

Denise Dunn

From: Joyce Penney
Sent: Thursday, May 24, 2007 12:20 PM
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Subject: Government to Undertake Judicial Commission of Inquiry on Estrogen and Progesteron Receptor Testing

Trustees/Executive:

Copy for your information as promised at the Board meeting last evening (23 May 2007)

Thanks

Joyce

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From: Susan Bonnell
Sent: May 22, 2007 4:17 PM
To: George Tilley
Subject:

Health and Community Services
May 22, 2007

Government to Undertake Judicial Commission of Inquiry on Estrogen and Progesterone Receptor Testing for Breast Cancer Patients

In order to maintain confidence in the provincial estrogen and progesterone receptor (ER/PR) breast cancer testing system at Eastern Health, the Honourable Ross Wiseman, Minister of Health and Community Services, today announced that the Provincial Government will undertake a Judicial Commission of Inquiry on estrogen and progesterone receptor testing for breast cancer patients.

On Friday, Eastern Health CEO George Tilley apologized for the confusion that has ensued over this issue and stated that 'at no time did Eastern Health withhold any personal information from any of the patients impacted by our decision to retest for ER/PR' and that 'Eastern Health has acted and will continue to act in the best interest of our patients.'

5/24/2007

"Government recognizes it is of the utmost importance for those directly involved and the general public to understand what happened to ensure that this situation does not reoccur," said Minister Wiseman. "Through an independent review, we will endeavor to get those answers. It is critical that patients and their families are assured that government takes this matter very seriously and that any questions they have are addressed in an open and transparent manner."

A Judicial Commission of Inquiry will be established by the Provincial Cabinet under Section 3 of the *Public Inquiries Act, 2006*. Cabinet will appoint a commissioner, set the terms of reference for the inquiry and authorize an appropriate budget. Once the commissioner's report is completed, it will be submitted to the Minister of Health and Community Services and will be released publicly.

The review will address six key questions:

1. What went wrong with the ER/PR tests that resulted in a high rate of conversions when re-tested?
2. Why was the problem with the tests not detected until 2005? Could it have been detected at an earlier date? Were the testing protocols during that period reasonable and appropriate?
3. Once detected, did the responsible authorities respond in an appropriate and timely manner to those categories of people who needed re-tests and those who were being tested for the first time?
4. Once detected, did the responsible authorities communicate in an appropriate and timely manner with the general public about the issues and circumstances surrounding the change in test results and the new testing procedures?
5. Are the testing systems and processes currently in place reflective of "best practice"?
6. Does Eastern Health currently employ an effective quality assurance system to provide maximum probability that the testing problems will not reoccur?

The Commissioner will provide recommendations as necessary and appropriate to address the questions for the inquiry as identified above. The minister will announce further details regarding the Commission of Inquiry, including the appointment of a commissioner.

Minister Wiseman added, "I look forward to receiving the commissioner's report which will answer the many questions that have arisen with respect to this issue."

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