



January 20, 2020

Medical Services Commission
Ministry of Health
1515 Blanshard Street
Victoria, BC V8W 3C8

Dear Medical Services Commission,

Re: Residency Requirements for Provincial Healthcare Coverage

We are writing to recommend an amendment to your Commencement of Enrolment Policy (MOC 15-074) to remove the wait period for all new and returning BC residents coming from outside of Canada, and ensure access to care upon arrival.

The BC Civil Liberties Association is an autonomous, non-partisan charitable society. Our mandate is to preserve, defend, maintain and extend civil liberties and human rights in Canada. We have a longstanding history of advocating for the rights of marginalized and vulnerable communities including in the context of patient's rights and access to public services.

Concerns about medical tourism are often cited as a reason for the three month waiting period. These concerns are not only unfounded, but they are also detrimental to the majority of new residents who immigrate to BC with the intention of building a life for themselves and their families. While the evidence substantiating medical tourism is lacking, the consequences of delayed treatment are well-established.

British Columbia is one of only three provinces to have a three month wait period, which denies access to timely care, resulting in long-term health consequences and increased system costs. Migrants—people who have administrative legal status in Canada—are among the most negatively impacted by this policy including pregnant women, temporary foreign workers and children and infants including newborn Canadian babies during the most vulnerable time in their lives.

The wait period policy is established in Minute of the Commission (MOC) 15-074. It is not legislation and it is within the power of the Medical Services Commission to remove it. The *Medicare Protection Act*, Section 7.2(3) (b) and the *Canada Health Act*, c. 6, s. 11a both allow for a three month wait period for people arriving from outside of Canada, but do not mandate it. Therefore, the wait period could be removed, without a change in legislation, to better align with the spirit of the *Canada Health Act*.



The waiting period cannot be justified from a financial or a medical perspective. We call on the Medical Services Commission to eliminate the waiting period immediately.

Thank you for your immediate attention to this issue. We look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Latoya", is positioned below the word "Sincerely,". The signature is fluid and cursive, with a horizontal line extending to the right.

Latoya Farrell
Staff Counsel - Policy
BC Civil Liberties Association