



For immediate release

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## **Ottawa's Ongoing Refusal to Provide Autism Health Care Why Federal Conservatives and Mike Lake MP are Wrong in Killing Bill C-304!**

On February 21, 2007, MPs were asked after several hours of debate at Second Reading to vote on whether to refer Bill C-304 to the Committee Stage for detailed examination or whether to kill the Bill. Regrettably, the Conservative and Bloc Quebecois MPs ganged up to kill it, along with any hope that families with children afflicted by autism may have had that the discrimination against them in Canada's Medicare system may come to an end within the foreseeable future. On that day Alberta MP Mike Lake issued a "Media Statement" explaining his motives for voting against Bill C-304 and many Conservative MPs have been sending it to parents of autistic children as an explanation of why they refused to allow the Bill to be examined by a House Committee and opted instead to defeat it. The Media Statement is a disingenuous, flawed and misleading text that must be refuted. The words in **bold** below are those of Mike Lake. The text in *italics* is the annotation.

As background, please consider this:

- The cause and cure of autism are not yet known.
- The medical and scientific community have known for over twenty years that the early diagnosis of autism combined with the immediate application of Intensive Behaviour Intervention (IBI) therapy treatment based on the principles of Applied Behaviour Analysis (ABA) can lead to as many as 48% of autistic children developing to such an extent that they become indistinguishable from average kids. IBI/ABA constitutes the core healthcare need of autistic children.
- The "universality" of Medicare, one of the key five principles of the *Canada Health Act* (CHA), does not apply to autism. Regrettably, not one province offers the treatment under Medicare. While some provinces offer nothing, or next to nothing, others offer treatment programs under social service departments that are plagued with lack of resources and expertise, as well as unconscionable waiting lists and discriminatory age cut-offs. Of all the provinces Alberta is considered to be the most helpful to parents in terms of financial assistance and access to treatment, and many parents have opted to move to Alberta solely because of their child's autism.

MEDIA STATEMENT of MIKE LAKE, MP dated February 21, 2007

**To Whom It May Concern,**

**Tonight, I will vote on a Private Member's Bill titled "An Act to provide for the development of a national strategy for the treatment of autism and amend the Canada Health Act."**



*Dedicated to "Medically Necessary" autism treatment*

**I have a son with autism. I have heard from countless other parents of children with autism, virtually all of whom are wholeheartedly encouraging me and my colleagues in all parties to support this bill. There is nobody who wants to help these families more than I do. Nobody.**

*Mr. Lake here conveniently omitted making any reference to the reason why "countless" parents were encouraging him to support Bill C-304. Any discussion of whether and how to address a problem has to begin with some discussion of the nature of the problem. The fact is that Medicare has a huge discriminatory gap. Between the time that Bill C-304 was tabled (May 17, 2006) and defeated, the U.S. Centres for Disease Control (CDC) has reported that the prevalence rate of autism has increased (again). 1 in every 150 children can be expected to be diagnosed with an Autism Spectrum Disorder (ASD). In response to this growing public health crisis the U.S. government passed the "Combating Autism Act" which will pour an additional \$1 billion over five years into improved autism diagnosis, treatment and research. In contrast, the Canadian government adopted an ostrich approach to crisis management.*

**If I were to vote to support Bill C-304, some parents of children with autism would be very happy with me; my colleagues who disagree with me would support me because of my unique family experience; my constituents would applaud my compassion and sympathize with me; and there seemingly would be no downside.**

**The problem is this. Bill C-304 is bad legislation. It proposes an ad hoc amendment to the Canada Health Act that changes the entire meaning of the document. It would set a precedent that would eventually undermine the entire Canadian health care system when taken to its logical extension.**

*If there are some flaws with a proposed piece of legislation, but its underlying purpose and intent are valid and good, then why not try to fix it at the committee stage and propose amendments? Why not offer positive alternatives, instead of killing the Bill?*

*The clairvoyance about the death of Medicare is a shameful attempt at fear mongering that is akin to saying the doomsday clock will move a minute closer to midnight if autistic children get access to public health insurance. Bill C-304 contains two parts. The first, which Mr. Lake completely omitted making any reference to, would require the Minister of Health to meet with his provincial counterparts and develop a National Autism Strategy and require that he table the plan of action. If this part of the Bill was not a problem, then why not support it or at least propose an amendment or alternative Bill that would contain this part? Candour would necessitate that at least this first element of the Bill be recognized for what it is: something that is long overdue and that would be good if it finally happened.*

*Regarding the proposed amendment to the CHA, what is this "logical extension" that Mr. Lake is referring to? He provides no explanation of why such an amendment would undermine the "entire" Medicare system or justification for his hyperbole. The sky will not fall any more than the institution of marriage collapsed after the legalization of same-sex marriage.*



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**If this Bill were to pass, autism would be the one and only disorder or disease named in the Canada Health Act. Cancer is not named. Neither is diabetes or cardiovascular disease. Why autism and not these? Why not Down Syndrome? Why not Schizophrenia?**

*In the interpretive section of the CHA, there are named services specified under "extended health care services". Moreover, the regulations provide some of the operational rules for the CHA. If it had the will to fix the autism treatment problem, the federal government certainly has more than enough levers, legal and financial, to get the job done.*

*Mr. Lake misses the point about adding autism treatment to the CHA. Cancer, diabetes, cardiovascular diseases, etc. are already dealt with and covered by Medicare. If you feel sick you go to the hospital and if you are diagnosed with cancer you get treatment. Medicare covers the core healthcare needs of those Canadians who suffer from those medical problems. However, autism is not covered. Medicare discriminates against those who suffer from autism by not providing the recognized core treatment. That's why the autism community has pursued every avenue it could to get autism treatment into Medicare, including this one.*

**Under the Canada Health Act, the provinces are clearly responsible for decisions on which medical treatments they will fund. If we are to maintain the integrity of the Act, only the provinces can make those decisions.**

*While it is true that the provinces have the right to decide which treatments to cover, they do not have the right to decide which people to cover or not cover. Everyone must be in Medicare for his or her core health needs. The functional effect of not funding autism treatment is that the provinces exclude from Medicare an entire (and growing), identifiable group of Canadians.*

*Mr. Lake argument here is a classic illustration of obstinate thinking. If a statutory amendment will affect other parties, the traditional Canadian procedure is to consult with those parties and attempt to develop consensus. Negotiations occasionally result in surprising and positive outcomes, as was the case with the Health Accord of September 2004, which involved billions of dollars and specified specific medical services (except autism). There is a crisis, which by any measure is an epidemic, and the federal government has had 11 consecutive years of budget surpluses. There is no reason why the federal Minister of Health could not raise this matter and the potential amendment with his provincial counterparts. If this element of the Bill is so problematic, why not have the Standing Committee on Health examine the Bill and explore alternatives such as the "Combating Autism Act" in the U.S.? Regrettably, now that Bill C-304 is dead no House committee will have a chance to explore the feasibility of this process or alternatives.*

**In my opinion, it is completely unacceptable for any province not to fund Applied Behavioural Analysis (ABA) for those who need it. If voters feel as strongly as I do about this, they must let their provincial governments know and then hold them accountable at election time.**



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*This argument is clearly specious. It is exceedingly difficult for a minority (e.g. families struggling with autism) to "hold government accountable" for any specific policy failings, including the healthcare neglect of their children. They simply do not have enough votes to do what Mr. Lake says.*

*The autism community has nonetheless been letting the provincial governments know for years about the need for ABA in Medicare and the responses have always been inadequate. Time and again, in practically every province, and with every political party, the matter has either been ignored, or excuses have been proffered with crocodile tears, or, as was the case in Ontario during the last election, promises were made that were broken. For example, former Opposition Leader Dalton McGuinty stated in writing during the last election in a letter to a mother of an autistic child that the age six cut-off from treatment in Ontario was discrimination and that if he was elected he would do away with it. Once he became Premier he not only continued the practice, he continued litigating a case on the issue. When the government lost at the Superior Court he immediately announced an appeal to the Court of Appeal. When the "Auton" case from BC was heard before the Supreme Court of Canada in 2004 every province and the federal government intervened against the kids being able to access treatment in Medicare. The fact is that the provinces have been negligent and irresponsible on the autism file and federal leadership is needed. If Mr. Lake feels as strongly about this as he says, what has he done to address the crisis (apart from contributing to the death of Bill C-304)?*

**The sad thing is that Shawn Murphy, the Liberal Member of Parliament who is sponsoring this Bill, knows all of this. He has been in Parliament since 2000 and would never have supported this piece of legislation when he was in government.**

*Children with autism need treatment. Accusatory personal arguments among politicians is not going to help. The autism community is not naïve. Political parties frequently make promises and fail to fulfill them. What any MP would have done yesterday is not relevant to the February 21, 2007 vote on whether to refer Bill C-304 to the Committee stage. The autism community is grateful that Bill C-304 was tabled in the House and that its contents had to be addressed.*

**What he apparently doesn't understand is that this is not an appropriate "wedge issue" to exploit for political gain. These are real people, with real challenges, who are absolutely desperate for real solutions. This Private Member's Bill gives false hope to families who deserve so much more than to be treated as pawns in some political game.**

*It is highly inappropriate to call the wholesale healthcare neglect of tens of thousands of Canadian children a "wedge issue". This trivializes and minimizes what is in fact a catastrophic issue for families who are going broke and/or falling apart trying to pay for medically necessary autism treatment on their own.*

*Before Mr. Lake starts to accuse anyone of spreading false hopes he should take a look at his own Party. They are the governing party now with the hands on the levers of power. They cannot blame anyone else if they used false hopes to get into power with no intention of using it as*



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*stated. The Conservatives ran in the last election (2006) on Healthcare and Childcare. Autistic kids need both. The Conservative platform certainly provided hope. Now we know it was false.*

*Before the election many of his Conservative colleagues attended autism rallies on Parliament Hill and spoke about the need to do something, including speaking at press conferences, including Colin Carrie, Steven Fletcher, Pierre Poilievre, Gary Goodyear, Peter Goldring, Guy Lauzon, Stockwell Day, Randy Kamp, Gord Brown, James Lunney, Mark Warawa, Scott Reid, Carol Skelton, and Marjory LeBreton.*

*Pierre Poilievre had an Op-Ed article of his published in "The Hill Times" in March 2005 in which he accused the then government of a "shameful low in Liberal hypocrisy" for intervening in the "Auton" case against autistic children. He further went on to say "So what can be done? We must amend the Health Act so Medicare will include effective, scientifically validated autism treatment for children with autism;" Now that Pierre Poilievre is a Cabinet Minister and voted against this amendment with his caucus, shall we call it a "new low in Conservative hypocrisy"?*

*On the first anniversary of the "Auton" decision Alberta MP Peter Goldring spoke at an autism rally on Parliament Hill and issued a November 17, 2005 press release titled "Golding calls for funding for early autism treatment: federal government has national role" in which he stated "the current situation of no financial contribution from the federal government, specifically dedicated to the early treatment of autism, is unacceptable". He further added, "The true measure of a government is in how it treats its citizens who are most in need. At present, in terms of the needs of the many autistic children across Canada, our federal government measures very poorly. Things must change, soon".*

*Similarly, B.C. MP Randy Kamp also attended the rally and issued a press release (November 21, 2005) in which he stated "Minister Dosanjh has been unsupportive of autism groups since his days as Premier of B.C. I understand their frustration with him. As the federal Health Minister, he now has an opportunity to do the right thing and I call upon him to have compassion for autistic children and move forward with a National Autism Strategy".*

**On a more positive note, in 2006 Mr. Murphy's Liberal colleague, Andy Scott introduced a Private Member's Motion, M-172, on a national strategy for autism. To his credit, Mr. Scott designed his motion not to divide the House, but to build consensus among members of all parties. Mr. Scott's carefully considered motion chose to focus on areas within the federal realm, and the Government (and the vast majority of members of the House) agreed with him – with a few minor amendments.**

*The fact is that a motion is not binding and is not law. The motion was watered down by the Conservatives who insisted on amendments to the original motion in order to make it palatable enough to support. The passage of the motion was historic but no one is expecting it to result in any government action and certainly no meaningful improvements with respect to access to treatment.*



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*What is interesting in terms of action is that after almost a full year of sending letters to parents saying that autism is a provincial issue and has nothing to do with the federal government, the day before a previously announced FEAT BC autism rally on Parliament Hill in late November, 2006, the federal Health Minister Tony Clement held a press conference which he began by stating that the autism situation is now so serious, that doing nothing was "not an option". He proceeded to outline five new autism initiatives that by his own description are "modest". To many in the autism community, that is an inflated exaggeration. "Exploring the establishment of a research chair", holding a "symposium" and creating a website will not help a single autistic child get access to treatment anytime soon. The autism community is tired of feigned consultation, showcase conferences, website window-dressing and motions with no teeth. Our kids need treatment.*

**When I first saw Mr. Murphy's Private Member's Bill I suggested to him that perhaps he might consider changing his course and introduce something that would build on what was done by Mr. Scott rather than play politics. Mr. Murphy's actions obviously demonstrate that he is not focused on helping families dealing with autism. My sincere hope is that every other Member of Parliament will put the interest of these families ahead of their own political ambition.**

*Rhetoric and personal attacks aside, why won't Mike Lake change his own course and actually do something for autism? What has Mike Lake done to promote the interests of the autism community besides standing with his autistic son next to Minister Clement during the November 2006 press conference or providing MPs in his party with this empty letter to justify the continuation of what most Canadians consider intolerable.*

*In a December 2004 Ipsos-Reid public opinion poll 84% of Canadians indicated that they supported the inclusion of autism treatment in Medicare. Has Mike Lake organized any information/education sessions for other MPs about autism and the needs of the autism community? Has he contacted autism groups with a view to consulting on a strategic approach to advancing the community's interests? Has he tabled any motion or Private Members' Bill of his own? Has he lobbied to get the treatment of autism on the agenda of the Standing House Committee on Health? Etc... If so, he has not made it public.*

*What we do know is that in 2004 an autism treatment petition was drafted and posted at [www.CanadaAutism.com](http://www.CanadaAutism.com) and that the community supplied thousands of signatures on the petition to MPs for tabling in the House. The petition calls on the government to create a graduate level teaching chair in IBI/ABA at a university in each province and to include autism treatment in Medicare. The petition was tabled 88 times by dozens of MPs. Shortly after his arrival in Ottawa Mike Lake met in his new offices with two members of the community. He was presented with several signed pages of the petition. Although tabling a petition is not synonymous with supporting a petition, Mike Lake is the only MP we are aware of who took a look at the autism petition and immediately gave it back stating that he refused to table it.*

**Personally, I am determined to fulfill my commitment to families dealing with autism as stated in my maiden speech in the House of Commons, "that I will do**



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*everything that I can do to promote action to the full extent that the federal government can play a role within its area of authority."*

*And what has Mike Lake done to date? What specifically will Mike Lake do in the future? What action is he referring to (besides voting against Bill C-304 and criticizing the MP who tabled it)?*

**As I mentioned in the opening paragraphs of this statement, the easy decision for me would be to vote in favour of this legislation. However, I was not elected to make the easy decisions. I was elected to make the right decisions, and in this case the right decision is to vote against Bill C-304.**

*Wrong. The easiest thing is to vote against change and to preserve the status quo. The hardest thing is to promote change and improvement in institutions where the culture is one of a herd mentality. Doing what the Party leaders tell you to do is easy. Voting against their wishes is what takes courage and is considerably harder. The right decision would have been to vote in favour of sending the Bill to the Committee Stage for a review and examination there of the problem and whether the Bill is the best means to solve it. By voting against the Bill, we will have no National Autism Strategy and certainly no treatment in Medicare anytime soon. However, since the Conservatives came to power, the federal government has on a regular basis been announcing the creation of a National Cancer Strategy, a National Heart Health Strategy, a National Spinal Cord Rehabilitation Research Strategy, etc. Why is it that certain medical conditions are more attractive to the federal Conservatives and more deserving of special status than autism? The autism community is seeking equality and equal access. Nothing more, nothing less. If disabled children cannot count on Mike Lake and the Conservative Party for equality, can you?*

- 30 -

**For more information about the discriminatory exclusion of children with autism from Medicare, please call Families for Early Autism Treatment of British Columbia (FEAT BC) at 604-534-6956  
<http://featbc.org>**