

D. Etches #1

Sworn: August 13, 2009

No. S090663 Vancouver Registry

### IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

CANADIAN INDEPENDENT MEDICAL CLINICS ASSOCIATION, CAMBIE SURGERIES CORPORATION, DELBROOK SURGICAL CENTRE INC., FALSE CREEK SURGICAL CENTRE INC., OKANAGAN HEALTH SURGICAL CENTRE INC. and ULTIMA MEDICAL SERVICES INC.

**PLAINTIFFS** 

AND:

MEDICAL SERVICES COMMISSION OF BRITISH COLUMBIA, MINISTER OF HEALTH SERVICES OF BRITISH COLUMBIA and ATTORNEY GENERAL OF BRITISH COLUMBIA

**DEFENDANTS** 

AND:

SPECIALIST REFERRAL CLINIC (VANCOUVER) INC.

**DEFENDANT BY COUNTERCLAIM** 

### **AFFIDAVIT**

- I, Duncan Etches, physician, of 4500 Oak Street, of the City of Vancouver, in the Province of British Columbia, MAKE OATH AND SAY AS FOLLOWS:
- I am a practicing physician, a member of the College of Physicians and Surgeons of British Columbia since 1977. I have been on Faculty in the Department of Family Medicine at the University of British Columbia since 1977 and have been Clinical Professor for 4 years. I currently serve as the Director of the B.C. Woman's Hospital Family Practice Centre, and last year was elected as the District 3 representative to the Board of the British Columbia Medical Association. As such I have personal knowledge of the facts and matters hereinafter deposed to,

save and except where same are stated to be made on information and belief, and where so stated, I verily believe them to be true. A true copy of my curriculum vitae is attached hereto and marked as **Exhibit A** to this my affidavit.

- 2. As a physician, I am very concerned that if the Plaintiffs are successful in these proceedings, and key provisions of the *Medicare Protection Act* are found to be incompatible with the *Charter of Rights and Freedoms*, the essential features of Canada's Medicare model would be seriously undermined. In their place, a market model of health care service delivery would arise, under which access to care would depend not on need, but an individual's ability to pay.
- 3. I am concerned that public funding for necessary or required hospital and physician services would be at least partially replaced by private funding and/or private insurance for those who can afford these options. In addition, the privatization of payment for health care services could accelerate the migration of health care service delivery from publicly funded not-for-profit institutions (such as public hospitals) to investor-owned for-profit clinics and surgical facilities (such as those operated by the Plaintiffs in this action). By the term "privatization", I mean both private payment for and for-profit delivery of necessary health care services.
- 4. The impact of privatization can be considered as falling into two categories. The first is the effect of privatization on access to health care services in Canada, particularly for the many residents of British Columbia who will be unable to afford or to qualify for private insurance coverage, and who, therefore, will have no other means for accessing services other than through a diminished public system with diminished access and resources. If I am granted party status, I intend to adduce evidence which supports my concern respecting this effect or impact.
- 5. This affidavit however, focuses on the second category of impacts that it is reasonable to expect privatization to cause should the *Medicare Protection Act* be struck down by the Court. These concern the direct impact that privatization is likely to have on me (and other physicians, such as myself, who remain committed to the medicare model and who will continue to provide services to patients according to their needs, rather than their ability to pay). I am very concerned that if the Plaintiffs prevail, the privatization that is overwhelmingly likely to ensue

will have the following adverse impacts on my ability to carry on my medical practice, and to be fairly compensated for the work I do:

- a. I am concerned that the burden and costs of financial administration for my medical practice will significantly increase in order to manage a billing relationship with a number of health care insurance providers, and potentially uninsured patients. One of the essential efficiencies of the Canadian Medicare model is to obviate the need for physicians to submit reimbursement claims to more than one insurer. The onerous administrative burdens and costs associated with a multi-payer system such as exists in the US, are widely understood and well documented (see, for example, data from the US showing that interacting with private insurance plans consumed USD \$68,724 per physician per year, amounting to 1/3 of primary care physician's income and benefits.<sup>1</sup>
- b. I am also concerned that, if I am required to operate in a multi-payer environment I will almost certainly need to hire more billing staff to handle the burden of submitting claims to multiple insurers. Furthermore, if claims are denied by private insurers, I may need to resubmit them to comply with the unique demands of a particular insurer. When this fails, I will have to bill patients directly or write off my fee. When a patient is billed and fails to pay, I may elect to engage a collection agency with the additional costs attendant on doing so. In addition to further increasing the costs of practice, my relationship with my patient may suffer, creating another disadvantage for some patients seeking care, and for my ability to care for them appropriately;
- c. I am also very concerned that the problems I now encounter in arranging for timely referrals for patients who require certain surgical, diagnostic or other services will become more onerous for patients who cannot afford to pay for them, if the Plaintiffs' challenge is successful. Every physician who moves out of the publicly funded system to the private system creates a gap that often cannot be

-

<sup>&</sup>lt;sup>1</sup> Lawrence P. Casalino et. al., "What Does It Cost Physician Practices To Interact With Health Insurance Plans?", Health Affairs, 28, no. 4 (2009): w533-w543 (Published online 14 May 2009)

filled in the context of our chronic shortage of physicians. This is a zero sum game; a gain on one side, is a loss on the other. There are already situations where waiting lists for publicly funded services have grown, because the physicians offering those services are providing the same services at a premium to certain patients, sometimes in direct competition with their own publicly funded commitments. Indeed, I have patients who have been told by surgeons that they could wait many months for a procedure in the hospital for free or, alternatively, have it done the next week in their private procedural clinic. In the context of physician shortages, separate and apart from the adverse effect on patients themselves and a physician's ability to ensure that his or her patients receive appropriate and timely care, this development will impose additional burdens on my practice as my staff and myself invest more time and effort to secure timely appointments.

d. I am also very concerned that if the Plaintiffs are successful, it would make it more difficult for me to maintain a patient roster that is balanced in terms of the needs and incomes of my patients. Physicians operating outside of the public system may seek out patients that can afford to pay a premium for care, and who have less complicated or demanding health care problems. The effect of this would be to disproportionately skew the composition and character of my clinical practice towards patients with more demanding health care needs. This practice is known as "cream skimming", whereby physicians providing service under private insurance or in private facilities concentrate on more routine, less complicated and more profitable cases, leaving the more difficult and time-consuming services to be provided by the public not-for-profit sector. Where fees reflect the average cost and time of providing the service, but only public hospitals (and physicians operating in the public system) have an obligation to provide service regardless of the difficulty of the case, the public system ends up providing the more time consuming and complex services. Physicians such as myself operating in the public system may suffer an increased workload and, paradoxically, a reduction in income. In other words, the financial advantages of "cream skimming" for

physicians operating outside the public systems are likely to have an opposite adverse effect on my practice; and

- e. To the extent that private insurers typically require physicians to seek pre-authorization for certain types of care, or otherwise regulate the provision of care by physicians to insured patients as a condition of access or payment, I am concerned that not only that this would impose additional administrative and financial costs on me, but also would seriously threaten my professional and clinical autonomy.
- 6. Many physicians subscribe, as I do, to the essential principles of Medicare (including that access to health care should be based on need and not ability to pay), and believe that present problems with health care service delivery can and should be resolved within the public health system. In my view, leaving apart my concerns with the adverse effects on most patients and the health care system as a whole, I am very concerned that my own ability to provide the best medical care possible to my patients, and to be fairly compensated for doing so, would be significantly compromised if the existing protections for medicare being challenged in these proceedings are weakened or eliminated. For this reason, in my view, it is very important that the views of the physician Plaintiffs concerning the impact of increased privatization on both patients and physicians not be taken as representative of the views of the profession as a whole.
- 7. I make this affidavit in support of my application for party status in this proceeding.

)))

SWORN BEFORE ME at the City of Vancouver, in the Province of British Columbia, this 13<sup>th</sup> day of August, 2009.

A Commissioner for taking Affidavits for British Columbia.

**DUNCAN ETCHES** 

Bruce Elwood

Arvay Finlay Barristers 1350 - 355 Burrard Street Vancouver, BC V6C 2G8 Phone 604.689.4421 Fax 604.687.1941

## **CURRICULUM VITAE**

# **Duncan James Etches**

Citizenship: Canadian (1947)

Wife: Dr. Nora Jane Margaret Etches

**Education:** 

Bachelor of Science (Hon. Chemistry) University of BC (1967)

Medical Doctor: University of BC (1974)

Diploma of Obstetrics: University of Auckland (1976) Certification, College of Family Practice (June 1981)

Master of Clinical Science: University of Western Ontario (1992)

Awards:

Upjohn Award \$1000: Ontario Studies in Treatment of Alcoholism, four weeks.(July 1984)

Royal Canadian Legion Emergency Award \$1000: Calgary General Hospital, two weeks. (Sept. 1985)

Steve Fonyo Fellowship \$1000: Vancouver, BC Cancer Institute, four weeks. (April 1987)

Psychiatry-Rural Practice Fellowship: Vancouver. (March 1992)

Lloyd Jones Collins Fellow \$75000 (1992-1995)

Fellowship of the College of Family Physicians of Canada (1991)

Excellence in Education, Children's and Women's Hospital, 2003

2003 Faculty of Medicine Career Award in Clinical Teaching. \$2500

This is Exhibit referred to in the Affidavit of Duncan Etches

Sworn before me at the City of Vancouve BC, this day

of Acommissioner for taking Affidavits for British Columbia

Other Training:

2

Master of Science - course work completed (1969-1970).

Advanced Trauma Life Support (May 1988).

Basic CPR (Vancouver: Oct 8, 1999)

Advanced Cardiac Life Support (Jun 1994). Update (Oct 30, 1999)

Neonatal Advanced Life Support (Oct 1992),

Neonatal Resuscitation Program (Dec 12, 1996, 1999, May 10, 2002).

Pediatric Emergency Therapeutics; Pediatric Advanced Life Support (Nov. 1994).

Pediatrics - UBC (May 1978), Harvard (May 1980), Cornell (Mar 1981),

Neonatology - UBC (May 1984).

Family Practice Review - St. Paul's (Oct 1979),

Mayo Clinic (Oct 1984),

VGH (Mar 1993, Mar 1994, Mar 1995).

Dermatology - Harvard (May 1980)

UBC (Sept. 1980, Mar 1994)

University of Washington (Sep 1980,).

Nutrition - University of Washington (Oct 1979).

Professional Liability - UBC (Nov 1982).

Civil Aviation Seminar - Vancouver (Oct 1980, Nov 1985).

Hypnosis - Basic (Feb. 1986), Advanced (Apr 1987).

CMA Leadership Conference 5th Annual, Ottawa (Feb 1993).

Ethics - College of Physicians and Surgeons Conference (Feb 1993, Feb 1994,

Apr 11,1997). Regent College (Jun 1996) (May 2,3 2003)

Advanced Life Support in Obstetrics: Provider (Jan 1994); Instructor (Nov 1994).

Practical Issues in Primary Care Psychiatry, (Dec 4,1996)

Dept. of F.P. Teachers Conference: Use of Computers (May 24, 1997)

Being an Expert Witness (Vancouver Feb. 5, 1999)

Geriatric Psych Assessment (Vancouver Mar 1999, Vancouver Jan 20, 2000)

Psychiatry Update, Miami (Feb 15,20, 1999)

Comprehensive Care of the Elderly (Vancouver: Sep 24,25, '99; Nov 22, 23 '03)

Alt Med 2000, Vancouver (March 25,26, 2000)

WCB Seminar: Return to Work (Dec 2, 2000), Workplace Injuries Nov 16, 2002

Acne (July 13, 2001)

Annual Obstetrics Update, Vancouver

Oct 27-29, 1999, 2000, Nov 2,3, 2001)

Medical Student Assessment (Dundee, Scotland - April 7-11)

# Meetings:

World Congress of Mental Health (Aug. 1977)

Canada West Medical Congress (June 1982, July 1986).

Col. of Fam. Pract. Scientific Assembly (July 1984, Nov. 1994, May, 1996, May, 1998).

Section of Teachers, Family Medicine (1986, '87, '89, '90, '91, '93, '95, '97,

Montreal: Oct 20-23,'99)).

BC Chapter CCFP (Nov '90, '91, '92).

BCMA Education Committee (Nov '84, Mar '88, Apr, '90, Apr '95, Apr. '96).

Foundations of Research in Primary Care (Feb 1989, '90, '92).

North American Primary Care Research Group:

San Antonio (Apr 1989)

Denver (Apr 1990)

Richmond (Apr 1992)

Societe Internationale de Medicine Generale, Paris (May 1991).

World Organization of National Clinical Associations, Vancouver (May 1992).

Arbutus Blooms - UBC Department of Family Medicine Faculty Development Meeting, (1986, '87, '89, '90, '91, '92, '93, '94,'95, '96).

Canadian Bioethics Society Conference (Nov 1995)

Medical Challenges in Long Term Care (Nov 1,2, 1996)

Health Care Information and Management Systems Society, San Diego (Feb, 1997)

SOGC (Victoria:Jun'98, Ottawa: June'99, Winnipeg, June 2002)

BCMA Annual Mtg (Jun '98, Jun 28-Jul 1, 2000, Jun 2002)

BC Chapter Coll of Fam Phys Annual Mtg (Vancouver: Nov 26-28, Oct 7,8, 2000)

Christian Medical-Dental Society (Harrison Mar 31, Apr 1, 2000)

Trillium Research Day (Hamilton May 27, 2000)

UBC Golden Jubilee (Nov 3,4, 2000)

UBC Gynecology Update (Vancouver Jun 2,3, 2000)

UWO Master's Reunion (Sep 21-23, 2001)

BC Reproductive Care Program (Richmond May 3-5, 2000)

Postpartum Symposium (May 30, June 1, 2002)

American Academy of Family Medicine,

Family Practice Research Networks, Kansas, (Mar 12, 2002)

Academy of Breast Feeding Medicine, Vancouver (Nov 14, 2002)

Federation Internationale de Gynecologie et Obstetrique, Chile (Nov 3-7,2003)

"Epistaxis Balloons, Hemorrhoid Banding, Suction Assisted Deliveries" UBC Residents Day (Mar 1989)

"Motivation of Learners" (Apr 1994),

Centre for Faculty Development and Instructional Services, UBC.

"Learning Contracts" UBC Arbutus Blooms (May 1994).

"Antibiotics in Dying Geriatric Patients"

B.C. College of Family Physicians Annual Meeting (Nov 1995)

"The Nature of Pain and its Causes," Amherst Hospital, (1995)

"Subjective Illness" Canadian Benefits and Pensions Institute (Mar 23,1999)

"Joint Aspiration and Injection"

College of Family Physicians of Canada, Scientific Assembly (Nov 1990)

"Teaching Residents in a Community Practice"

College of Family Physicians of Canada, Section of Teachers, Calgary (Nov 1991)

"Needles, Scopes and Plaster" - W.O.N.C.A. Vancouver (May 1992)

"Ethics Programs for Family Practice Residents,"

College of Family Physicians of Canada, Section of Teachers (Oct, 1995)

College of Family Physicians of Canada Forum 2001

Maternity Care Seminar (Oct, 25, 2001)

"Introduction of Problem Based Learning into Traditional Curriculum" Denver, Colorado NAPCRG. (May 1990)

"Transverse Myelitis, Cost Estimate and First Report in an Alcoholic" Richmond, Virginia NAPCRG (Apr 1992)

"Medical Ethics"

Dermatology Residents, UBC (Sept 14,1 999)

Division of Plastic Surgery Grand Rounds, VGH (Oct 6, 1999)

Urology: Grand Rounds (April 11, 2001)

"Antibiotics: Handle with Care"

BC Tel (Sep15, 1999)

Delta Hospital (Sept 23, 1999),

St. Vincent's Hospital (Nov2, 1999)

BC College of Family Physicians Annual Mtg. (Nov 27, 1999)

VGH (Dec 8, 1999)

Gotham's (Sep 28, 2000), La Terraza (Oct 10, 17, 2001)

St. Paul's GP Refresher course (Nov 14, 2001)

"House Calls": CKNW medical radio show, (March 26, 2000)

host: Art Hister, subject: "Appropriate Antibiotic Use."

"Medicine in Nepal"

Western Regional Memorial Hospital, Corner Brook, NF (Aug 22, 2000)

"Oil and Water, Maternity Provider Interfaces" (London, ON, Nov 24,25, 2000)

```
"Obstetric Emergencies",
```

Obstetrics for Family Physicians

(Oct '93, Oct '94, Nov '95, Nov '96, Nov'97).

BCRCP - Kelowna (Jan 1994);

Surrey (Jun 1994);

Salmon Arm (Mar 1995).

Victoria (Jun 1995, Jun 1996)

Critical Issues in Rural Obstetrics Conference (May 8,9, 1997)

"Anticoagulation for Atrial Fibrillation" St. Vincent's Hospital Rounds (1994) "Vacuum Assisted Deliveries"

St. Paul's Hospital, Dept of FP Rounds, Vancouver (Dec 6, 1999)

Case Review Rounds: Postpartum Hemorrhage, BCWH (Feb 4, 2000)

"Postpartum Hemorrhage", BC Women's Hospital Grand Rounds, (Jun 1994, 2001)

"Breech Delivery", BC Women's Hospital Grand Rounds (May 2002)

"Cephalo-pelvic Disproportion", BC Women's Hospital Grand Ronds (Jun 6, 2003)

"Shoulder Dystocia", BC Women's Hospital

(Numerous'94/95, Apr'96, Apr '97, May '97, Jun '97, Oct '97, Nov 14, '02, Sep 9'03, Feb10, '04, 06,07,08,09)

BC Women's Hospital, Dept of FP Annual refresher (Oct 26, 2000)

Assisted delivery and Shoulder Dystocia

BC Women's Hospital, Dept of FP Annual refresher (Nov 2, 2001):

Shoulder Dystocia

Home Birth Demonstration Project Panel Member

Portfolio Assessment, Office of Faculty Development, April 15, 2004. 7 participants Resident Research Methodology, September 23, 2004. 40 participants.

### ALSO Instructors courses:

Charleston (Jan 1998) San Antonio (Jan 29, 1999) Las Vegas (Mar 18, 2000) Seattle (Jul 25, 2000) Vancouver (2005)

Tashkent, Uzbkistan (Nov 1, 2002) Kenya (Sep 24, '03)

Karachi, Pakistan (Oct 3, '03) Bishkek, Kyrgyzstan (Oct 15 '03)

Tbilisi, Georgia (November 3, 2004)

Chisanau, Moldova (October 2005)

Shanyan, China (July 2008)

Beijing, China (October 2009)

"Gestational Diabetes", "Hypertension in pregnancy" UBC PG1, Family Medicine (Aug 1999)

### **ALARM Provider Courses**

Vancouver (Apr 1,2, 1999)

"Postpartum Hemorrhage", "VBAC", "Obstetric Consultation"

Richmond (May 5-7, 2000)

"Management of Labour", "VBAC", "Shoulder Dystocia"

Vancouver (Apr 28,29, 2001)

"Management of Labour", "VBAC", "Postpartum Hemorrhage"

Vancouver (Jan 24,25, 2003)

"Obstetric Consultation", "Postpartum Hemorrhage"

Comox (February 2006)

Whitehorse (Jan 2008)

Williams Lake (Jan 2009)

### **ALSO Provider Courses**

Vancouver, (Apr 1995)

Parksville, (Sep, 1995)

Calgary, (Jun 1996)

Vernon, (Jan, 1997)

Winnipeg (Apr, 1997)

Postpartum Hemorrhage, Third Stage Emergencies, Workshops

108 Mile Ranch (Jan 1996), Victoria (Mar 1996), Vancouver (May 1996)

Postpartum Hemorrhage, Malpresentations, Workshops

Parksville (Sep 1997), Halifax (May 1998)

Postpartum Hemorrhage, Third Trimester Bleeding, Malpresentations Kelowna (Jun 6,7, 1999)

Postpartum Hemorrhage, Antepartum Hemorrhage

Dallas, Texas (Sep 18,19, 2000)

Postpartum Hemorrhage, Cases, Workshops

Vancouver (Nov 11,12, 2000)

Postpartum Hemorrhage, Postpartum urgencies, Malpresentations Campbell River (Jun 2,3, 2001)

Postpartum Hemorrhage, Antepartum Hemorrhage, Perineal Lacerations, Katmandu Nepal, 2 courses, Many topics Feb 4-7, 2001

Vancouver (Oct 26,27, 2001)

Malpresentations, Postpartum Hemorrhage, Perineal Repair

Prince George (Mar 2,3, 2002)

Postpartum Hemorrhage, Perineal Repair

Vancouver (Jun 22, 23, 2002)

Malpresentations, Postpartum Hemorrhage, Perineal Repair

Kelowna (Oct 6,7, 2002), Vancouver (Oct 24, 25, 2002)

Medical Complications, Postpartum Hemorrhage, Perineal Repair

7

Tashkent, Uzbekistan 2 Provider Courses (Oct 26-Nov 3,2002) Vancouver (Jun 21,22, 2003) PPH, Malpresentations, Birth Crisis, Perineal Repair Kenya (Sep 24, 25 '03)

Karachi, Pakistan (Oct 3-11) 3 Provider Courses Biskek, Kyrgyzstan (Oct 13-18) 2 Provider Courses Xiamen, China (Jun 2-4, '04), Fuzhou (Jun 5,6) 3 provider courses. Nelson (October 1,2, 2004)

Postpartum Hemorrhage, Safety in Maternity Care Tbilisi, Georgia (November 1-5, 2004) Tansen, Nepal (October 2008) Katmandu (April 2009)

### **Positions:**

8

Summer Research Assistant - Atomic Energy of Canada Ltd. (1965)
Secondary School Teacher, C.U.S.O., Ethiopia (1967-1969)
Internship - Taranaki Base Hospital, New Zealand (1974-1976)
Staff Physician, Wrinch Memorial Hospital, Hazelton, BC (1977-1992)
Administrator, R.W. Large Memorial Hospital, Bella Bella, BC (1984-1985)
Physician, South-West Middlesex Health Centre, Mount Bridges, Ontario (1988- 1989)
Physician, U.B.C./B.C. Women's Hosp. Family Practice Centre (1992-Present)
Director, U.B.C./B.C. Woman's Hospital Family Practice Centre, (1993-)
Acting Head, Dept of Family Practice, C & W Hospital (Mar, Apr, May 1999)

# Other Activities:

### Community:

Shared Systems Society, Small Hospitals Advisory Committee (1984-1985).
Chairman, Two-Mile Advisory Planning Committee (1982, '84, '91-92); Two-Mile Community Association (1985-1992).
Trustee, School District #88 (Terrace), (1989-1990).

Professional:

Civil Aviation Medical Examiner (1984-1992)

BCMA Aboriginal Health Care Committee and Subcommittee on Aboriginal Curriculum Development. (1992-97)

BC Assoc. of Geriatric Physicians, Board Member at Large

College of Family Physicians of Canada,

Oral Examiner (Apr. 25-27, 1994)

SOO Coordinator (Apr., 1997)

ALSO Coordinator (May, 1997-02)

C.C.F.P. BC Chapter, Director (1986-1988).

Canadian Family Physician Reviewer, (1995,1997,1998 procedural skills ,confidence in procedural skills July,99 sigmoidoscopy clinic Jan 2000, Teaching neonatal exams in an ambulatory clinic, May, 2000.

Model of Maternity Clinics, Nov 02, Ingrown Nails Feb '03, FP Care in Hospials, Sep'03, C-section availality in small hospitals June '04)

Canadian Medical Association Journal Reviewer (2001 Physicians and their patients' alcohol use) NAPCRG Reviewer, (1996)

J of the College of Physicians & Surgeons of Pakistan (Feb, 2004 PATIENT COMPLIANCE: RESULTS OF A SURVEY AMONG FAMILY PRACTICE PATIENTS)

CCED Innua Project Develoin augusts (1 hr) April

CCFP Janus Project, Physician survey (1 hr) April 1, 2004

Advanced Life Support in Obstetrics,

Course Director

**Providers Courses:** 

Vancouver (Apr 1995)

Parksville (Sep 1995)

100 Mile House (Jan 1996)

Vernon (Jan 1997)

Harrison (May 1998)

Campbell River (June 2,3 2001)

Kenya (Sep 23,24 '03)

Pakistan (Oct 3-11, '03)

Kyrgyzstan (Oct 13-18, '03)

Nelson (October 1,2, 2004)

Tansen, Nepal (October, 2008)

Kathmandu (April, 2004)

### **Instructors Course:**

Toronto (Apr 1998)

Kenya (Sep 22 '03)

Pakistan (Oct 4, '03)

Kyrgyzstan (Oct 15, '03)

Kathmandu (April 2004)

Advisory Faculty (1995-2008)

Col. Of Physicians and Surgeons of B.C. Practice Assessor (1988-)

Medical Council of Canada, Examiner (1994,'95,'96,'98)

College of Midwives Licensing Exam, Examiner (Vancouver: Oct 4-6 1999)

Therapeutics Initiative Education Working Group (1999-2001)

**BC** Reproductive Care Program

Assessor (Smithers, Dec 12, 2000; Nelson August 4-8, 2002) Interdisciplinary Support and Education Committee (2000-2008) Provincial Steering Committee (2003-2008) Maternal & Perinatal Mortality Committee (2006-)

Quorum Ethics Independent Review Board (July 2008-

## Hospital:

Medical Director, Amherst Hospital (1995-)

B.C. Women's Hospital

Breast Health Advisory Committee (1997-1999)
Information Systems Evaluation Committee (1997-00)
Department of Family Practice Treasurer (1996-02)
Medical Advisory Committee, Vice-chair (2000-02), Chair (2002-04)
Quality of Care Committee (2000-)
Maternal-Fetal Newborn Morbidity Committee (1997-1999)

St. Vincent's Hospital Education Committee (1995-97)

## **University:**

Clinical Instructor, UBC (1974-1989)

Clinical Assistant Professor, UBC (1989-1996)

Clinical Associate Professor, UBC (July 1,1996-2003)

Clinical Professor, UBC (July, 2003-)

.

UBC Library Advisory Committee (1992-1997)

UBC Open House Committee (1995)

Faculty of Medicine Ethics Committee. (1992-98)

Faculty of Medicine Selection Policy Committee (1993-1997)

Faculty of Medicine OSCE III Committee (1995-00)

Assessor, Clinical Competence Program, UBC (1993-) Respiratory Disease CME Planning Committee (1995,1996)

1

Instructor, Obstetrics, M.S.I. (1995-)

Tutor, Faculty Development Workshop (July 3, 1997)

U.B.C. Dept. of Family Practice Faculty Remuneration Committee (1994)

U.B.C. Dept. of Family Practice Arbutus Blooms Planning Committee (1993, 1994)

U.B.C. Dept. of Family Practice City Site Residency Committee (1994-97)

U.B.C. Dept. of Family Practice Undergraduate Education Committee (1995-98)

# **UBC**

Tutor, "Doctor, Patient and Society" (FMPR 410)

Phase I students (1999-2000)

Phase II students (2000-2001)

Tutor, "Family Practice Continuum" (FMPR420)

Phase I students (2001-2002)

Phase II students (2002-2003)

**OSCE Examiner** 

Phase II (May 31, 2000)

Phase IV (Nov 20, 1999)

Student Assessment Co-ordinator (April 2003- 2006)

Sexual Harassment Seminar Leader - 1st year Medicine Students (1995) Ethics Seminar Leader - 1st year, 4th year and HCET 400 Students. (1993,94,95,96,97,98)

# Memberships:

V.M.A., B.C.M.A. (Vice-Delegate 1980/81, Delegate District 3 2007-), C.M.A.(Delegate 2009)

BC Assoc. of Geriatric Physicians

C.C.F.P., Section of Teachers.

Physicians for Global Survival.

Amnesty International.

Canadian Association for Medical Education (1994-98)

Society of Obstetricians and Gynecologists of Canada (1998-2009)

Medical/Legal Society of BC (1998-2007)

# **Hospital Privileges:**

### **Previous:**

Wrinch Memorial Hospital, Hazelton, BC (1976-1992).

R.W. Large Memorial Hospital, Waglisla, BC (1984-1985).

Westminster Hospital, London, ON (1988-1989).

Sarnia General Hospital, Sarnia, ON (1988-1989).

Woodstock General Hospital, Sarnia, ON (1988-1989).

University Hospital, Vancouver, BC (1992-1993)

Holy Family Hospital (1993-97)

TEAM Hospital, Dandeldhura, Nepal (Feb/Mar 2000, Feb/Mar 2001, Jan 2003)

# **Current**:

British Columbia Women's Hospital, Vancouver, BC (1992-) British Columbia Children's Hospital, Vancouver, BC (1992-) Vancouver Hospital and Health Sciences Centre (1993-) Chara, Vancouver, BC (1992-1999), Providence (1999-).

13

### **Publications:**

"SLEEP: a new mnemonic for Shoulder Dystocia," Accoucher, 1995

"Ethnic Groups," Millar J, <u>Etches DJ</u>, Diaz S, in "Primary Care Clinics in Office Practice: Prevention in Practice," Alto WA, ed., Saunders, Philadelphia, 22(4):713-730 (1995)

"The 4 T's: a new mnemonic for Postpartum Hemorrhage," Accoucher, 1996

"Advanced Life Support in Obstetrics. Practical approaches to obstetric emergencies." <u>Etches D</u>, Klein M, Handfield-Jones R. Can Fam Physician. 1998 Nov;44:2480-1.

"Prevention and Management of Postpartum Hemorrhage" Journal SOGC 88: April 2000

"Drug Information Sources" Therapeutics Initiative #35, June, 2000

"Postpartum Hemorrhage: Third Stage Emergency" Advanced Life Support in Obstetrics Manual, 2<sup>nd</sup> (1996), 3<sup>rd</sup> (1998), and 4<sup>th</sup> (2000) Editions, Anderson J, Etches DJ, Smith D. American Academy of Family Physicians, Kansas, MO

"Outcomes of planned home births versus planned hospital births after regulation of midwifery in British Columbia." Janssen PA, Lee SK, Ryan EM, Etches DJ, Farquharson DF, Peacock D, Klein MC. CMAJ. 2002 Feb 5;166(3):315-23.

"Does Size Matter" Stitches Mar, 2002; 120:18

"Advanced Life Support in Obstetrics(ALSO) Courses at the Aga Khan University, Karachi, Pakistan" Paul R, Andraades M, Ambreen A, Qureshi R, Jack B, Etches DJ, Raglow G. Medicine Today, 2003; 1: 114-115

A Qualitative Study of Physician and Patient Views of Cancer Care by Family Physicians: A Project of the AAFP National Network for Family Practice and Primary Care Research,

Maternal Mortality in British Columbia, BCMJ, April 2007

Postpartum Hemorrhage, American Family Physician, July 2007

# IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

CANADIAN INDEPENDENT MEDICAL CLINICS ASSOCIATION ET AL.

**PLAINTIFFS** 

AND:

MEDICAL SERVICES COMMISSION OF BRITISH COLUMBIA ET AL.

**DEFENDANTS** 

AND

SPECIALIST REFERRAL CLINIC (VANCOUVER) INC.

DEFENDANT BY COUNTERCLAIM

# AFFIDAVIT

Arvay Finlay Barristers

1350 – 355 Burrard Street Vancouver BC V6C 2G8

Phone: 604.689.4421 Fax: 604.687.1941

File No. 2658-001