

Bill No. 31 of 1945.

A BILL RESPECTING HOMES FOR AGED OR INFIRM
PERSONS.

NOTE.

This Bill provides for the licensing of homes for the aged or infirm persons defined as a house or other building where three or more of such persons are kept for compensation.

Section 3 of the Bill sets out rules to determine the residence of old or infirm persons for the purpose of deciding when a municipality is entitled to a grant under section 12.

Section 4 authorizes municipalities to pass by-laws licensing homes and also by-laws providing for the erection or purchase of a home by the municipality and to borrow money for such a purpose.

The operation of a home without a license is prohibited by sections 5 and 6.

Sections 7, 8 and 9 prescribe the method of application for a license and the contents of the license.

Section 10 gives a council a discretion to grant, refuse or cancel a license.

Section 12 authorizes the Minister to pay grants to municipalities which have placed old or infirm residents in a licensed home and contribute to their support there. The grant with respect to any one person is not to exceed one-half of the amount paid by the municipality for his support.

Section 13 deals with the standards of accommodation, etc., required to be maintained in licensed homes to entitle a municipality to a grant and authorizes the Minister to cancel a grant when the standards are not complied with.

Section 14 authorizes the council to make regulations as to the conduct of a home, etc.

Section 15 is the penalty clause.

W. S. GRAY,
Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 31 of 1945.

An Act Respecting Homes for Aged or Infirm Persons.

(Assented to _____, 1945.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Home for Aged or Infirm Act.*"

2. In this Act, unless the context otherwise requires,—

- (a) "Council" means in the case of an improvement district, the Minister of Municipal Affairs, and in the case of a special area, the Minister of Lands and Mines, and in the case of a municipality, the municipal council;
- (b) "Home for the aged or infirm" and "Home" mean a house or other building where three or more aged or infirm persons are kept for compensation;
- (c) "Minister" means the Minister of Public Welfare;
- (d) "Municipality" means a city, town, village, municipal district, improvement district or special area.

3. In order to determine whether or not any person is a resident of a municipality for the purpose of this Act, the following rules of interpretation shall be applied:

- (a) Any person who, on the date of his admission to a home, has then resided within the boundaries of a municipality without assistance from public funds for twelve months out of the twenty-four months immediately preceding the date of his admission, shall be deemed to be a resident of such municipality;
- (b) Any person who on the date of his admission to a home has not resided for twelve months out of the preceding twenty-four months within the boundaries of any municipality, but has resided or has been a sojourner within the boundaries of a municipality, without assistance from public funds, for at least three consecutive months out of the twenty-four months immediately preceding the date of his admission, shall be deemed to be a resident of the municipality within which he has last so resided;
- (c) Any person who on the date of his admission to a home, is in receipt of assistance from public funds, or has been in receipt of such assistance at any time

within the preceding twelve months, shall be deemed to be a resident of the municipality liable for the payment of such assistance.

Provided, however, that assistance given under the provisions of *The Mothers' Allowance Act*, *The Workmen's Compensation Act* or *The Old Age Pensions Act*, or assistance in the form of a pension or allowance for services performed shall not be deemed assistance from public funds within the meaning of this Act.

4. Notwithstanding the provisions of any other Act, the council of any municipality may pass by-laws,—

- (a) licensing, regulating and controlling homes for the aged or infirm;
- (b) providing for the erection or purchase of a house or other building to be used as a home for aged or infirm persons and providing for the furnishing and equipment thereof and for the payment of the cost of purchase or construction and operation out of the revenues of the municipality or by borrowing on debentures or otherwise howsoever upon such terms as to the council may seem proper, and it shall not be necessary for the council to submit any such by-law to the burgesses or proprietary electors of the municipality for their assent.

5. No person shall operate a home for the aged or infirm unless and until he has obtained a license authorizing him so to do from the council of the municipality in which the home is situated.

6. Any person operating a home for aged or infirm persons at the date of the coming into force of a by-law requiring a license to operate a home, shall discontinue its operation within one month after that date unless he has in the meantime obtained a license to operate the home.

7. Application for a license hereunder shall be made to the council of the municipality in which the home is situated, shall be in writing, shall include a full description of the premises proposed to be used as a home, and shall indicate the number of persons which it is proposed to accommodate in the home.

8. The application shall be accompanied by a license fee fixed in the by-law of the municipality, which fee shall be returned to the applicant in the event of the application being refused.

9. Each license shall state the maximum number of persons to be accommodated in the home and shall continue in force unless sooner cancelled or suspended until the first day of January next following the date of its issue.

10. The council of a municipality may, in its discretion, refuse to grant any application for a license, and may in its discretion, cancel or suspend any license already granted.

11. Each home licensed pursuant to the provisions of this Act shall keep or cause to be kept such books and records and in such form as may be prescribed from time to time by the council, and the premises occupied as a home and all books and records kept in connection therewith, shall at all times be open for inspection by any officer appointed by the Minister or by the council for the purpose.

12. In any case where a municipality has assumed the obligation of assisting any aged or infirm person who is a resident of the municipality and has placed such person in a licensed home or in a home operated by the municipality and has contributed to his support there, the Minister shall pay to the municipality out of moneys appropriated for the purpose by the Legislature, a grant in respect of each person approved by him and who has been admitted to a home and provided for therein under the aforesaid circumstances, and the Minister may make regulations respecting the method and time of payment of grants and the amounts of the grants.

Provided, however, that in no case shall the total amount of grant given to a municipality with respect to any one person exceed one-half of the amount paid by the municipality for his support.

13. No grant shall be paid to a municipality in respect to any person kept in premises that do not come up to the standards set or approved by the Minister in regard to patients' accommodation, boarding facilities, sanitation, toilet accommodation, bathing facilities, fire protection and generally such matters as are related to the proper care of aged or infirm persons, and the Minister may at any time cancel or suspend payment of the grant with respect to any home upon being satisfied that the conditions in the home and in its conduct are unsatisfactory, and may restore the payment of the grant upon being satisfied the unsatisfactory conditions have been remedied.

14. The Council may make regulations,—

- (a) respecting the management, maintenance and operation of and accommodation in homes for the aged or infirm;
- (b) prescribing the books and records to be kept by the person operating a home;
- (c) providing for the inspection of homes licensed under this Act either on behalf of the Minister or on behalf of the municipality.

15. Any person violating any of the provisions of this Act shall be guilty of an offence and liable on summary conviction.

tion to a fine of not more than twenty-five dollars and costs, or in default of payment to imprisonment for a term of not more than thirty days.

16. This Act shall come into force on the day upon which it is assented to.

No. 31.

FIRST SESSION
TENTH LEGISLATURE

9 GEORGE VI

1945

BILL

An Act Respecting Homes for Aged
or Infirm Persons.

Received and read the

First time

Second time.....

Third time.....

HON. DR. CROSS.

EDMONTON:
A. Shnitka, King's Printer
1945