PHYSICIAN MASTER AGREEMENT AMENDMENT NUMBER 3

THIS AGREEMENT made as of the 3 day of OCT, 2008,

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF BRITISH COLUMBIA, as represented by the
Minister of Health

(the “Government”)

AND:

BRITISH COLUMBIA MEDICAL ASSOCIATION

(the “BCMA”)

AND:

MEDICAL SERVICES COMMISSION

(the “MSC”)

WITNESSES THAT WHEREAS:

A. The parties hereto entered into an agreement titled “Physician Master Agreement” and made as of the 1st day of November, 2007 and subsequently amended (the “PMA”);

B. Section 1.7 of the PMA provides that the PMA may be amended by written agreement of the parties; and

C. The parties have agreed to amend the PMA in the manner set out herein.

NOW THEREFORE in consideration of the premises and the agreements of the parties as set out herein, and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Section 23.1(d) of the PMA is replaced in its entirety with the following:

“If there is no resolution of the matter within 15 days of the meeting referred to in section 23.1(c), or longer period as agreed by the parties, either the Government or the BCMA may refer the matter to the Adjudication Committee with notice to the Joint Agreement Administration Group, at which time a chair will be appointed from the Roster in accordance with section 22.2(a). The Adjudication Committee will attempt to assist the parties to resolve the matter on a voluntary basis through a mediation process which will be conducted
by the chair of the Adjudication Committee, or, if either the BCMA or the Government stipulates so in writing within five business days of the referral to the Adjudication Committee, by the full Adjudication Committee.”

2. Section 23.1(e) of the PMA is replaced in its entirety with the following:

“Where no voluntary resolution is achieved pursuant to section 23.1(d) within 45 days of the first date the parties meet to mediate the matter as contemplated in section 23.1(d), or such longer period as may be directed by the Joint Agreement Administration Group upon the recommendation of the mediator, the Adjudication Committee will arbitrate the matter in accordance with section 22.2.”

3. Section 24.1 (f) is replaced in its entirety with the following:

“If the Local Interest Issue is not resolved in accordance with section 24.1(d) within 45 days of the first meeting contemplated by section 24.1 (c), or any longer period agreed to by the parties to the Local Interest Issue, either the affected Health Authority or the affected physician(s) may, within a further 30 days, request the Government or the BCMA respectively, to refer the Local Interest Issue to the Physician Services Committee. If, during the 45 days, or longer period if agreed, either party to the Local Interest Issue concludes that that the process to resolve the Local Interest Issue has failed, it may so advise the other party in writing and the time limits for referral to the Physician Services Committee will commence from the date of that notice.”
4. Except as expressly amended herein, the terms and conditions of the PMA continue in full force and effect.

IN WITNESS WHEREOF the parties have executed this agreement by or in the presence of their respective duly authorized signatories as of the 3rd day of OCT, 2008.

SIGNED, SEALED & DELIVERED on behalf of HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, by the Minister of Health or his/her duly authorized representative, in the presence of:

Signature of Witness

Name: S. Brown L. Cairns

Address: 1515 Blanshard St, Victoria

THE CORPORATE SEAL of the BRITISH COLUMBIA MEDICAL ASSOCIATION was hereunto affixed in the presence of:

Signature of Authorized Signatory

J.W. Mackie

Name: PRESIDENT

Position

MEDICAL SERVICES COMMISSION

Per: Authorized Signatory

Tom Vincent

Name: CHAIR

Position