



Barbara Finlay
DEPUTY OMBUDSMAN

August 31, 2016

Dr. Dave Webster
41 Ramsey Lake Road
Sudbury, ON P3E 5J1

Dear Dr. Webster:

Thank you for your letters of April 22 and May 12, 2016 to Mr. Paul Dubé, Ombudsman and your letter of May 12, 2016, to Mr. Gareth Jones, Director of the Special Ombudsman Response Team.

In your letters, you complained about our Office's 2009 investigation into the Ministry of Health and Long-Term Care (the Ministry) and its administration of access to Positron Emission Tomography scans (PET). You indicated that our investigation failed to adequately address issues you had raised regarding access to PET scans in Ontario. You also complained about the previous Ombudsman's decision not to issue a public report at the conclusion of the investigation.

You raised this issue previously with our Office and were informed that not all of our investigations result in a public report. The Ombudsman takes many factors into account in deciding whether or not to issue a public report at the end of an investigation, including whether the Ministry responsible is making attempts to address the problems identified.

In our July 5, 2010 letter to you, we explained the scope of the investigation, which focused on concerns relating to process, rather than the merits of whether the province should be adopting this technology. It is not the role of an Ombudsman to investigate matters of broad public policy. We also explained the outcome of the investigation, the results of which were also mentioned in our 2009-2010 annual report.

Since the conclusion of our investigation, we have been monitoring complaints to our Office about access to PET scans, as well as the Ministry's administration of access to PET scans. We have also been following up with the Ministry regarding issues relating to PET scans when they arise.

Bell Trinity Square
483 Bay Street, 10th Floor, South Tower, Toronto, ON M5G 2C9
483, rue Bay, 10^e étage, Tour sud, Toronto (Ontario) M5G 2C9
Tel./Tél. : 416-586-3395
Facsimile/Télécopieur : 416-586-3485 TTY/ATS : 1-866-411-4211

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Since the conclusion of our investigation into the Ministry's administration of access to PET scans in 2009, our Office has received fewer than 10 complaints (including your own) on this issue.

According to information we received from Cancer Care Ontario, since 2010/2011 there have been 56,626 PET scans covered through insured services, registries, provincial clinical trials and the PET Access Program. The figure does not include scans performed by PET centres for local clinical trials and/or research studies. The PET Access Program continues as an avenue for making requests for access to PET scans that are not currently funded. In 2014/15, there were 574 PET scans approved through this Program, with an average approval rating of 72% and a 2-business day turnaround. We are advised that if a physician wants to put forward an indication for consideration for inclusion as part of the registry or as an insured service, they can contact Cancer Care Ontario directly or through clinical stakeholders to determine the appropriate next steps.

You also complained about the actions of the previous Ombudsman in relation to the decisions he made about your complaints regarding PET. Given that you have been provided with reasons for those decisions in our July 5, 2010 letter to you, I do not intend to investigate your complaints concerning my predecessor.

In your correspondence, you also complained that the Minister of Health and Long-Term Care had not responded to a letter you sent to him on May 12, 2015, setting out concerns about the status of PET in Ontario. We have followed up with the manager of the Ministry's Correspondence Services regarding the status of your letter. I understand that the Minister has now responded to you in a letter, dated August 25, 2016.

Thank you for bringing your concerns to our attention.

Yours truly,

A handwritten signature in black ink that reads 'Barb Finlay'.

Barbara Finlay
Deputy Ombudsman