its responsibility under the law.

What the Liberals offered

“The federal government will therefore interpret the *Canada Health Act* so as to take action against the practice of physicians providing the same services on both a publicly insured and privately paid basis when such practice undermines access to publicly insured services.”

How the Liberal offer falls short

- Again, how will the federal government determine that doctors’ straddling both sectors has “undermined access”, when it refuses to track private sector growth or barriers to access?
- The Liberal’s response ignores the problems of block fees, the sale of “enhanced” health care services, and other dubious billing practices that have become the price of admission to an increasing number of physicians’ practices.
- If the government is sincere that it wants to address the problem of doctors’ double-dipping, why does it not outright forbid the practice?

What the Liberals offered

On the matter of doctors having dual practices in the public and private system, the Initiative adds: “Another option for possible consideration in acting on this issue is the development of *Canada Health Act* information regulations.”

How the Liberal offer falls short

- An “option for possible consideration”. How much weaker could the commitment be?
- The federal government has the authority to write regulations immediately to address the information gap under the *Canada Health Act*. It can introduce to Parliament an Order in Council tomorrow. The auditor general has said in numerous reports that the federal government must collect better information to fulfil its obligations under the *Act*. The federal court referred this issue back to Parliament when CUPE and other organizations challenged the government’s lax monitoring and reporting under the *Act*. After years of challenges on this point, the Liberal government has done nothing.

What the Liberals offered

“The federal minister of health will ask the House of Commons to consider a motion requesting the Health Council of Canada, working with the Canadian Institute for Health Information and Statistics Canada, to undertake analytical work on this subject and report to Canadians. Pursuant to this resolution, the minister of health will write to the Health Council of Canada requesting that they investigate and report on the interface between public and private delivery of health care in Canada.”

How the Liberal offer falls short

- The minister of health is responsible under the *Canada Health Act* to undertake this “analytical work” and “report to Canadians” through Parliament. The federal government has both the obligation and authority to follow through on that analysis by enforcing the conditions and criteria of the *Act*. It can withhold funding to the provinces if the *Act* is violated. The Health Council has none of those powers.
- The Health Council has no legal or fiscal authority to monitor, report and enforce the conditions and criteria of medicare. Why do our elected leaders continue to shirk their responsibility for upholding medicare, most recently with this proposal to shift its duties to an agency that is not accountable through Parliament to the citizens of Canada?