

No. S-068256
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN THE MATTER OF THE *JUDICIAL REVIEW PROCEDURE ACT*,
RSBC 1996, C. 241

BETWEEN:

BRITISH COLUMBIA NURSES' UNION

PETITIONER

AND:

ATTORNEY GENERAL OF BRITISH COLUMBIA and
MEDICAL SERVICES COMMISSION

RESPONDENTS

A F F I D A V I T

I, Myrna Allison, Emergency Room Nurse, at South Okanagan General Hospital,
of Okanagan Falls, British Columbia, MAKE OATH AND SAY THAT:

1. I have personal knowledge of the facts and matters hereinafter deposed to, save and except where the same are stated to be made on information and belief, and where so stated I verily believe them to be true.

2. On or about December 18, 2006, I visited my prosthodontist, Dr. Shupe, regarding a spot on the roof of my mouth.

3. Dr. Shupe applied a toluidene staining on the spot and told me it tested positive for requiring a biopsy.

4. Dr. Shupe told me that he would send me to see Dr. Naito regarding the biopsy. Dr. Naito worked upstairs in the same building as Dr. Shupe. Dr. Shupe directed me to see his secretary about booking an appointment with Dr. Naito.

5. Dr. Shupe's secretary told me that an appointment with Dr. Naito would not be covered by medicare and that I would have to pay privately to see him. She told me that if I did not see him and I had a biopsy done in the public system I would have to wait longer.

6. I asked Dr. Shupe's secretary what the cost would be to see Dr. Naito. She told me I would have to pay \$80 for a consultation. I would also have to pay between \$175 to \$600 for the biopsy. Further, if I wanted IV sedation during the procedure, I would have to pay another \$375. She advised me that Dr. Naito could perform the biopsy early in January of 2007.

7. I told Dr. Shupe's secretary that I would wait and have the procedure performed in the public system.

8. Sometime between Christmas and New Years, I received a copy of a letter from Dr. Shupe to an ear, nose and throat specialist in Penticton, attached as Exhibit "A".

9. In early January 2007, after the holidays, I telephoned for a specialist appointment. I was scheduled to see Dr. Stevens office. Her office advised me that the referral from Dr. Shupe was not sufficient and that I needed one from my family physician.

10. In January 2007 I visited my family physician, Dr. Robertson. He gave me a referral to Dr. Stevens and indicated on the referral that the matter was urgent.


11. On or about January 22, 2007, I went to Dr. Stevens' office for a consultation.

12. On or about January 29, 2007, Dr. Stevens performed the biopsy.


13. On or about February 6, 2007, I received the results of the biopsy performed by Dr. Stevens.


14. I did not pay Dr. Stevens anything for any of these procedures.

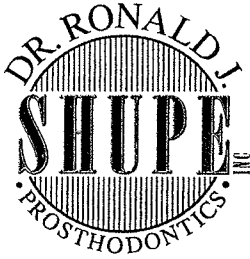
SWORN BEFORE ME at the City of
Vancouver, in the Province of British
Columbia this 28 day of February, 2007


A Commissioner for taking Affidavits within
British Columbia

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MYRNA ALLISSON

MARJORIE BROWN, Lawyer
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Certified Specialist in Prosthodontics

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Kelowna, BC · V1Y 8B7
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Fax: 250-860-6933
Toll-free: 1-800-661-4288

This is Exhibit "A" referred to in the
affidavit of M. Allison
sworn before me at Vancouver
this 28 day of February 2007
Myrna Allison
A Commissioner for taking Affidavits
within British Columbia

December 20, 2006

Dr. Vilas Prabhu
847 Winnipeg Street
Penticton, BC
V2A 5N4

COPY

Dear Dr. Prabhu:

Re: Ms. Myrna Allison
D.O.B.: Feb. 16/54 P.H.N.: 9105-350-415
Telephone: (250)497-8407 (cell) 212-0530

The above patient has a persistent red lesion on the palatal aspect of the maxillary left posterior alveolar ridge. This area tested positive for Toluidine Blue staining and should be biopsied.

Please contact the patient to provide this service for her. I would appreciate receiving a copy of the pathology report. If you require my M.S.P. billing number as the referring practitioner, please call my office.

Thank you for your assistance with the above.

Yours truly,

Dr. Ronald J. Shupe, D.D.S., M.A.
Certified Specialist in Prosthodontics

RJS/pg

cc: Myrna Allison