

1967 Bill 81

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Fifth Session, 15th Legislature, 15 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 81**

**An Act respecting the Treatment and Prevention of  
Cancer**

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THE MINISTER OF HEALTH

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First Reading .....

Second Reading .....

Third Reading .....

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# BILL 81

1967

An Act respecting the Treatment and Prevention of Cancer

(Assented to \_\_\_\_\_, 1967)

**H**ER 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 Cancer Treatment and Prevention Act, 1967*.

2. In this Act,

- (a) "board" means the Provincial Cancer Hospital Board;
- (b) "hospital" means a provincial cancer hospital;
- (c) "Minister" means the Minister of Health;
- (d) "resident of the Province" means a person lawfully entitled to be or to remain in Canada, who makes his home and is ordinarily present in Alberta, but does not include a tourist, transient or visitor to Alberta.

## Cancer Services

3. The Minister may promote, encourage and give financial assistance for schemes, plans and measures for the diagnosis, treatment or prevention of cancer or for cancer research.

4. The Lieutenant Governor in Council may authorize the Minister to provide all or part of the costs of services for the diagnosis, treatment and care of cancer, including outpatient hospital services, rendered in Alberta to residents of the Province and to persons who are not residents of the Province, in accordance with a schedule prescribed from time to time by the Lieutenant Governor in Council.

5. The Lieutenant Governor in Council may authorize the Minister to enter into agreements with

- (a) a person or body of persons owning or operating a hospital or an institution providing X-ray treatment for cancer, or
- (b) the College of Physicians and Surgeons of the Province of Alberta or any member or members thereof,

## **Explanatory Notes**

**1.** This Bill repeals and replaces The Cancer Treatment and Prevention Act, chapter 35 of the Revised Statutes. The sections under the heading "Cancer Services" contain the equivalent provisions of the present Act. The remaining sections under "Provincial Cancer Hospitals" are new.

**2.** Definitions.

**3.** Financial assistance for cancer research and services.

**4.** Financial assistance for cancer services.

**5.** Agreements re cancer services and facilities.

for the purposes of section 3 or 4 or for the purpose of implementing, maintaining or providing facilities or services for the diagnosis, treatment or care of cancer patients or for cancer research.

#### **Provincial Cancer Hospitals**

**6.** (1) The Lieutenant Governor in Council may by order establish the Provincial Cancer Hospitals Board and appoint the first members.

(2) The purpose of the Provincial Cancer Hospitals Board is to establish and operate provincial cancer hospitals and out-patient facilities for the diagnosis of cancer, the treatment and care of cancer patients and cancer research.

(3) The persons named in the order establishing the Provincial Cancer Hospitals Board as the members thereof and the persons named from time to time as members of the board are hereby constituted a body corporate named "The Provincial Cancer Hospitals Board".

**7.** (1) The board shall consist of not less than seven and not more than 11 members who shall hold office during the pleasure of the Minister.

(2) Upon the removal of a member or upon the creation of a vacancy in a board by resignation or death, the Minister may appoint a member to fill the vacancy.

(3) The chairman of the board shall be appointed by the Minister from among the members of the board.

**8.** With the approval of the Lieutenant Governor in Council, the board may establish one or more hospitals at such place or places in Alberta as it considers advisable.

**9.** (1) Subject to any order, regulation or agreement made pursuant to section 16, the board shall

- (a) hold, administer and manage the property and assets of the board,
- (b) operate hospitals for the diagnosis of cancer, the treatment and care of cancer patients and cancer research,
- (c) operate out-patient clinics for the diagnosis and treatment of cancer in conjunction with the hospitals and at other places in Alberta,
- (d) provide educational facilities to medical students, student nurses and to other students of matters related to the diagnosis, treatment and prevention of cancer,
- (e) provide the equipment necessary for the proper operation of the hospitals and out-patient clinics,
- (f) employ the necessary medical and surgical personnel

**6. Establishment of the Provincial Cancer Hospitals Board**  
which will be authorized to own and operate one or more cancer  
hospitals and out-patient clinics.

**7. Composition of board.**

**8. Board's authority to establish and operate hospitals and  
clinics.**

**9. Duties of the board.**

and other health service personnel, and administrative and clerical staff for the proper operation of the hospitals and out-patient clinics,

- (g) provide the necessary facilities for proper medical attendance, nursing, food and medicine,
- (h) provide for the remuneration of all employees of the board and prescribe their duties,
- (i) establish a schedule of fees for payment of authorized services provided by duly qualified medical practitioners,
- (j) send three copies of the minutes of each of its meetings to the Minister, and
- (k) prepare annually, before the first day of November, for submission to the Minister as soon as possible thereafter, an estimate of expenditures for the next ensuing calendar year.

(2) Before the board appoints medical or nursing personnel to lecture, teach or otherwise instruct in a hospital, the board shall obtain the approval of the Minister thereto.

**10.** The board may, with the approval of the Lieutenant Governor in Council, appoint an executive officer of the board and prescribe his duties.

**11.** In addition to its powers under section 14 of *The Interpretation Act, 1958*, the board may

- (a) acquire and hold real property,
- (b) accept subscriptions, donations, devises and bequests, whether of real or personal property,
- (c) pay a member of the board an amount not exceeding \$20 for each meeting of the board attended by the member, and necessary travelling expenses, and
- (d) do such other things as may be necessary to carry out the purposes of the board.

**12.** (1) The board may, with the approval of the Minister, make by-laws governing the management, control and operation of the hospitals, and *The Regulations Act* does not apply to any by-law so made.

(2) The board may, with the approval of the Minister, fix a schedule of charges from time to time for special or extra services that are provided by hospitals and out-patient clinics.

**13.** (1) The accounts of the board shall be made up to the 31st day of December of each year or at such other times as may be required by the Minister.

(2) Whenever the accounts are made up there shall be prepared a statement of revenue and expenditure and a

**10. Executive officer of board.**

**11. General powers of the board.**

**12. By-laws of board and schedule of charges for special services.**

**13. Accounts of board.**

statement of assets and liabilities for the calendar year immediately preceding, and the statements shall be submitted through the board for the certification of the Provincial Auditor.

(3) All books and records pertaining to the work carried on by the board under this Act are subject at all times to examination and audit by the Provincial Auditor or his nominee.

(4) The Minister may prescribe the form of any accounts to be kept by the board in and relating in any way to the matters dealt with by this Act.

**14.** (1) The board shall make a report annually to the Minister for the 12 months ending the 31st day of December of each year, which shall be submitted to the Minister not later than the 15th day of March next following.

(2) The report shall contain the statements prepared pursuant to subsection (2) of section 13 and certified by the Provincial Auditor, and any other reports that may be required under or pursuant to any Act of the Legislature.

**15.** The Minister may fix, from time to time, a schedule of salaries to be paid to persons employed by the board, and a schedule of approved charges for treatment and care provided to patients in hospitals and to persons attending at out-patient clinics.

**16.** The Minister may enter into agreements binding on the board respecting the operation or administration of any hospital or any out-patient clinic established by the board.

#### **General**

**17.** The Lieutenant Governor in Council may make regulations providing for such matters and things as may be deemed necessary to carry out the purpose of this Act.

**18.** The board may, with the approval of the Minister, appoint one or more advisory bodies or committees as it considers necessary or desirable for the proper and effective administration of this Act.

**19.** Any moneys payable by the Province for the purpose of carrying out the provisions of this Act or an agreement made under this Act shall be paid out of such sums as may be from time to time appropriated by the Legislature for the purpose.

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



**14.** Annual report of board to Minister.

**15.** Schedules of salaries and approved charges.

**16.** Agreements made by the Minister.

**17.** Regulations.

**18.** Advisory committees.

**19.** Appropriations.