



393 Third Street West  
Owen Sound, ON N4K 7A2

Steven Woodman  
Acting Executive Director and Chief Pensions Advocate  
Bureau of Pensions Advocates  
Charlottetown, PE C1A 8M9

November 30, 2024

Dear Mr. Woodman,

References: A. My Letter to Anthony Saez dated 20 November 20, 2024  
B. Your letter to Veterans with Cancer Inc. dated November 25, 2024

I would like to thank you for your response to our letter and your willingness to revisit the wording in the form letter sent to veterans with cancer claims. While we appreciate your intention to re-evaluate this matter, I remain deeply concerned that the request for a doctor's letter to link cancer to military service continues to be a significant source of distress for veterans.

*"In order to support your claim, please ask your physician to provide a report which identifies your current diagnosis and provides an opinion whether your Prostate Cancer condition is more likely than not, caused or aggravated by your military service."*

We respectfully believe this request should be removed entirely, as it creates undue anxiety and mental trauma for veterans already facing the devastating challenges of cancer. Most physicians, while skilled in treating cancer, lack the expertise in cancer research to provide the necessary opinion linking a veteran's cancer to their service. Furthermore, asking veterans to obtain this letter results in unnecessary delays, which can be especially harmful for those with terminal diagnoses.

In reviewing your letter, it is evident that our concerns have not been fully addressed. I have attached additional documentation illustrating the specific negative impact this request has had on one veteran's experience. This case, one of the six examples you cited, highlights that only one of the six cases relied on a doctor's letter; while the others were successful relying on the presumptions provide by the Regulation paragraph 50(g). In the single instance involving a doctor's letter, the letter merely confirmed the carcinogenic nature of Carbon Tetrachloride (CCl<sub>4</sub>), information which is readily available from other sources like the International Agency for Research on Cancer (IARC). The lack of firsthand knowledge regarding the veteran's service, compounded by the difficulty in proving a causal link between military service and cancer, only underscores that this requirement is both redundant and counterproductive.

To summarize, the request for a doctor's letter linking cancer to military service does not provide unique or essential information and only serves to delay the claims process. More importantly, it subjects veterans to unnecessary mental strain and distress during a time when they are already struggling with their health. I respectfully ask that you reconsider our request to remove this paragraph from the form letters sent to veterans with cancer. By doing so, we can alleviate the anxiety and unnecessary delays these veterans are facing.

Thank you for your continued attention to this important issue. I look forward to your response and hope for a positive resolution that puts the needs of our veterans first.

Sincerely,

Commander (ret'd) James P. Hutton CD, BSc, MSc, MBA  
Director, Veterans with Cancer Inc.



## Annex A; The Real Life Impact of Doctor's Letters

Reference: VRAB Decision Number 100005403348

Randy Hladun is a veteran who worked with Carbon Tetrachloride from many years while in uniform. As a result of his exposure, he developed prostate cancer which had metastasized by the time he applied for benefits.

On December 12, 2023 he received a letter from VAC denying his entitlement citing insufficient evidence to support that carbon tetrachloride exposure is a risk factor for prostate cancer. This conclusion was made in spite of the international Agency for Research on Cancer (IARC) classifying Carbon Tetrachloride in Group 2B in 1998 as a chemical that likely causes cancer in humans.

Mr. Hladun immediately reached out to BPA to request a Review and on 09 January 2024 he received a phone call from BPA which he memorialized in an email to Donald MacPhail (see below). In this phone call he was advised that he needed a letter from his oncologist connecting his cancer to his service. At one point in the call Mr. Hladun was advised that; *"the lawyer would most likely not take his case"* if he didn't get this letter. On 15 Jan 2024 this conversation was followed up by the letter from BPA below, requiring him to obtain an opinion from his doctor on the likelihood that his cancer was caused by his military service.

*In order to support your claim, please ask your physician to provide a report which identifies your current diagnosis and provides an opinion whether your Prostate Cancer condition is more likely than not, caused or aggravated (permanently worsened) by your military service.*

Mr. Hladun was concerned by this request since he was quite aware that his oncologist was not involved in cancer research. More importantly, he was very troubled by the threat that BPA would not take his case if he failed to get his oncologist to provide the connection between his cancer and his service placed additional pressure on him.

Nevertheless, he made an appointment with his oncologist and several days later met with his oncologist and asked him for an opinion connecting his cancer to his service. The doctor took offence to the question given the disconnect from his speciality. Thinking that Mr. Hladun was asking him to do something unethical, he went on to belittle Mr. Hladun in front of his wife for asking this question. The doctor's reaction to this question speaks to the inappropriateness of posing such a question to a medical professional not involved in cancer research.

Given the ultimatum he was given by the BPA representative Mr. Hladun was determine to find a medical professional involved in cancer research to provide the requested doctor's opinion. So, Mr. Hladun went on what he refers to as *"Doctor Shopping"* mission to find a doctor anywhere in Canada to meet BPA's requirement. Fortunately, he found Dr. Douglas Hamm in Victoria on 30 Jan 2024, who had knowledge and expertise in this area. Dr. Hamm provided Mr. Hladun with a letter on 14 Feb 2024 stating that exposure to CCI 4 likely causes cancer – which is a conclusion that was reached by the IARC in 1998.

A few weeks later, 06 Mar 2024, Mr. Hladun's case was heard by VRAB. The Board granted Mr. Hladun an entitlement in the amount of five-fifths.

The bottom line is that in the case above and with most cancer claims, the connection between the exposure to an environmental hazard and the cancer can be made using sources other than a doctor's letter; which in this case would have spared Mr. Hladun the anxiety, embarrassment and mental trauma and in the process shorten his process by five weeks. Although this may seem to be trivial amount of time to some, to a veteran with terminal cancer, it very well could represent 10% of the time he has left.

*It is obvious that the current letters were designed based traditional physical injuries. In these cases, most doctors are able to provide an opinion as to the likely cause of the injury. This is just not the case with claims involving cancer which is why a different form, without the offending paragraph, is required for veterans with cancer claims.*

## Annex A; The Real Life Impact of Doctor's Letters

### Frustration with Doctor's Letter Request and the Threat of BPA Withdrawing Support

From: Randy Hladun <[Rhladun@outlook.com](mailto:Rhladun@outlook.com)>

Date: Tue, Jan 9, 2024 at 15:49

Subject: BPA Phone Call

To: Donald MacPhail <[bdrcole@gmail.com](mailto:bdrcole@gmail.com)>

I recently received a phone call from the file intake person at BPA. I was very pleased to have this move ahead quite quickly. However, my pleasure was soon short lived.

I answered a few questions, then described the situation. Then she stated that I need a supporting letter from my oncologist. I understand that is the ultimate proof, but specialists know full well that you cannot, with any degree of certainty, determine that CTC caused the cancer. I asked him and he absolutely explained that he is not going to put his reputation on the line. He gets asked all the time from WCB, firefighters etc.

As far as my family doctor, he has given notice that he is no longer in family practice and we are to find a new doctor for me and my spouse. Besides, he would not write something as well, saying to ask my oncologist. So, let's decide that that is not a possibility and we need a different tactic. Cancer Cluster, Benefit of Doubt, More Likely than Not.

The lady then stated that the lawyer would most likely not take my case unless I got a letter. Of course, I was incredulous. Of all the 50 or so appeals that I read over, if there was ever a doctor letter, VAC stated that the opinion was only that; an opinion.

My stance on this is that we need to stress the "Cancer Cluster" part. Years ago, that was how they proved chemicals or smoking or asbestos caused cancer. By the simple fact of numbers and commonality. VAC needs to look at their statistics.

I got a little worked up and disclosed that I contacted the Ombudsman and W5 and both are on my side and waiting for the go ahead. I am inclined to go that route, if the lawyer calls and she insists on improbable letters. Everybody is putting up roadblocks, because they follow outdated processes and are not open-minded. The lawyer will probably drop me anyway.

If it's not VAC, then it's BPA



## Annex A; The Real Life Impact of Doctor's Letters

### The Offending Paragraph



**SOLICITOR/CLIENT PRIVILEGE**

**Bureau of Pensions Advocates**

Toll Free: 1(877) 228-2250

Fax: (902) 566-7804

Date in the digital signature

MR. RANDALL HLADUN  
403-78 PRESTWICK GDNS SE  
CALGARY, Alberta T2Z 3V2

**Entitlement Review - Veterans Review and Appeal Board**

**Prostate Cancer, Section 45 Veterans Well Being Act**

**File #: 5183637**

Further to your conversation with our office on January 9, 2024, I confirm I reviewed your file and we are prepared to proceed with your claim before the Veterans Review and Appeal Board (the Board) for the above noted condition.

As your claim is suited to proceed via a Hearing, we have requested that the Board prepare the Statement of Case (SOC). If you have a My VAC Account (MVA), the Board will deliver the SOC to you through your MVA. The SOC is a document prepared by the Board and will not include new evidence submitted to our office. Any new evidence (if applicable) would be provided to the Board prior to the Hearing.

In order to support your claim, please ask your physician to provide a report which **identifies your current diagnosis and provides an opinion whether your Prostate Cancer condition is more likely than not, caused or aggravated (permanently worsened) by your military service.**

If your physician charges a fee for their report, our office will pay in accordance with the provincially recommended fee for uninsured third-party requests. For payment, your physician may fax us their invoice together with the report and any relevant documents to **(902) 566-7804**. We will make direct payment on receipt of the requested information and invoice.

If you have any questions, please contact us via MVA secure message via telephone at **1-877-228-2250 (toll-free)**. Messages are checked periodically throughout the day and we will return your call.

Canada