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May 7 2018

Dr. Mark Levine
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RE:PET PREDICT TRIAL DEFENDED

Dear Dr. Levine

This is to acknowledge the receipt of your 'curious and revealing' letter dated January 31 2016. This was in response to my request that among other issues, that OCOG defend it's use of HTA and whether or not OCOG would support carrying out the 2005 CANM motions demanding an independent review of the PET Trials by Canadian experts in ethics and health policy. Since you're reply I have obtained a legal opinion as to whether or not it is appropriate to approach you and groups like OCOG in a public manner. If you and I were discussing a matter related to a common patient we would of course do that privately. However the legal opinion makes it clear that you, Dr. Levine, are in fact acting as a Public Servant and therefore accountable to the public for your actions and that of OCOG since they have a significant impact on how health care policy is established in Ontario.

Legal opinion of my CMPA lawyer.

- 1. I believe that my advocacy complies with the College's Policy Statement #3-16, Physician Behaviour in the Professional Environment (the "Professionalism Policy"). I freely admit that I fiercely advocate for better PET access for my patients. Nonetheless, I have always strived do so in a respectful, courteous and civil manner.*

2. **Neither CCO nor the PET Steering Committee are directly involved in the provision of health care. They are effectively public servants who advise the Ministry and are therefore accountable to the voters of Ontario for their actions and statements.**

Clearly OCOG would be included under this opinion. It is my intent to have all our exchanges available for the public to review and assess the position of OCOG for themselves.

It is rather disturbing that you would accuse me of being “unprofessional” and “harassing you” simply because I have asked you to defend the actions of OCOG. Most importantly, OCOG sponsored the PET PREDICT Trial which is what precipitated the 2005 motion declaring the PET Trials as “unethical” and for Dr. Al Driedger to declare that what those blocking PET access in Ontario were doing “bordered on immoral.”

This trial is still used as an excuse to block women that the medical world, using a scientific approach to assess PET, and not an approach based on an “egregious and politically motivated agenda” to quote Professor Rodney Hicks, have determined could provide critical benefit to specific women with more advanced forms of breast cancer.

It is time for the public to decide for themselves why OCOG, a ‘Public Committee’ refuses to defend its actions that lead to the unprecedented and profoundly serious charges and accusations from Canadian and International medical experts with respect to how PET was, and continues to be assessed in Ontario.

However, if you have any issues with my efforts to inform the public then please make clear why you do not agree OCOG is required to defend its position publicly and I will be happy to pass your position on to my lawyer.

ESTABLISHED ISSUES AND FACTS TO DATE:

1. *There is no scientific validity or basis to the use of health technology assessment [HTA] to determine possible clinical roles any diagnostic imaging device, be it PET, CT, MR or otherwise.*
2. As no one either from the government, or the various CCO groups that I have written have challenged the statement by Professor Rodney Hicks:
 - a. “Ontario has the most egregious and politically motivated agenda against PET in the world.”

- b. By against “PET” we can assume that ultimately this is against Ontario’s patients.
 - c. *We will assume that the basis on which the various CCO committees assessing PET/CT for funding either as a group, or as individual cases through PET ACCESS or the PET Registries do so based on an ‘egregious political agenda’ and not based on science.*
 - d. *That in a case of medical legal action against Ontario physicians we are expected to defend our actions related to our patients using established and accepted methods of medicine and science, and NOT on someone’s political agenda.*
- 3. That the Senior Administration of CCO, and the various chairs and heads of CCO committees assessing PET/CT are fully aware of the 2005 motions by the Canadian Association of Nuclear Medicine [CANM] declaring the CCO PET Trials on Ontario cancer patients as “unethical”. They also demanded a review of how PET was being assessed by CCO and their McMaster colleagues by an independent panel of Canadian experts in ethics and health policy. Yet again in spite of everyone being very proud of the efforts to be responsible for how the Ontario government makes policies on PET/CT for Ontario patients:
 - a. No one from CCO will acknowledge my previous submitted questions as to whether they would endorse carrying out this motion for review of the ethics of how PET/CT is assessed, *leads to the inescapable conclusion that those involved with assessing PET having something very serious to hide from the public*
 - b. Directly related to why there is a need to avoid a public investigation, which presumably would clear up the criticism made by Canadian and International experts against CCO medical experts, is the unchallenged 2009 statement by Dr. Al Driedger:
 - i. *“What those assessing PET in Ontario were doing, borders on immoral”.*
- 4. In an August 2016 letter, Dr. Hoskins chastised me for not being concerned about radiation exposure to patients from what CCO continues to claim is “unproven technology”. Therefore:
 - a. *In the appropriate letters and questions OCOG committee members will be expected to make absolutely clear, with the appropriate medical references, your defense of the radiation exposure Ontario patients receive based on the recommendations*

coming from CCO.

Therefore this will be the first in a series of letters to OCOG with respect to the PET PREDICT Trial perpetrated on women with early stage breast cancer.

I will continue my efforts to advocate for Ontario's patients and it is my expectation as well as the citizens and patients of Ontario that OCOG will not continue to ignore my letters, and will answer the questions related to how PET has been assessed in Ontario by the government and its medical 'expert advisors and committees'.

Respectfully submitted.

Dr. Dave Webster