



F07-19-MS Patient Challenges Decision to Discontinue Drug Coverage

A man was dismayed to learn out that the Ministry of Health was discontinuing coverage of a drug prescribed by his doctor. When he questioned the change, he was told that a rigorous literature review by a panel of health care professionals had determined there was insufficient evidence to show that people taking the drug experienced any real benefit.

Not pleased at the prospect of paying several thousand dollars a year for a drug his doctor considered a beneficial treatment, the patient requested access to the literature review so he could have a chance to rebut whatever conclusions it contained. The ministry denied access to the records under section 21 of the *Freedom of Information and Protection of Privacy Act* on the basis that there was proprietary information in the scientific studies that were reviewed.

Our own review of the records made clear that much of the information in question could be found on the internet or at any university library and was now in the public domain whether or not it had once been proprietary. Once we brought this fact to the ministry's attention, it reconsidered its position and released to the applicant the literature review in its entirety.