

# Be careful what you wish for...

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# A SHARED RESPONSIBILITY



WHETHER THEY LIKE OR NOT

- Constitution Act 1867
- The Medicare Compact 1957-1984
- The Lalonde Report 1974
- The McLachlin Court 2000-2011



# “INSITE”

(2011 SCC 44)

“The federal role in the domain of health makes it impossible to precisely define what falls in or out of the proposed provincial “core”.

Overlapping federal jurisdiction and the sheer size and diversity of provincial health power render daunting the task of drawing a bright line around a protected provincial core of health where federal legislation may not tread.”

# “ASSISTED REPRODUCTION”

(2010 SCC 61)



“Health is a jurisdiction shared by both the provinces and the federal government.”

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# A VIABLE ARRANGEMENT



- Supply is (largely) a provincial matter
- Demand is (also) determined by Ottawa
- Cooperation is (therefore) essential
- Benefits of asymmetry AND centralisation



# FOUR STATES OF THE SYSTEM



- National health service
- Primus inter pares
- One among many
- “Real accountability”



# NO DIRECTION HOME



SYSTEM COLLAPSE ... ?

- Competitive spiral
- Less sharing and redistribution
- Rigidity and conservatism
- Narrow perspectives



# SILVER LININGS

... OR RENEWAL?

- Adjustments and adaptation
- Experimentation and innovation
- Profitable cooperation
- Rich and diverse mixture of actors