



G. Townson #1
Sworn: August 14, 2009

No. S090663
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

CANADIAN INDEPENDENT MEDICAL CLINICS ASSOCIATION, CAMBIE
SURGERIES CORPORATION, DELBROOK SURGICAL CENTRE INC.,
FALSE CREEK SURGICAL CENTRE INC., OKANAGAN HEALTH
SURGICAL CENTRE INC. and ULTIMA MEDICAL SERVICES INC.

PLAINTIFFS

AND:

MEDICAL SERVICES COMMISSION OF BRITISH COLUMBIA, MINISTER
OF HEALTH SERVICES OF BRITISH COLUMBIA and ATTORNEY
GENERAL OF BRITISH COLUMBIA

DEFENDANTS

AND:

SPECIALIST REFERRAL CLINIC (VANCOUVER) INC.

DEFENDANT BY COUNTERCLAIM

AFFIDAVIT

I, **Glyn Townson**, Chair of the British Columbia Persons with Aids Society, of the 2nd Floor, 1107 Seymour Street, of the City of Vancouver, in the Province of British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. I am the Chair of the British Columbia Persons with Aids Society (the "BCPWA Society"), a collective of people living with AIDS and HIV. The BCPWA Society, exists to enable persons living with AIDS and HIV disease to empower themselves through mutual support and collective action. I have been the Chair of the organization for the past two years and have been involved with the organization since its formation in 1987. I am also an HIV

positive individual who was diagnosed with having HIV in May of 1985, and an AIDS diagnosis in March of 1995. As a result of my work with the BCPWA Society and my personal experience with AIDS and HIV, I have personal knowledge of the facts and matters hereinafter deposed to, save and except where same are stated to be made on information and belief, and where so stated, I verily believe them to be true.

2. Because of my HIV and AIDS diagnoses, I am a frequent user of the British Columbia public health care system and am required to follow a complex medical regime.

3. My course of treatment for my HIV and AIDS diagnoses includes monthly visits to my family doctor to monitor my overall health, monthly blood work, and visits with an infectious disease specialist at least once every six months. The cost of all these visits and tests are covered by the public health care system, at no cost to myself.

4. As well, I am currently taking five different HIV drugs. The cost of these medications are paid for by the B.C. Centre for Excellence in HIV/AIDS. In B.C., all anti-HIV medications are distributed at no cost to HIV-infected individuals who meet the guidelines for treatment through the Centre's Drug Treatment Program, treatment is based on the stage of the disease progression, not on the basis of insurance or income. The provincial government funds the cost of this program.

5. I have also been hospitalized on a number of occasions, including five surgeries for sinus and nasal problems, a three-week stay in isolation as a result of chicken pox at the age of 35, and a stay of nearly a month due to a severe case of shingles. The cost of these surgeries and hospital stays have all been covered by the public health system.

6. At present, I also have extended medical benefits through my private insurance plan with my former employer. This plan covers items which are not publicly insured, such as dental and optical expenses, along with prescription medications not paid for by the government.

7. At present, my approximate annual income is \$20,000. Given my limited income, if I had to pay directly or pay for private insurance in order to obtain timely access to medical care, I would not be able to afford it. Moreover, even if money was not an impediment for me to

acquiring private insurance for necessary health care services, my health status would almost certainly render me ineligible for insurance.

8. As a result, I am very concerned that if the Plaintiffs are successful in their legal challenge, my access to health care in the publicly funded system may be unreasonably delayed and my health harmed or impaired.

9. If access to necessary medical or hospital services may increasingly depend on ability to pay and not medical need, then I am concerned that physician and other health care providers and resources now available to me in the public system will be shifted to a for-profit private system, to which only wealthier and healthier individuals may have access. This in turn would reduce the physician and other health care resources available in the public system. As a person with HIV and AIDS, who suffers from many concurrent health problems, I am even more reliant than other healthier individuals on the public health care system, to cover the cost of my essential and critical medical needs (both primary care and specialist), and in order to receive access to quality health services in a timely manner.

10. Furthermore, even if I could access private insurance in order to overcome the deficiencies of a diminished public system, I am concerned that private insurers would place roadblocks in the way of my receiving timely and essential health care.

11. I swear this affidavit in support of my application for to be added as party in these proceedings.

SWORN BEFORE ME at the City of)
Vancouver, in the Province of British)
Columbia, this 14th day of August, 2009.)
_____)
A Commissioner for taking Affidavits for)
British Columbia.)



GLYN TOWNSON

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