



Winnipeg Regional
Health Authority

Caring for Health

Office régional de la
santé de Winnipeg

À l'écoute de votre santé

1800 - 188 Carlton St.
Winnipeg, Manitoba
R3C 4Y1 CANADA

Tel: 204 / 926.7000

Fax: 204 / 926.7007

www.wrha.mb.ca

188, ave Carlton, suite 1800
Winnipeg, Manitoba
R3C 4Y1 CANADA

Tel: 204 / 926.7000

Téléc: 204 / 926.7007

www.wrha.mb.ca

March 26, 2009

Canadian Taxpayers Federation
Unit 212 - 428 Portage Avenue
Winnipeg MB R3C 0E2

Attention: Colin Craig

Dear Sir:

RE: Your Request for Access under
The Freedom of Information and Protection of Privacy Act
Our File No. 2009-049

BY FACSIMILE

On February 27, 2009, the Winnipeg Regional Health Authority ("WRHA") received your revised request for access to the following records:

2009-049

Please provide documentation regarding the Winnipeg Regional Health Authority's recent involvement with Health Pro. Please include any documentation such as memos, briefing notes and a copy of the contract details.

If the Winnipeg Regional Health Authority has purchased shares in Health Pro and/or has made any payments to Health Pro, please include such documentation.

This is to inform you that your request to access information will be granted in part. In particular, access is granted to the following records:

- Letters dated January 26, 2009 (Purchased Share) and February 17, 2009 between the third party and the WRHA.

As you requested a copy of the records, and as they can reasonably be reproduced, in accordance with clause 14(1)(a) of the Act, copies of the records that are accessible under the Act are enclosed.

There are no memos or briefing notes containing information responsive to your request. Therefore, access to these records is refused, as the information in these records falls within the following exceptions to disclosure in *The Freedom of Information and Protection of Privacy Act*.

- 12(1)** In a response under section 11, the head of the public body shall inform the applicant
- (c) if access to the record is refused,
 - (i) in the case of a record that does not exist or cannot be located, that the record does not exist or cannot be located.

Access to the remaining records that you requested is refused, as these records contain information that falls within the following exceptions to disclosure in *The Freedom of Information and Protection of Privacy Act*.

Disclosure harmful to a third party's business

- 18(1)** The head of a public body shall refuse to disclose to an applicant information that would reveal . . .
- (b) commercial, financial, labour relations, scientific or technical information supplied to the public body by a third party, explicitly or implicitly, on a confidential basis and treated consistently as confidential information by the third party; or

- 2 -

- (c) commercial, financial, labour relations, scientific or technical information the disclosure of which could reasonably be expected to
- (i) harm the competitive position of a third party,
 - (ii) interfere with contractual or other negotiations of a third party,
 - (iii) result in significant financial loss or gain to a third party
 - (iv) result in similar information no longer being supplied to the public body when it is in the public interest that similar information continue to be supplied.

The records you requested contained information, which, if disclosed, might affect the business interests of a third party as described in section 18 of *The Freedom of Information and Protection of Privacy Act*. This being the case, on March 18, 2009 we provided written notice to the third party that a request for access to these records has been made as permitted by Subsection 33(1) of the Act that provides as follows:

- 33(1) When the head of a public body is considering giving access to a record the disclosure of which might
- (b) affect a third party's interests described in subsection 18(1) or (2);

the head shall, where practicable and as soon as practicable, given written notice to the third party in accordance with subsection (3).

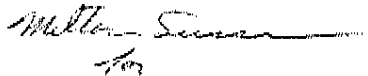
The third party submitted written representations on March 26, 2009 objecting to the disclosure of the contract details. Contract details and payment information was provided to the WRHA with an *expectation of privacy and is therefore treated consistently by both parties as confidential*. In addition, disclosure of contractual details may result in harm to the competitive position or result in significant financial loss to the third party.

Please contact Landis Esposito, Access and Privacy Coordinator at 926-7049 if you have any questions.

Subsection 59(1) of *The Freedom of Information and Protection of Privacy Act* provides that you may make a complaint about our decision respecting your request for access to the Manitoba Ombudsman. You have 60 days from the receipt of this letter to make a complaint on the prescribed form to:

Manitoba Ombudsman
750 - 500 Portage Avenue
Winnipeg, MB R3C 3X1
982-9130
1-800-665-0531

Sincerely,



Dr. Brian Postl
Chief Executive Officer and
Access and Privacy Officer

/j/

HealthPRO

Choice. Support. Results.

February 17, 2009

Peggy Matland
Director, Regional Supply Chain
WRHA Logistics Services
500-287 Broadway
Winnipeg Manitoba
R3C 0R9

Dear Peggy:

We provide the following comments with respect to the participation of member hospital staff on HealthPRO Committees, both the Clinical Advisory Committee and the Materials Management Advisory Committee.

Whilst there is no obligation on the part of individual member hospitals, the committees are a cornerstone of HealthPRO's business process, providing essential end user expertise and regional perspective in our product and contracting decisions. At the end of the day, some member participation is therefore required and we strongly encourage representation from our larger member organizations.

The committee meetings are held on average twice a year, usually two day working sessions at our offices in Mississauga. The cost of the meetings is covered in our operating expense budget, thus spreading the costs over the entire membership who benefit from the work of the committees. The majority of those costs are the reimbursement of reasonable out of pocket costs of member employees travelling to the meetings and their accommodation whilst here, the latter at nearby hotels where we have negotiated reasonable rates. Committee members submit their expense claims for approval by the specific HealthPRO service area Director and the HealthPRO Vice President, Finance.

Although for the most part committee member expenses are submitted and reimbursed on an individual basis we do offer the option of reimbursing member hospitals should the hospital prefer to control the expenses through their expense policies and procedures. Please advise if you would prefer the latter process.

I trust that this provides the necessary clarification but please contact me should you require anything further.

Yours truly,

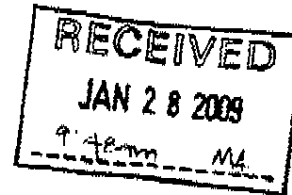


Liana Scott
Vice President, Member Support

HealthPRO

Choice. Support. Results.

January 26, 2009



Ms. Peggy Maitland
Director, Regional Supply Chain
Winnipeg Regional Health Authority
500-287 Broadway
Winnipeg, Manitoba
R3C 0R9

Dear Peggy:

We are very pleased to add the Winnipeg Regional Health Authority as a *Member and Shareholder of HealthPRO Procurement Services Inc.*

Enclosed is your copy of the Membership Shareholder Agreement signed by Mike Foley and your Share Certificate. We will add \$1.00 to your **membership fee** in April 2009 to cover the cost of the share.

We look forward to meeting with you and your team in February to begin our work together.

Thank you for your confidence in HealthPRO.

Yours truly,

HealthPRO Procurement Services Inc.

A handwritten signature in black ink, appearing to read "Cynthia Valaitis".

Cynthia Valaitis,
Vice President, Business Development.

No. C300

INCORPORATED UNDER THE LAW OF THE PROVINCE OF ONTARIO

Shares

HealthPRO Procurement Services Inc.

This is to Certify that
is the registered holder of
fully paid and non-assessable

WINNIPEG REGIONAL HEALTH AUTHORITY

One (1)

shares of

HealthPRO Procurement Services Inc.

The class or series of shares represented by this Certificate has rights, privileges, restrictions or conditions attached thereto and the Corporation will furnish to the holder, on demand and without charge, a full copy of the text of,

(i) the rights, privileges, restrictions and conditions attached to the said shares and to each class authorized to be issued and to each series insofar as the same have been fixed by the directors, and

(ii) the authority of the directors to fix the rights, privileges, restrictions and conditions of subsequent series, if applicable.

LIEN ON SHARES. The corporation has a lien on the shares represented by this Certificate for any debt of the shareholder to the Corporation.

RESTRICTIONS ON TRANSFER. There are restrictions on the right to transfer the shares represented by this Certificate.

IN WITNESS WHEREOF the Corporation has caused this Certificate to be signed by its duly authorized officers and to be sealed with the seal of the Corporation this

26th

day of

January,

2009

