

No. 59

4th Session, 14th Legislature, Alberta
10 Elizabeth II

BILL 59

A Bill to amend The Alberta Hospitals Act

HON. DR. ROSS

Explanatory Note

2. Section 2, clause (e) presently reads:

"(e) "council" means

- (i) in the case of a city, town, village, county or municipal district, the council thereof,
- (ii) in the case of a new town, the board of administrators thereof, and
- (iii) in the case of an improvement district or special area, the Minister of Municipal Affairs;"

3. Section 11 presently reads:

- "11. (1) Where a hospital district is served by a non-district hospital,
- (a) if the board of the non-district hospital is willing to provide hospital services on behalf of the district board, and
 - (b) if the councils of the included municipalities representing a majority of the population in the hospital district are agreeable thereto,

the district board and the board of the non-district hospital may, with the approval of the Minister, enter into an agreement to that effect on the terms and conditions prescribed by the regulations.

(2) It shall be a condition of every agreement entered into under this section

- (a) that the non-district hospital shall be managed by a board of not less than three persons and not more than eleven, and
- (b) that the district board has the right to appoint a majority of the members of such board of management."

4. Section 14 presently reads:

BILL

No. 59 of 1962

An Act to amend The Alberta Hospitals Act

(Assented to _____, 1962)

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

1. *The Alberta Hospitals Act*, being chapter 36 of the Statutes of Alberta, 1961, is hereby amended.

2. Section 2 is amended

(a) as to clause (e)

(i) by striking out the word "and" at the end of subclause (ii) and by adding the word "and" at the end of subclause (iii),

(ii) by adding the following new subclause immediately after subclause (iii):

(iv) in the case of a national park, the superintendent thereof;

(b) by adding immediately after clause (f) the following new clause:

(f1) "excess cost" means the audited operating cost of an approved hospital in a fiscal year over and above the approved operating cost of the hospital for that year;

3. Section 11 is struck out and the following section is substituted:

11. Where a hospital district is served by a non-district hospital, the board of the hospital may enter into an agreement with any one or all of the councils of the included municipalities

(a) covering representation on the board of management of the hospital, and

(b) covering excess cost, limited in the case of each municipality to the basis provided under section 14 for municipal hospitals.

4. Section 14 is struck out and the following section is substituted:

"14. (1) On or before the first day of April in each year the council of each included municipality shall provide the district board or board of management with a certificate showing

- (a) the amount of the equalized assessment in the included area based on the equalized assessment of the municipality as determined and ordered by the Alberta Assessment Equalization Board for the year pursuant to The Municipalities Assessment and Equalization Act, and
 - (b) if the included area is in
 - (i) a municipal district or county or in an improvement district that is not a special area, the total estimated nominal value of all lands that are
 - (A) in the included area of the municipal district, the county or the improvement district, as the case may be, and
 - (B) held under a lease that is provided for by The Public Lands Act and under which a share of crop has become payable to the provincial government,
 - (ii) a special area, the total estimated nominal value of all lands that are in the special area and that are held under lease from the Special Areas Board.
- (2) The total estimated nominal value mentioned in clause (b) of subsection (1) shall be determined,
- (a) in the case of a municipal district or an improvement district that is not a special area, by multiplying the sum of four hundred dollars by the total number of quarter sections so held as at the thirty-first day of December of the preceding year, or
 - (b) in the case of a special area, by multiplying an amount set by the Minister of Municipal Affairs by the total number of quarter sections held as at the thirty-first day of December of the preceding year."

5. Section 16, subsections (1) and (2) read:

"16. (1) Where a requisition referred to in section 15 is received, an included municipality to which the provisions of clause (b) of subsection (1) of section 14 do not apply shall levy a hospital tax at a rate sufficient to pay the sum requisitioned, or if the amount of the requisition may be so paid, shall make provision for the payment thereof from the general revenue fund of the included municipality.

(2) When the requisition referred to in section 15 is received by an included municipality to which the provisions of clause (b) of subsection (1) of section 14 apply, the council of that municipality

- (a) shall levy a hospital tax at a rate sufficient to pay the proportionate part only of the requisition that is attributable to property liable to assessment and taxation, or
- (b) shall make provision for the payment of the requisition, or for any part of the requisition not raised by a tax levy from the general revenue fund of the included municipality."

6. Section 48, subsections (3) and (4) presently read:

"(3) No action in which a claim for the cost of insured services provided under this Part has been included on behalf of the Minister shall be settled without provision for payment to the Minister in full of such costs or without the Director of the Hospitals Division having first given his consent to such settlement in writing and any settlement which is made without such provision or such consent is a nullity.

(4) Where a person who causes injury to a beneficiary is insured against liability for such injury the insurer shall not discharge his obligation to the insured person without making payment to the Minister of the sum payable to the Minister on account of the hospital benefits provided."

14. (1) The Alberta Assessment Equalization Board, subject to subsection (4a) of section 331 of *The Municipal District Act*, subsection (4a) of section 8 of *The Improvement Districts Act* and subsection (11) of section 21 of *The Municipalities Assessment and Equalization Act*, shall apportion in each year among the hospital districts lying wholly or in part within the municipality, the equalized assessment established in respect of a municipality for that year and thereafter the Board shall advise the municipality of such apportionment.

(2) The apportionment of an equalized assessment determined pursuant to subsection (1) shall be calculated by multiplying such equalized assessment by the total assessment and valuation of those properties lying within a hospital district which are represented in such equalized assessment and dividing the product thereof by the total assessment and valuation of those properties lying within the municipality and which are represented in such equalized assessment of the municipality.

(3) On or before the first day of April in each year the proper officer of each included municipality shall provide a certificate to the district board or board of management showing the equalized assessment or portion thereof of the municipality as determined pursuant to subsection (1) that is applicable to the area included in the hospital district.

5. Section 16 is amended by striking out subsections (1) and (2).

6. Section 48 is amended by striking out subsections (3) and (4) and by substituting the following:

(2a) Notwithstanding subsection (2), the Director of the Hospitals Division may advise the beneficiary or his agent in writing that the claim on behalf of the Minister is not to be included in the beneficiary's claim.

(3) Where a beneficiary may have a right of recovery against a person for the cost of insured services and whether or not a statement of claim is issued or a judgment is obtained, the beneficiary shall not conclude a settlement

(a) without provision for payment to the Minister in full of the cost of insured services provided under this Part, or

(b) without the prior release or consent in writing of the Director of the Hospitals Division in respect of such settlement,

and any settlement which is made without such provision, release or consent is a nullity.

(4) Where a person guilty of a wrongful act or omission is insured against liability for the personal injuries suffered by a beneficiary, the insurer shall not discharge his obligation to the insured person

7. Section 50, subsection (1) presently reads:

"50. (1) As its share of the operating costs of hospitals each municipality shall pay each year from its general revenue into the General Revenue Fund of the Province such amount as may be determined by the Lieutenant Governor in Council but not to exceed the amount that could be obtained from a four mill tax upon the assessment and valuation of rateable lands, within the meaning of The Municipalities Assessment and Equalization Act, in the municipality and as equalized by the Alberta Assessment Equalization Board under The Municipalities Assessment and Equalization Act as directed by regulations."

8. Section 55, subsection (1) presently reads:

"55. (1) Subject to subsection (3), an insurer shall not after the first day of July, 1961, make a new contract of insurance under which a resident of the Province is to be provided with or is to be reimbursed or indemnified for the cost of any hospital service that is standard ward hospitalization or that is any other hospital service provided as an insured service under this Part other than authorized charges."

9. Prohibition on the use of the word "hospital".

10. Repeal of The Private Hospitals Act.

11. Commencement of Act.

- (a) without making payment in full to the Minister of the cost of insured services provided to the beneficiary, or
- (b) without obtaining a release or consent in writing from the Director of the Hospitals Division in respect of any settlement where partial payment is involved,

and any settlement that is made without such provision or such consent is a nullity.

7. Section 50, subsection (1) is amended by striking out the words "as directed by regulations".

8. Section 55, subsection (1) is amended by adding immediately after the words "new contract of insurance" the words "or add new members to a group contract".

9. Section 60 is struck out and the following section is substituted:

60. No institution operated for the care of diseased, injured or sick people, other than

- (a) an approved hospital, or
- (b) an institution operated by the Crown,

may describe itself as a hospital or use the word "hospital" in its name.

10. *The Private Hospitals Act*, being chapter 242 of the Revised Statutes, is hereby repealed.

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

No. 59

FOURTH SESSION

FOURTEENTH LEGISLATURE

10 ELIZABETH II

1962

BILL

An Act to amend The Alberta
Hospitals Act

Received and read the

First time

Second time

Third time

HON. DR. ROSS
