

**PREFACE:**

***Dr. Al Driedger  
Chair of Multidisciplinary Committee that  
Presented the Potential Roles of PET in Human Illness to the Institute for Clinical  
Evaluative Studies [ICES] in 1998  
Dr. Driedger joins the PET Steering Committee [PSC] as one of its most senior  
members.***

***In April 2005 Dr. Driedger writes Mr. Smitherman the Minister of Health.  
He accuses the Minister and his 'Expert' advisors of blocking PET by denying evidence  
favouring PET because of cost concerns.***

***Mr. Smitherman repeatedly refused to respond to these serious accusations either to  
Dr. Driedger or to others who resubmitted the questions.***

***Canadian Cancer Advocacy Coalition Statement 2007  
"If you don't want access to modern cancer diagnostic procedures and treatments,  
move to Ontario."***

***May 2007: The Canadian Association of Nuclear Medicine [CANM] declares the  
Ontario MOH PET Trials devoid of scientific value, and un-ethical, demanding that  
they be halted immediately and a body of experts in ethics, health policy and oncology  
be asked to evaluate how this came to be in Ontario.***

***ONTARIO OMBUDSMAN, ANDRE MARIN, BURIES REPORT INVESTIGATING THE LIBERAL  
GOVERNMENTS HANDLING OF PET.***

***At National PET and Oncology Meeting in Toronto November 09  
Dr. Driedger publically announces he is  
Resigning from the PET Steering Committee  
He closes with the statement:***

***"I believe that what those controlling PET in Ontario are doing is boarding on  
IMMORAL."***

Dr. David Webster

Mr. Andre Marin  
Ombudsman of Ontario

RE: BURIED REPORT ON PET IN ONTARIO

Dear Mr. Marin.

You will recall that I have been involved with you on two previous inquiries into the status of PET scanning in Ontario. Most people will not be aware of the first inquiry which I instigated in 2005. You dismissed my concerns at the time. When you 'buried' the second larger scale report, I was so shocked, disillusioned, and ultimately became so cynical that I gave up my four years of lobbying on behalf of patients and physicians. I had tried without success to get explanations from key members of the Ministry of Health [MOH] and others involved with introducing PET in Ontario. As you know, the accusations from world PET experts include the deliberate use of bad science and performing unethical experiments on cancer patients to block Ontario's cancer patients from modern diagnostic imaging equipment because of cost concerns. Very serious concerns to be sure. Sadly, but not surprisingly the media did not find any of this newsworthy. However, now with the internet it becomes very easy to get information out in spite of the media. When you buried the report I became overwhelmed with the realization that in Ontario we are simply a 'Boy Scout' version of what goes on in Zimbabwe.

However having talked with Mr. Sam Bruno, a terminal colon cancer patient from Sudbury who has devoted an enormous amount of his remaining life and energies to try and get a PET scanner for Sudbury, I said "enough is enough".

**I promised Sam that I would be doing this on his behalf.**

You will be aware of 'Sam' since he has caused quite a stir for the Liberal Government. Ms. Debra Mathews, the new MOH actually called Mr. Bruno at one of his appointments just to 'see how he was doing'. How kind of her. Of course she and her Liberal colleagues in the MOH are well aware that one of the major reasons Quebec now covers PET scanning under its health care plan is because a colon cancer patient. Mr. Barry Stein sued the Quebec government about the difficulty of access to PET scanning and won. I would add though, that the Quebec MOH is so impressed with PET that they intend to install up to 13 PET/CT cameras across the province, and are currently doing as many as 3,000 scans/camera/year. They are even paying an Ottawa hospital to do a large number of PET scans on Quebec patients. Contrast this with some 2,400 PET scans performed in Ontario in **total** on 10 cameras. Essentially the same as it was before you 'buried' your report.

Also I believe someone from the Ombudsman's Office met with Mr. Bruno recently when he asked directly to have your report released. To date this has not occurred.

It is fair to say that the state of PET scanning in Ontario, and more importantly the Liberal governments methods used to block PET scanning from patients has been the most controversial health care issue in this province since OHIP came into existence. You yourself stated in the media that your department's investigation into PET was one of the most complex investigations you'd undertaken.

**Therefore I would assume that you will be not only willing to stand by your decision to bury your report from public scrutiny, but be prepared to put your career and reputation on the line, for doing so. Burying the report, as you shall see, has had a profound negative impact on the lives of Ontario's cancer patients. I am a strong believer in holding public servants and politicians accountable for their decisions. Particularly ones that are entrusted with making sure the government's actions are reasonable and justifiable.**

I certainly am very proud of the stance I've taken on PET on behalf of physicians and patients in this province. In retrospect I might have chosen my words more carefully at times, but I have always been a committed, passionate and usually 'optimistic' individual as I've championed various health related issues over my career.

In the preface to this letter, Dr. Driedger, one of the most respected Nuclear Medicine Physicians in Canada, stated publicly that what the individuals and 'Expert Advisory Bodies' for the Liberal Government are doing to block PET is bordering on *immoral*. The comment was specifically addressed to Dr. Julian Dobranowski, the physician from Cancer Care Ontario [CCO] who is taking over control of PET in the province. You will recall one of the major points I raised with you was that Dr. Driedger wrote Mr. Smitherman, the MOH at that time, in April 2004. Dr. Driedger made some very serious accusations about the Ministers and the PET Steering Committee's [PSC] handling of PET. As you know Mr. Smitherman refused to acknowledge or respond to Dr. Driedger's letter as he was required to do by law. Your office advised me to write Mr. Smitherman with these questions and others. He again refused to answer a single question, although he did have someone 'officially respond' on his behalf.

Over the next few weeks I will be sending various letters to you about PET. Included will be case examples of the devastating impact your 'burying the report' has had on cancer patients and their families by supporting the governments 'business as usual' approach to PET.

These letters will be copied to a large number of individuals and organizations who have an interest in, or are impacted by the government's stance on PET scanning. I will be making available your responses, or lack of responses and/or comments to these same groups.

**It is also my intention to make widely available all the information and letters I provided you and your team with to assist in the assessment of relevant issues surrounding the PET controversy.**

#### **Summary of Events:**

I will be brief since more detail will follow, and the complete correspondence will be available to interested individuals and groups shortly.

1. I contacted your office in 2005 about my concerns regarding the way PET scanning was being handled in Ontario. This was under the control of Mr. Smitherman on behalf of the McGuinty Liberals. I wrote numerous letters including to those involved with controlling PET in Ontario which is run by a group from McMaster Health Sciences [MHSC].

I did not receive any responses to the questions I submitted to these key individuals. You advised I should write directly to Mr. George Smitherman. I did so in November of 2005.

The response I received from Mr. Smitherman's Office was written by Birthe Jorgenson, a woman I've dealt with before from the MOH. Her insulting response was simply to state that the Ontario MOH was running its own trials on PET. Not a single question was addressed.

Your response to me was written by Mrs. Eva Kalisz on April 5 2006:

- I. **Your final assessment was that you felt that Mr. Smitherman and the MOH had addressed the concerns of my colleagues and me. That we were overanxious and should just trust the government's handling of the introduction of PET in Ontario.**
  - II. **As you know, I responded with shock and outrage. I could not believe what I was reading. I resent you the questions I submitted to Mr. Smitherman and the response I received. It was clear there was absolutely no correlation between the questions asked and the response to my letter. I said however, that since you are convinced the questions had been addressed: I demanded that you send a copy of the answers to me.**
  - III. **You responded by saying that any responses you received were protected under the privacy act and could not be shared.**
  - IV. **I received a final letter from your office suggesting that my efforts on behalf of patients were appreciated, and that in due course PET would be available.**
2. In 2007 it is my understanding that a cancer patient contacted your office about issues around access to PET in Ontario. I decided to give you another chance and was put in contact with the individual in charge of the file. I sent along the contact information for a number of key experts in the field to assist in the investigation. In November 2007 I sent a long detailed behind the scenes summary of issues surrounding PET. I made suggestions of questions you could consider asking various 'Advisory Bodies' such as the PSC.

3. Intermittently over the next year or so I was given an update on the state of the investigation by someone in your office. The final contact was in December 2008 when I was told that your office had sent a 35 page document to the MOH and was expecting a report back by the end of February 2009.
4. In June 2009 in your public summary on issues your office was dealing with you pointed out that the government had not yet responded to the document you had sent them.
5. In July 2009 the government announced that some PET scans would now be funded under OHIP.

**Your office announced that the report on the investigation into the serious allegations and accusations regarding the government's handling of PET would not be released.**

**I contacted your office and expressed my shock. I was told that you can bury a report if in your opinion the inquiry itself leads to sufficient resolution of the issues, and therefore releasing the report would be of no further value.**

- I. THE ONLY CHANGE WAS A COLUMN CHANGE IN A GOVERNMENT ACCOUNTING SPREADSHEET!**
- II. Now some PET scans would be paid for out of the OHIP budget and not the PET Registry Budget.**

**THERE WAS NO OTHER CHANGE ON THE GOVERNMENTS APPROACH TO PET. ANYONE WHO COULD HAVE GOTTEN A PET SCAN IN JANUARY 2009 COULD GET ONE IN OCTOBER 2009 WHEN OHIP PUBLISHED PET SCANS IT WOULD REIMBURSE.**

**ALL ALONG THE GOVERNMENT ALLOWED THE OPTION OF THE SPECIAL ACCESS PROGRAM [SAP] AS WELL AS ONGOING PET REGISTRY TRIALS. NEW REGISTRY TRIALS AS USUAL WERE BEING SLOWLY ADDED.**

**However, for you, this was sufficient change to bury the report. For the legions of unfortunate cancer patients who live in a medical jurisdiction that has the most restricted access to PET in the world, it was not sufficient change.**

**SUMMARY:**

Mr. Marin, I want you to reflect for a moment on what Dr. Al Driedger was finally driven out of frustration, cynicism and after more than 10 years of his efforts to introduce PET scanning, to say to those controlling PET access in Ontario:

***"I believe that what those controlling PET in Ontario are doing is boarding on IMMORAL."***

I would like you also to imagine that someone close to you has cancer, and that in such medical 'Mecca's' as Lebanon, their physician would have know to order a PET scan as part of their cancer management and follow-up. You are going to be made aware of a lot of cancer patients who also are an important person in other people's lives who have been impacted by you burying the report. Over the next few weeks I'm going to be sending you and others 'case examples' of patients, who along with their physicians want to get some answers to rather important and informed questions.

I want you to reflect on the 'behind the scenes information' you are aware of, and the various MOH 'Advisory Experts' associated with McMaster Health Sciences and their refusal to respond to questions directed to them by experts and representatives of professional bodies. Ontario remains the most restrictive medical jurisdiction in the world with respect to access to PET. You're burying the report has assured that Ontario patients will remain in their 'third world' status for some time to come.

To have a simple accounting change warrant dismissing, by your own admission, the most complex case you'd dealt with is incomprehensible to those familiar with the issues. Sadly, for me, your response was not surprising.

**My purpose in releasing to the public what I shared with you will be to let them decide for themselves if you were justified in 'burying' the report.**

One more thing Mr. Marin: I teach a lot of university level students in many different faculties. What am I supposed to tell them about how lucky they are to live in Ontario with it's so called 'open and transparent model of democracy'? My question to you Mr. Marin:

**Would you be prepared to offer up your handling of the file on the Liberal Governments introduction of PET access in Ontario as an example of why these young students should put 'their faith in the system': why young men and women should head off to other countries and give their lives to both protect what we have, and bring 'Ontario style government and bureaucracy' to them so they too can enjoy it's benefits?**

Sincerely

Dr. Dave Webster