

Parents of autistic child launch class action

A suit filed in B.C. Supreme Court on behalf of 130 families seeks funding for a specific form of therapy.

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The family of a five-year-old autistic boy launched a class action suit Friday against the provincial government for not paying for an intensive therapy program for children with an autism spectrum disorder.

The suit was filed by Michelle Auton on behalf of her five-year-old son Connor and all children in B.C. with autism

whose requests for funding for the Lovaas Autism Treatment have been rejected by government.

The statement of claim, filed in B.C. Supreme Court, states autism is believed to be a neurological disorder that interferes with the normal development of the brain in the area of reason, social interaction and communication skills.

It's usually around the age of 18 months to two years when parents start to notice delays in language development and social interaction in their child. Children with the disorder typically have little or no language

and may engage in repetitive behaviours such as clapping, hand flapping, rocking or swaying.

The therapy the Autons and about 130 other families in B.C. have been paying for privately is a form of "behaviour modification" that was developed by Dr. O. Ivar Lovaas of the University of California in Los Angeles. It typically entails 40 hours a week of individualized instruction for the child and breaks down every life task into its smallest components to help a child learn, said Sabrina Freeman, of FEAT (Families for Early Autism Treatment) of B.C.

She said this is the only scientifically proven therapy to work for some children with autism.

The statement of claim filed Friday by Auton states that without Lovaas Autism Treatment, the prognosis for a child with autism is extremely poor.

"The child is not able to break out of the isolation created by the inability to communicate, and the repetitive, stereotyped behaviours become dominant... Autistic persons have a normal life expectancy, and, left untreated, may continue to require life-long supervised care, at considerable public expense," the claim states.

"Successfully treated, many of the behaviours associated with autism can be eliminated, even to the point where the child loses the diagnosis."

Freeman estimates the cost of providing the therapy can run from \$30,000 to \$60,000 annually. The plaintiffs are seeking a declaration that the denial of funding by the minister of health for the Lovaas Autism Treatment is in violation of the Canada Health Act, the Medicare Protection Act and the Canadian Charter of Rights, for discriminating in the delivery of health services on the basis of mental disability.