

1977 BILL 14

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 14

THE NURSING HOMES AMENDMENT ACT, 1977

THE MINISTER OF HOSPITALS AND MEDICAL CARE

First Reading

Second Reading

Third Reading

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THE NURSING HOMES AMENDMENT ACT, 1977

(Assented to _____, 1977)

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

1. The Nursing Homes Act is hereby amended.

2. Section 6.1 is amended by striking out the words "subject to the regulations," and substituting the words "with the approval of the Minister,".

3. Section 8, subsection (2) is amended by striking out the words "on a patient day basis or on any other basis prescribed by the Commission".

4. The following section is added after section 11.2:

11.3. (1) The Minister may appoint a person to be an official administrator of a contract nursing home in a case where, in the Minister's opinion, there exists a danger or an imminent danger to the health or safety of patients in the contract nursing home.

(2) An official administrator appointed pursuant to subsection (1) is entitled to possession of the contract nursing home and all supplies and equipment in it that in his opinion are necessary for the continued operation of the contract nursing home, to the exclusion of the operator or any person claiming through the operator.

Explanatory Notes

1. This Bill will amend chapter 264 of the Revised Statutes of Alberta 1970

2. Section 6.1 presently reads:

6.1 The Commission may, subject to the regulations, make grants to district boards in respect of their capital costs and operating costs.

3. Section 8, subsection (2) presently reads:

(2) A nursing home contract shall provide for the payment by the Commission to the operator of amounts prescribed by the regulations on a patient day basis or on any other basis prescribed by the Commission.

4. Subsection (1) gives the Minister power to appoint an official administrator of a nursing home, the operator of which has entered into a contract with The Alberta Hospital Services Commission to supply nursing home care to eligible patients. The remaining subsections set out the powers of an official administrator and the duration of his administration of a contract nursing home.

(3) An official administrator may pay

- (a) the salaries, wages and fringe benefits of persons employed in the contract nursing home, and
- (b) the costs of those goods and services as are, in his opinion, necessary for the continued operation of the contract nursing home,

out of funds due to the operator under the nursing home contract or, with the approval of the Minister, from funds appropriated by the Legislature for the purpose of this Act.

(4) Any payment made pursuant to subsection (3) out of funds due to an operator under a nursing home contract constitutes a discharge, to the extent of the payment, of the liability of the Commission to make payments to the operator pursuant to the contract.

(5) An official administrator shall administer the contract nursing home only until

- (a) the patients are removed from it, or
- (b) in the opinion of the Minister, a danger or imminent danger to the health or safety of the patients no longer exists, or
- (c) a period of 90 days has expired from the day the administrator was appointed unless that period is extended for a further period or periods by the Minister.

(6) In addition to the powers granted by this section, the Minister may confer on an official administrator those powers that in the opinion of the Minister are reasonably necessary for the efficient administration of the contract nursing home.

(7) An official administrator shall within 15 days of the end of each month give to the operator of a contract nursing home under his administration a written statement in a form prescribed by the Minister setting forth the financial transactions relating to the contract nursing home undertaken by the administrator during that month.

(8) An official administrator shall report to the Minister on the operation of a contract nursing home under his administration at the time and in the manner prescribed by the Minister.

(9) While a contract nursing home is under the administration of an official administrator, the right of the operator to terminate the nursing home contract is suspended.

5. Section 16 is amended by striking out clause (a1).

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

5. Section 16, clause (a1) presently reads:

16. The Lieutenant Governor in Council may make regulations

(a1) prescribing the basis upon which capital costs and operating costs are to be determined for the purposes of section 6.1 and the basis upon which the Commission may make grants under section 6.1,

Consequential to the amendment to section 6.1.