

Canada Suit Seeks Autism Victims

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Aid for

VANCOUVER, British Columbia Nov. 6 - Beverley Sharpe wondered what was wrong when her 2-year-old daughter, Allison, did not talk. Something seemed askew when her child would not respond to a rolling ball but would find great pleasure from running her hands repetitively through a bowl of soaking beans.

A diagnosis of autism resolved the mystery. But the Sharpes' marriage broke up and Ms. Sharpe was left to pay for Allison's intensive therapy on her own.

Ms. Sharpe dug in her heels. She refurbished and rented out her garage and rented out several more rooms of her West Vancouver house to pay for the 36 hours of therapy Allison needed every week from four therapists, costing more than \$1,400 a month. She also joined a group of parents with autistic children in filing a suit in 1998 seeking public financial aid to meet the children's needs.

The case has since wound its way through the British Columbia provincial courts and has reached the Supreme Court of Canada to become one of the most important cases touching social policy to come before the high court in years.

Provincial governments are now paying for some services for autistic children, but overall Canadian autistic children currently have fewer legal rights than American children with the same neurological disorder.

The American children are entitled by federal legislation to receive educational therapy in their public schools, although services are spotty, depending on how well the local district complies.

But if Ms. Sharpe gets her way, the Canadian rights for the autistic will leapfrog those in America with a health care entitlement that would cost the provinces several billion dollars a year.

"This kid will get what she needs if I have to get a second job flipping hamburgers," said Ms. Sharpe, a 43-year-old government meat inspector, speaking of her daughter, who is now 10. "If you need a wheelchair in Canada you get it, if you need radiation you get it, if you are blind we have schools for you, but if you are autistic you get nothing. Why does my kid get nothing?"

Ms. Sharpe and the other parents involved in the suit contend that they have a constitutional right to have their children's therapy entirely paid for by the government,

just as a cancer patient is covered by the Canadian government health insurance system, which serves every citizen.

Not to be equally covered, the parents contend, means their autistic children are being discriminated against in violation of the Charter of Rights and Freedoms, Canada's Bill of Rights.

A decision is expected early next year, and it has the potential to open up a cascade of lawsuits from people with a variety of other disabilities not now covered, including dyslexia. That is why the autism case has stirred resistance from the provincial governments, which say they cannot afford the added burden to a health-care system that is already stretched financially and forcing many people to wait for services.

"Demands always exceed resources, and choices have to be made," British Columbia's attorney general, Geoff Plant, said in an interview. "Government is better positioned through science and policy analysis to make these decisions than the courts are."

Mr. Plant estimated that if all the autistic children in the province received the intensive therapy that parents like Ms. Sharpe say is required to give autistic people a chance to function independently, it would cost British Columbia more than \$250 million annually, of a total health budget of \$9 billion.

He said if all 13,000 children with special needs in the province were similarly entitled, it could cost the province as much as \$1.5 billion. "Health care funding would have to be radically reconceived," Mr. Plant concluded.

The parents of the autistic children contend that intensive early therapy may be expensive, but not as expensive as sending autistic children to group homes, then institutionalizing them for the rest of their lives, as now often happens when they reach adulthood.

Estimates of how many people in Canada are autistic vary. But as in the United States, the number of diagnoses of autism here is growing.