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## A matter of patients

The Telegram

"From my perspective, I would like to see closure on this so the patients can put this behind them."

That was Premier Danny Williams on March 4, talking about the lawsuit by patients and their families affected by the breast cancer testing woes at Eastern Health.

He was absolutely right then, and if he were to say it now, he'd be absolutely right again.

Why? Because in a lot of cases, patients affected by the cancer testing mistakes don't exactly have a lot of time to waste with the twists and turns of medical malpractice lawsuits.

Especially in a case where liability isn't even in question. "There will be compensation for individuals affected by ... the issues we have had inside of our laboratory," Eastern Health's acting CEO Louise Jones said at a news conference responding to the Cameron report just days after the premier's comments. "That is not an issue."

What is at issue is when the whole matter will be settled, and who will actually be at the table.

Last March, the lawyer for the victims, Ches Crosbie, said the government would have to come to the table during settlement mediation talks because Eastern Health didn't have enough insurance coverage to fully compensate victims.

This week, Crosbie told his clients that the provincial government has formally refused to even observe the mediation process - a process that's already slow enough.

Mediation didn't go ahead on schedule in July, and has now been postponed until late October, because the mediator wanted to give the provincial government time to get involved in the process.

There are even rumblings that the matter might have to go through the full court process - a glacial process, at best, for a group of people facing pressing health concerns.

The government appears to be keen to be on the sidelines of the legal action, saying it is not a party to it. A spokeswoman for Williams said in an e-mail response about the mediation that "the provincial government wishes to see this action brought to a conclusion as expeditiously as possible, but respects the mediation process as agreed to by Mr. Crosbie and Eastern Health. The province will be allowing the mediation process to proceed."

The province also has decided not to front money to families affected by the misdiagnoses, waiting for the legal process to go ahead.

Strange - the provincial government clearly understood the issue of urgency when it came to AbitibiBowater employees who had their severance cheques stopped because of the paper-maker's bankruptcy proceedings. The government stepped in, offered to bankroll workers until severance payments come or, if it never does, to dock the money from any compensation AbitibiBowater might get for the seizure of its hydroelectric and woods assets.

You would think, especially in the case of patients facing the uncertainty of cancer diagnoses, that the government would understand the value of at least removing financial fears from a group of people that everyone admits this province's health-care system has failed.

From our perspective, we'd like to see closure on this, so the patients can put this behind them.

It's the right thing to do.

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