

TABLE 2
 ALLEGED VIOLATIONS OF THE CANADA HEALTH ACT'S PROHIBITION
 OF EXTRA-BILLING AND USER FEES AND FEDERAL RESPONSES⁵

Date	Alleged Violation	National Standard	Violating Province	Public Federal Response
27/06/84	Ontario refuses to ban extra-billing.	Extra-billing	Ontario	Ottawa is reportedly set to impose penalties of approximately \$50 million. ⁶
06/07/84		Extra-billing	All	Federal government announces that medicare penalties will begin on 19 July. ⁷
19/07/84		Extra-billing, user fees	Ontario, B.C., Alberta, N.B., Saskatchewan, Manitoba, Quebec	Penalties of \$9.5 million per month go into effect against 7 provinces. The penalties to be repaid if the provinces get rid of extra charges by 1 April 1987. ⁸
14/07/86		Extra-billing	Ontario	Transfer payments withheld since 1984 returned to Ontario after the province bans extra-billing. ⁹

09/02/88	Women in B.C are forced to pay for their own abortions even if a fetus is severely deformed, as B.C. covers only those abortions where the mother's life is in danger. NDP health critic Marion Dewar asks the federal government to penalize B.C. ¹⁰	Extra-billing	B.C.	Federal health minister Jake Epp says he lacks the power to decide that abortions are "medically necessary" under the <i>CHA</i> . ¹¹
10/12/90	Mr. Jim Karpoff (Surrey North, NDP) asks the Minister of Health to comment on Quebec's plan to levy "deterrence" or user fees on patients (\$5 for each "non-essential" emergency room visit). ¹²	Extra-billing	Quebec	Hon. Perrin Beatty responds that he asked his officials to contact the Quebec government "to seek information with regard to the proposals" and says he will "ensure that the principles underlying the <i>Canada Health Act</i> are fully respected." ¹³
17/12/90	Mr. Rey Pagtakhan (Winnipeg North, Lib) revisits the \$5 user fee. ¹⁴	Extra-billing	Quebec	Perrin Beatty responds that he had not yet received a reply from Quebec. ¹⁵
20/03/91	Mr. Jim Karpoff once again raises the \$5 user fee issue, following comments by the Quebec Minister of Health that the fees would proceed. ¹⁶	Extra-billing	Quebec	Perrin Beatty says the Minister "indicated that he believes that what he is doing can be done within the confines of the <i>Canada Health Act</i> . The ball is in Quebec's court to demonstrate that it can be done." ¹⁷
16/09/91	Following passage of Bill 120 on 28 August 1991, Mr. Jim Karpoff notes the federal government's inaction in regards to Quebec's user fees. ¹⁸	Extra-billing	Quebec	No action

19/09/91	Karpoff calls on the Minister of Health to “inform Quebec that he will proceed immediately under the <i>Canada Health Act</i> to penalize Quebec for Bill 120 which imposes user fees in emergency wards. He should also inform the premier of the province of British Columbia who has been advocating user fees that he will not accept user fees in that province.” ¹⁹	Extra-billing	Quebec	No explicit federal follow-up ²⁰
19/05/94		Extra-billing	B.C.	B.C. fined almost \$2 million for extra-billing. ²¹
20/09/94	Hon. Audrey McLaughlin (Yukon, NDP) asks the Prime Minister to raise the issue of “the private clinics which clearly contravene the <i>Canada Health Act</i> ” with Alberta’s premier, with whom he was meeting that day. ²²	Extra-billing	Alberta	Right Hon. Jean Chretien responds, <i>inter alia</i> , “I hope that Mr. Klein will respect the laws of Canada.” ²³
28/11/94	McLaughlin revisits the same issue. ²⁴	Extra-billing	Alberta	Ms. Mary Clancy (Parliamentary Secretary to Minister of Citizenship and Immigration, Lib) notes that all health ministers, with the exception of Alberta, agreed at a September 1994 conference to regulate private clinics. ²⁵

29/11/94	Various user fees are charged by private clinics—prostate surgery in Toronto and Windsor, kidney stone treatment in Ontario, express executive checkups in Montreal, abortions in most provinces, among other procedures. ²⁶	User fees	Ontario, Quebec	
07/01/95	Reports resurface of direct billing practices by private clinics such as the Gimbel Eye Centre in Calgary.	User fees	All	Federal government gives provinces until 15 October to comply with <i>CHA</i> 's ban on user fees or face transfer payment reductions. ²⁷
07/11/95	Alberta fails to ban user fees by the 15 October deadline.		Alberta	Marleau imposes \$420,000 per month penalty on Alberta. ²⁸
18/11/95	Newfoundland women pay facility fees to get abortions at the province's only private abortion clinic in St. John's; women in Halifax pay an average of \$400 for abortions at a private clinic; five small surgery clinics in Manitoba charge fees for, <i>inter alia</i> , eye cataract operations, disposable equipment used in operations; and knee operations on patients who want to bypass the surgery waiting list at local hospitals. ²⁹	Extra-billing	Manitoba, Newfoundland, Nova Scotia	Marleau penalizes Newfoundland and Nova Scotia \$20,000 per month, and cuts Manitoba's transfer payments by \$49,000 per month. ³⁰
30/09/97	Manitoba, Newfoundland, Nova Scotia continue to pay penalties for allowing private clinics to charge extra fees. ³¹			Health Canada says the federal government cannot do more. ³²

06/09/96	Gimbel Eye Centres still charges out-of-province patients “facility” fees two months after Alberta agreed to end extra-billing. ³³	Extra-billing	Alberta	No action
02/11/96	Gimbel patients pay a new kind of fee for “enhanced services,” but the clinic says these services are not “medically necessary.” ³⁴			No federal follow-up. ³⁵
31/05/96		Extra-billing	Alberta	Mr. Joseph Volpe (Parliamentary Secretary to Minister of Health, Lib) announces that an agreement to end, by 1 July, facility fee billing of patients for insured services in private clinics was reached between Alberta and the Minister of Health. ³⁶
05/10/97	Alberta allows HRG (Health Resource Group) to open its first private hospital in Calgary’s former Grace Hospital. It says no “medically necessary” procedures will be done. HRG charges a facility fee and bills medicare for procedures. ³⁷	Extra-billing	Alberta	No action
16/12/99	Trillium Health Centres (Mississauga, Toronto) charges patients up to \$300 extra, in cash, to jump the MRI queue. ³⁸	Extra-billing	Ontario	No federal follow-up. ³⁹

23/03/00	A Montreal clinic charges hundreds of dollars an hour for the use of operating rooms so that patients can jump the queue for minor surgeries. The clinic's owner says the province knows about its practices. ⁴⁰	Extra-billing	Quebec	Both the Quebec's health insurance board and Health Canada launch investigations.
04/04/00	Alexa McDonough asks Allan Rock about an Albertan who needed an MRI, was told that there was a 9 month waiting list, but if she paid \$600 she could be seen the next day. ⁴¹	Extra-billing	Alberta	Allan Rock says he is investigating the incident and took the matter up with Alberta's health minister when they met on 31 March 2000 in Markham, Ont. ⁴²
10/05/00	Bill 11 is passed by the Alberta legislature.	Extra-billing, Accessibility	Alberta	The following day, Allan Rock tells the House of Commons: "We are therefore serving notice today that we will monitor closely what may happen on the ground in private for profit facilities permitted under Bill 11 to ensure that queue jumping and other accessibility issues do not arise." ⁴³