

**Question and Answer Briefing Note – Spring 2006**  
**Department of Health and Community Services**

**Title:** Retesting of Breast Cancer Patients (ER/PR)

**Issue:** Breast cancer patients are still looking for answers. Some patients may have missed out on a drug therapy (Tamoxifen) that lowers the risk of the cancer recurring. Some patients say it is hard to find out whether their results are right or not. The family of one patient has filed a statement of claim against Eastern Health.

**Anticipated Questions:**

- Has the testing been completed on the samples sent to Mount Sinai and has everyone been notified of the results?
- What has been done to correct this problem?
- What is Government doing to restore public confidence in the testing procedures at Eastern Health?
- What is Government's response to the statement of claim brought against Eastern Health by the family of the late Michelle Hanlon?

**Key Messages:**

- Health care is a priority for this Government and patient safety is first and foremost. A quality review began immediately when the problem was discovered last May. Eastern Health had external consultants review the method of testing for ER/PR receptors being used. The consultants' recommendations have been implemented. They returned to Eastern Health in early April this year to assess the progress. Eastern Health expects to begin testing of new patients in St. John's once the consultants' final report has been received and reviewed, likely in late May.
- All the test results are back from Mount Sinai Hospital in Toronto. These results are in various stages of review by a panel of physicians who will interpret the results. We know this process is taking time but our primary concern is that the patients' needs are being addressed.
- Government is unable to comment at this time on the statement of claim due to the legal proceedings.

**Other Suggested Response(s):**

- Until the external consultants provide their final report and assure Eastern Health it is safe to proceed, the testing of new breast cancer patients with ER/PR receptors will continue at Mount Sinai.

**Background:**

- In May 2005, the laboratory at the Health Sciences Centre discovered some inconsistent results in breast tumour samples. This happened when a patient who had tested ER (estrogen) and PR (progesterone) negative in 2002 on a DAKO system was retested on a new VANTANA system in 2005 and the test results were positive.
- Eastern Health has sent 939 collected tissue samples for patients who had negative ER and PR results from 1997 to 2005 to Mount Sinai for retesting. All test results are now back.
- About 350 breast cancer tests are done annually in this province. About 73% of all cancer patients tested positive for ER and PR. These patients are not impacted by the retesting. The retesting involves about 27% of all patients.
- Eastern Health has advised the public that information on the ER/PR retesting can be obtained by calling the Patient Relations Officer at 777-6500, or their surgeon, oncologist or family doctor.
- Eastern Health has filed a statement of defence to a claim brought against them by the family of the late Michelle Hanlon. Ms Hanlon had initially tested negative for ER/PR on a breast tumour sample in 2000 but on retesting was found to be positive. The family claim that if the correct test result had been known earlier appropriate treatment would have been started which would have prevented the spread of her disease, and possibly her death. Eastern's statement of defence is asking that the case be dismissed.
- CBC Radio aired a story today about the statement of claim filed by Michelle Hanlon's family, noting that Eastern had filed a statement of defence. Peter Dawe, Canadian Cancer Society, was quoted and stated that he hopes for good information from Eastern Health shortly. He questioned the accuracy of the test results in laboratories across the country and he will raise the issue with his national and provincial counterparts. He also stressed the importance of Eastern Health restoring public confidence in their testing procedures.
- An expert in medical technology publicly stated last fall that Canada lacks a national standards body and laboratories across the country should take a look at what they are doing to make sure they get it right.

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