

*Executive Report to the Board of Trustees
July/August 2007
August 30, 2007*

ER/PR – Hormonal Testing for Breast Cancer

Commission of Inquiry

The Commission of Inquiry (COI) has begun, and the Commissioner and her legal counsel have conducted tours of the Pathology Laboratory at the Health Sciences Centre site and been given an overview of ER\PR testing methodology. They have also received a presentation on ER\PR testing and the process followed by Eastern Health to review the issue.

The Department of Health and Community Services (DOHCS) has begun their preparation for the COI lead by Mr. Robert Thompson who will be heading up the Adverse Events Task Force. As with the COI, DOHCS has assigned staff and legal counsel to this issue. They have conducted pathology lab tours and received a presentation on ER\PR testing.

The DOHCS has engaged the Newfoundland and Labrador Centre for Health Information (NLCHI) to develop a master list of all patients who received ER\PR testing for 1997-2005, all those that were retested and the manner in which people were contacted. A biostatistician from NLCHI has been working for the past six weeks with Eastern Health's Laboratory Program Director, Manager of the Pathology Laboratory and our Risk Manager to develop this list. NLCHI has seven people working fulltime on this project to meet the timeline given for completion which is August 24, 2007. Eastern Health officials have been invited to a presentation on the results of this effort scheduled for August 27, 2007.

Mr. Dan Simmons, legal counsel for Eastern Health for the COI, has commenced his preparatory work. Mr. Simmons is consulting with COI & DOHCS legal counsel and coordinating requests from them to Eastern Health. The primary activities, apart from lab tours and presentations, has been securing and collecting information held by key stakeholders (E-mails, briefing notes, correspondence, etc.). This is being sent to Mr. Simmons and shared with other counsel as per their request.

In mid September, the COI will hear from parties seeking standing at the inquiry. The public inquiry part of the process will be Part I – to be conducted first. Part II will be the “analysis” portion. We have no details as to timelines.

For your information, the address for the COI website is <http://www.cihrt.nl.ca>

Class Action Lawsuit

Eastern Health received a court order to send registered letters to all persons “whose results changed from clinically negative to clinically positive” on behalf of Mr. Ches Crosbie. This was necessary as Mr. Crosbie does not have access to all patient names. We have complied with this request to the best of our ability. Some patients cannot be located. [REDACTED]