

No. 80

5th Session, 13th Legislature, Alberta
7 Elizabeth II, 1959

BILL 80

A Bill to amend The Hospitals Act

HON. DR. ROSS

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Edmonton, Alberta, 1959

Explanatory Note

2. With the enactment of The Hospitalization Benefits Act, the matter of grants and payments to "approved hospitals" in the Province has been provided for under that Act. There is still need, in point of hospital standards, for approval of hospitals under this Act but no need to relate it to or to refer to the "per diem allowance". Section 2, clauses (a) and (j) presently read:

"2. In this Act,

(a) "approved hospital" means a hospital for the time being in receipt of a per diem allowance;

(j) "per diem allowance" means the allowance authorized by subsection (1) of section 4;".

3. Section 3(a) New.

(b) Present section 5(1) (a).

(c) Present section 3(a) but Minister replaced by Lieutenant Governor in Council.

Section 4 new. Present sections 3, 4 and 5 presently read:

"Hospital Grouping

3. The Minister

(a) may classify approved hospitals into groups according to the standard of services available in the hospital, and

(b) may change the grouping of a hospital when, in his opinion, such a change is indicated.

Hospital Grants

4. (1) The Lieutenant Governor in Council may authorize the payment to an active treatment hospital of a per diem allowance for each person admitted to the hospital or treated therein, except in respect of any hospital or of any person or of any class of persons, which in the discretion of the Lieutenant Governor in Council may by order be excluded from the operation of this section.

BILL

No. 80 of 1959

An Act to amend The Hospitals Act

(Assented to _____, 1959)

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

1. *The Hospitals Act*, being chapter 147 of the Revised Statutes, is hereby amended.

2. Section 2 is amended

- (a) by striking out clause (a) and by substituting the following:
 - (a) "approved hospital" means a hospital designated as an approved hospital by the Lieutenant Governor in Council pursuant to this Act;
- (b) by striking out clause (j).

3. Sections 3, 4 and 5 are struck out and the following substituted:

3. The Lieutenant Governor in Council may make regulations

- (a) designating hospitals whose standards of service are such as to warrant them being designated as approved hospitals of the purposes of this Act,
- (b) governing the appointment, dismissal or suspension of members of the staff of physicians and surgeons of any hospital, the organization of the medical staff and their duties within the hospital, and
- (c) prescribing the standards of service to be made available in the hospitals.

4. (1) For the purposes of assessing the standard of service available in any hospital, improving surgical and anaesthetic procedures in hospitals, reducing post-operative deaths by research into the causes of post-operative deaths in or following discharge from hospitals, and obtaining better knowledge of the causes of death in maternity cases, the Minister, or any official of the Department of Public Health authorized by the Minister, shall have access to the hospital charts and records of any patient who has been hospitalized, and may obtain from the hospital extracts from and copies of any of its charts and records.

(2) The amount of the per diem allowance shall be fixed from time to time by the Lieutenant Governor in Council.

(3) The Lieutenant Governor in Council may direct the payment of an extra per diem allowance to any hospital that provides special services for any class or group of patients.

(4) The payment of each per diem allowance is conditional upon compliance with the requirements of this Act and the regulations made hereunder.

(5) Where an inspector appointed under this Act reports adversely on a hospital, the Minister may order that the hospital adversely reported upon is not to receive a per diem allowance under this Act until the conditions complained of in the report have been remedied.

(6) Subject to the provisions of subsection (7), the Lieutenant Governor in Council may pay to a hospital that

(a) is in a province bordering on Alberta,

(b) receives a grant from the revenues of that province, and

(c) from time to time provides hospital treatment to residents of Alberta,

a per diem allowance for each such patient so treated equal to the allowance paid to the hospital by the government of the province in which it is situated.

(7) Upon the Lieutenant Governor in Council being satisfied that reciprocal provisions have been made by the legislature of another province he may by order declare the provisions of subsection (6) to be in force and applicable to that province.

Regulations as to Hospitals

5. (1) The Lieutenant Governor in Council may make regulations governing

(a) the appointment, dismissal or suspension of members of the staff of physicians and surgeons of a hospital,

(b) the management, maintenance, operation of and accommodation in any hospital or any place other than a hospital, and

(c) the conditions under which a per diem allowance and any assistance by way of payments from municipal or Provincial funds may be made to a hospital.

(2) A regulation duly made by the Lieutenant Governor in Council and not inconsistent with the provisions of this Act has the same effect as if it were expressly contained in this Act.

(3) A by-law, rule or regulation made by a board and approved in writing by the Minister has the same effect as a regulation made under this Act and may be amended or rescinded by order of the Minister."

Section 5 authorizes the preparation of model and uniform hospital rules for the purpose of obtaining uniformity in grading the standard or care provided.

(2) The information obtained from hospital charts and records shall be treated by the Minister or his officials as confidential but this subsection shall not be construed so as to prevent the Minister or his officials and consultants from compiling statistical data, recommending hospital, medical or surgical procedures based upon cases ascertained from the charts and records to hospitals and medical practitioners or any organization thereof, or to the Provincial Coroner or other persons or organizations where the Minister considers it to be in the public interest to do so.

(3) The persons in charge of a hospital or hospital records shall, upon the request of the Minister, provide and divulge to the Minister or an official authorized by the Minister any diagnosis, charts, records or any information available in respect of a patient who has been admitted to the hospital.

5. (1) The Lieutenant Governor in Council may from time to time establish model by-laws, rules and regulations for adoption by approved hospitals of any specified grade, and the model by-laws, rules and regulations shall set out hospital administrative procedures, the composition and duties of hospital medical staff, procedures relating to operations and operative technique, the preparation of operative cases, the preparation of records and reports, the setting up of surgical and medical committees within the hospital, and for such other matters as may be deemed necessary to maintain a high standard of service by hospitals.

(2) Where model by-laws, rules and regulations are provided pursuant to this section, any approved hospital failing to adopt them or not having by-laws or rules of similar effect in force in the hospital shall be deemed, for the purposes of any provincial hospital grants, payments or benefits, not to have the standard of service required for an approved hospital of the grade for which the model by-laws, rules and regulations were prepared.

4. This Act comes into force on the day upon which it is assented to.

No. 80

FIFTH SESSION

THIRTEENTH LEGISLATURE

7 ELIZABETH II

1959

BILL

An Act to amend The Hospitals Act

Received and read the

First time.....

Second time.....

Third time.....

HON. DR. ROSS