

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON**

BETWEEN:

ELDER ADVOCATES OF ALBERTA SOCIETY and JAMES O. DARWISH, Personal
Representative of the Estate of JOHANNA H. DARWISH, deceased

Plaintiffs

and

HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA and
ALBERTA HEALTH SERVICES

Defendants

DETAILED CLASS DEFINITION

All Patients in Auxiliary Hospitals and Nursing Homes in the Province of Alberta, and the estates of such Patients, who, since August 1, 2003, have been charged the Accommodation Charge, save and except for all such Patients who:

- a) at any time since August 1, 2003, have received:
 - i) Assured Income for the Severely Handicapped (AISH);
 - ii) Supports for Independence (SFI);
 - iii) the full Supplementary Accommodation Benefit;
 - iv) benefits to pay the accommodation charge from the Worker's Compensation Board, the Department of Veteran Affairs (Canada), the Department of National Defence (Canada), the First Nations and Inuit Branch of Health Canada, or the Royal Canadian Mounted Police; or
 - v) a waiver, in its entirety, of the Accommodation Charge increase which took effect August 1, 2003 pursuant to A.R. 260/2003 for reasons of financial hardship, or
- b) were ineligible to receive "insured services" under s. 38 of the *Hospitals Act* or "benefits" under s. 9 of the *Nursing Homes Act* during the period of time they were charged the Accommodation Charge.