



December 23, 2022

Kristen Schulz
Email: kristen@secondstreet.org

Dear Kristen.

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: WH ATI 256]

This is to confirm that on December 7, 2022, Western Health received your request for access to the following records/information:

Please provide the most recent data on the number of patients in the province (or best estimate) who are:

- Currently on a waiting list or waiting to be placed on a waiting list for surgery or a procedure*
- Currently on a waiting list or waiting to be placed on a waiting list for a diagnostic scan*
- Currently on a waiting list or waiting to be placed on a waiting list for an appointment with a specialist Please be sure to note the date the data was compiled.*

I am writing to inform you that a decision has been made by Western Health to provide access to most of the information that Western Health has available in response to this request. However, access to some information contained within the records has been refused in accordance with the following exception(s) to disclosure, as specified in *the Access to Information and Protection of Privacy Act, 2015 (the Act)*:

Disclosure harmful to personal privacy

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

We are concerned that individuals may be identified by releasing low numbers. As such, in instances where table cell values occur that are five (5) or less, it is our practice to suppress that data from the response and substitute it with "five (5) or less". This way of presenting the information is based on a widely accepted practice whereby aggregate health data is released only when the number is greater than five (5). This practice applies only to the portion of the response pertaining to endoscopy.

As required by 8(2) of the *Act*, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

In accordance with your request, please accept the enclosed information found on the last page of this correspondence.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Act*. A copy of section 42 is included below for your reference. A request to the Commissioner must be made in writing within fifteen (15) business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Mailing Address

P.O. Box 13004, Station "A"
St. John's, NL A1B 3V8

Location

Sir Brian Dunfield Building
3rd Floor, 2 Canada Drive
St. John's, NL

Contact Numbers

Tel: (709) 729-6309
Fax: (709) 729-6500
Toll Free in Newfoundland and Labrador: 1-877-729-6309
E-mail: commissioner@oipc.nl.ca

You may also appeal directly to the Supreme Court Trial Division within fifteen (15) business days after you receive Western Health's decision, pursuant to section 52 of the *Act*. A copy of section 52 is also included below for your reference.

If you have any questions, please contact me by email at sherritiller@westernhealth.nl.ca or by telephone at (709) 784-5248.

Sincerely,



Sherri Tiller-Park
Regional Manager Information Access & Privacy
Western Health

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42 the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).



Western Health collects **wait times retrospectively** for reportable procedures including bladder, colon, prostate, and breast cancer surgery, cataract surgery, endoscopy, joint replacement surgery including hip fractures, as well as medical imaging. Information about wait times may be found at: [Wait Time Data - Health and Community Services \(gov.nl.ca\)](#) and [Understanding Wait Times | Western Health](#).

As listed below, Western Health can provide wait list information for elective hip and knee replacements, endoscopy, and cataract surgery, as a central intake process is in place in these areas. These numbers include those patients who have been assessed by a physician and a decision has been made to proceed with the surgery/procedure and a booking form was completed and submitted to the wait list clerk at Western Health. These numbers do not include individuals who are waiting to be seen by a physician for assessment for surgery/procedure.

- Elective Hip and Knee Replacements
- Endoscopy
- Cataracts

Elective Hip and Knee Replacement Surgery

As of November 30th, 2022, there are 57* patients waiting for a total hip replacement and 140* patients waiting for a total knee replacement.

Endoscopy

As of November 30th, 2022, there are 952* patients at Western Memorial Regional Hospital (WMRH) and 77* at Sir Thomas Roddick Hospital (STRH) waiting for a non-urgent colonoscopy. There are 8* patients at WMRH and five or less* patients at STRH waiting for an urgent colonoscopy.

As of November 30th, 2022, there are 128* patients at WMRH and 8* at STRH waiting for a non-urgent flexible sigmoidoscopy. There are 7* patients at WMRH and five or less patients* at STRH waiting for an urgent flexible sigmoidoscopy.

As of November 30th, 2022, there are 581* patients at WMRH and 21* at STRH waiting for a non-urgent gastroscopy. There are 16* patients at WMRH and five or less* patients at STRH waiting for an urgent gastroscopy.

As of November 30th, 2022, there are five or less* patients waiting for Endoscopic retrograde cholangiopancreatography (ERCP).

As of November 30th, 2022, there are 0* patients waiting for a Bronchoscopy.

Cataracts

As of November 29th, 2022, there are 876* patients waiting for cataract surgery within Western Health (patient delays excluded). Please note that "patient delays" refers to a delay that is requested by the patient.

*This includes those patients who have been assessed by a physician and a decision has been made to proceed with the surgery/procedure and a booking form was completed and submitted to the wait list clerk at Western Health. This number does not include anyone waiting to be seen by a physician for assessment for surgery/procedure.