

PJH/CGS

09 May 2000

AA

Dr M Laker
Medical Director
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Dear Mike

One of my haemophiliac patients, Peter Longstaff, has applied under the Health Records Act 1994, sight of his green treatment cards which record the treatment he has received over the years.

Obviously, there is no reason why he should not be supplied with photo-copies of these - presumably at his own expense - but I thought I ought just draw your attention to the possible reasons why this is occurring and its possible implications to the Trust.

I am led to believe that Mr Longstaff is receiving Legal Aid in order to test the validity of a waiver that haemophiliacs who were infected with HIV signed when the Government accepted that it was reasonable to compensate them for their HIV disease. I believe that waiver essentially said that, no further demands could be made on Government for compensation. Although 80% of the HIV infected patients have died, many of the survivors now find they have spent their compensation and also find that they are infected with hepatitis C.

These co-infected patients are forming a pressure group to try and reverse the waiver or obtain compensation for hepatitis C infection using the settlement that the Irish Government have made for hepatitis C as their precedent.

I therefore expect that there may be a rash of requests for access to treatment cards and as many of these patients have been treated for over 13 years or even longer, the Trusts Records Department is going to have its work cut out photo-copying all these things and ultimately, we may find ourselves having to deal with Lawyers investigations. We shall see!

Ctd...

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As a background to all this, I would also advise you that there is litigation going on with regard to hepatitis C injection and blood transfusion. This litigation, which is kept separate from the haemophilia type problem, involves use of Consumer Protection Act and the action with the heard in the High Court, I think this October.

We shall obviously have to wait the outcome of that legal exercise before knowing the full implications, if any, with regard to patients who have received hepatitis C from blood products.

I will let you know of any developments as and when they occur.

With best wishes.

Yours sincerely

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