

1972 Bill 69

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First Session, 17th Legislature, 21 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 69**

**The Alberta Health Care Insurance Amendment Act, 1972**

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HONOURABLE MISS HUNLEY

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First Reading .....

Second Reading .....

Third Reading .....

# BILL 69

1972

## THE ALBERTA HEALTH CARE INSURANCE AMENDMENT ACT, 1972

(Assented to \_\_\_\_\_, 1972)

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

1. *The Alberta Health Care Insurance Act is hereby amended.*

2. *Section 2 is amended by adding the following clause after clause (t):*

(t1) "practitioner" means a chiropractor, dental surgeon, optometrist, podiatrist, physician or osteopath;

3. *Section 19 is amended by adding the following subsections after subsection (2):*

(2.1) When the Commission determines that on or after July 1, 1969, a payment of a claim was or is made in error or upon erroneous or false information from a resident or practitioner, the Commission may reassess the claim paid and make any appropriate adjustment in the amount paid with respect to the claim.

(2.2) Whenever the Commission reassesses a claim under subsection (2.1) it may with respect to any adjustment of the amount paid therefor,

(a) if the amounts paid were in excess of the benefits payable under the adjustment, recover from the resident or the practitioner to whom the amounts were paid, as the case may be, the excess

(i) by withholding from any benefits payable to the resident or the practitioner, as the case may be, an amount equivalent to the excess, or

(ii) by civil action as though it were a debt owing to the Commission,

or

## **Explanatory Notes**

**1.** This Bill will amend chapter 166 of the Revised Statutes of Alberta 1970.

**2.** New definition.

**3.** New. On some occasions it has been brought to the attention of the Commission that an adjustment of an assessed claim should be made because the assessment was in error. The amendment empowers the Commission specifically to reassess claims where the original assessment was wrong.

(b) if the amounts paid were less than the benefits payable under the adjustment, pay to the resident or the practitioner to whom the benefits were paid, as the case may be, the amount of the deficiency.

(2.3) The Commission, with respect to benefits referred to in subsection (2.2), may charge or pay simple interest in such amount as it may determine but not exceeding 8 per cent per annum.

4. *Section 21 is amended*

(a) *as to subsection (1)*

(i) *by adding the following clause after clause (c):*

(c1) providing, in respect of benefits for any or all basic health services rendered outside Alberta or any specified place outside Alberta, that the benefits may be paid only for services rendered during a specified period of time or that the Commission is empowered in a particular case to prescribe the period in respect of which benefits may be paid;

(ii) *in clause (e), by adding after the words "for a person who" the words "is or",*

(b) *by striking out subsection (2).*

5. *Section 32 is amended by striking out subsection (3).*

6. *The following section is added after section 38:*

**38.1** (1) No subscription is payable under an optional contract where the subscriber or his spouse is 65 years of age or over.

(2) Subsection (1) applies to an optional contract

(a) where the subscriber or spouse is 65 years of age at the time the contract is issued, or

(b) on the first day of the first month following the 65th birthday of the subscriber or spouse, where that birthday occurs after the contract is issued, or

(c) on the 65th birthday of the subscriber or spouse, where that birthday falls on the first day of a month and occurs after the contract is issued.

7. *Section 44 is amended by adding the following subsection after subsection (2):*

(2.1) Subsection (2) does not apply where the resident or spouse is 65 years of age or over at the time of enrolment.

8. *This Act comes into force on the day upon which it is assented to and upon so coming into force section 7 shall be deemed to have been in force at all times on and after January 1, 1972.*

**4. Section 21, subsection (1), clauses (c) and (e) and subsection (2), presently read:**

21. (1) The Lieutenant Governor in Council may make regulations  
.....  
(c) prescribing the benefits payable in respect of basic health services other than physicians' services;  
.....  
(e) prescribing the waiting period (not exceeding three months) for a person who becomes a resident of Alberta and in respect of which the costs of any basic health services rendered during that period to that person are not payable as benefits;
- (2) The regulations under subsection (1), clause (c) may, with respect to benefits for any or all basic health services (other than insured services) that are rendered anywhere outside Alberta or at any specified place outside Alberta, prescribe that no benefits are payable or that benefits are to be paid at rates different from those that apply for services rendered inside Alberta.

**5. See Note 2.**

**Section 32, subsection (3) presently reads:**

- (3) In this section "practitioner" means a physician, dental surgeon, optometrist, chiropractor, podiatrist or osteopath.

**6. Section 38.1 is added to Part 4 entitled "Optional Health Contracts". Part 4 allows for a plan for providing "optional health services" by the Commission alone but it is not operative because this coverage is being provided under an arrangement with the Alberta Blue Cross Plan. However, section 38.1 is added so that if regulations are ever made under Part 4, there will be an exemption for residents 65 years or over equivalent to the exemption from premium payments under The Health Insurance Premiums Act.**

**7. Section 44 deals with enrolment in the Alberta Blue Cross Plan through the Commission. Subsection (2) reads:**

- (2) A resident is not entitled to enrol himself or any of his dependants as members of The Blue Cross Plan pursuant to the Blue Cross agreement unless he is registered under this Act and is not in arrears of premiums under The Health Insurance Premiums Act.

Premiums for persons enrolled under section 44 are payable under The Health Insurance Premiums Act. See the Bill to amend that Act for the provision to exempt residents 65 and over from premium payments.