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**IN THE MATTER OF** an Inquiry  
Pursuant to the *Public Inquiries Act*  
**2006**, SNL 2006, c. P-38.1

- And -

Pursuant to the  
*Rules of Practice and Procedure* of the  
Commission of Inquiry on Hormone  
Receptor Testing

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# **Reply Submission of Her Majesty in Right of Newfoundland and Labrador**

15 December 2008

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# Reply Submission of Her Majesty in Right of Newfoundland and Labrador

1. The Province wishes to clarify a point pertaining to the Maung Report<sup>1</sup> and raised in the brief filed on behalf of Dr. Laing et al.
2. The brief on behalf of Dr. Laing and the other named doctors addresses the Maung report and acknowledges the 2007 and 2008 pay increases for pathologists. However, it also contains the following statement:

It is noteworthy that many of the issues that Dr. Maung dealt with in his report still have not been addressed in 2008, such as workload and increasing the number of pathology positions, particularly at the tertiary care centres.<sup>2</sup>
3. Dr. Maung's analysis indicated that a total of 32.4 full time equivalents, (FTE), of pathology services were required to meet the service demand in the Province. At the time, there were 30.14 FTE of pathology services funded by the Department of Health and Community Services, (the Department), for the Province. With a new position approved for Corner Brook, the number of funded FTE has increased to 31.14. In other words, 31.14 pathologist positions are presently funded in the Province.
4. As it applies to St. John's alone, Dr. Maung recommended a total of 17.49 FTE of which 15.49 were for adult services. The Department exceeds this recommendation by funding 17.8 FTE for St. John's of which 15.8 is for Adult

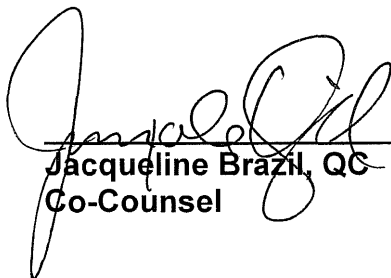
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<sup>1</sup> Exhibit P-0278, Pathology Workload Review Newfoundland and Labrador, 22 January 2007

<sup>2</sup> Submissions of Dr. Laing, et.al, para 144, p. 57

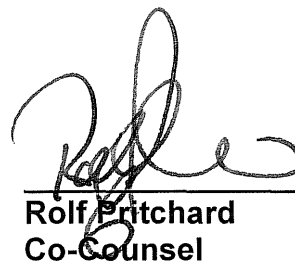
services. Thus, there was/is no gap between what the Department funds and what St. John's requires according to the Maung Report.

5. In an effort to reduce pathology work load in the meantime, Eastern Health is sending specimens to a private laboratory in Ottawa (Dynacare) for reporting. Breast specimens continue to be sent for testing at Mt. Sinai hospital in Toronto.
6. The issue is recruitment and retention for these positions. Eastern Health currently has 5 vacancies although they have applicants for some of the positions and have residents graduating next year; therefore it is likely that numbers will improve in the near future. The Province has funded the positions and it is now Eastern Health's role to recruit and retain pathologists.
7. The foregoing is respectfully submitted on behalf of Her Majesty in Right of Newfoundland and Labrador this 15<sup>th</sup> day of December 2008.



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