



# Eastern Health

October 11, 2007

Dr. J. McCarthy  
✓ Dr. K. Laing  
Dr. A. Kwan  
Dr. M. Zulfiqar  
Dr. P. K. Ganguly

C/o Cancer Care Program  
Eastern Health

Dear Physicians,

**RE: Court-Ordered Letter Sent To Patients and Families August 17, 2007 Regarding Estrogen Receptor and Progesterone Receptor (ER/PR) Retesting**

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This is in response to your letter dated September 19, 2007 expressing concern about information in the court-ordered letter sent to breast cancer patients on August 17, 2007. We understand your concern about the anxiety that this may have caused patients and their families and the challenges involved in responding to their phone calls and inquiries. We too have experienced the stresses communicated by these patients and their families. In an effort to clarify our involvement, I will highlight key points related to the circumstances around the letter for those of you who may not be familiar:

- Eastern Health was notified by lawyers on August 8, 2007 that under a court order, a registered letter must be sent to breast cancer patients whose hormone receptor results converted from "clinically negative to clinically positive".
- Professionals involved in this matter were sent a copy of the court order, but were unable to provide a list of the patients involved. We spent many days trying to identify the patients who met the criteria as stated in the court order.
- Staff of the Quality and Risk Management Department coordinated the logistics of getting the letter out; including consulting with physicians and others to confirm which patients should be included and getting MCP numbers, addresses and labels. We eventually determined that the patients who were 'paneled' by the ER/PR Physician Review Paneling Group met the legal definition of patients who converted from "clinically negative to clinically positive".
- On August 16, 2007 Eastern Health received a copy of a cover letter (to accompany the class action notice) from the lawyers, and the registered letters had to be in the mail by August 17, 2007. We understood from our lawyers that we could not change the wording of the cover letter, which included the inaccurate reference to 'screening'.

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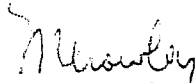
October 11, 2007  
Letter of Response to Physicians  
Re: Court-Ordered Letter Sent to Patients & Families Regarding ER/PR Retesting

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This is a difficult and challenging time for patients and health care professionals involved in the hormone receptor testing issue. We are dealing with circumstances new to all of us, and we will be challenged to keep the communications open and participate in discussions and preparation activities related to the class action lawsuit.

If you have any further comments or questions, please call me at 777-8025 or e-mail me at [Marian.Crowley@easternhealth.ca](mailto:Marian.Crowley@easternhealth.ca).

Sincerely,



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Quality and Risk Information Coordinator

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Sharon Smith Nancy Parsons  
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