

1978 BILL 243

Fourth Session, 18th Legislature, 27 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 243

THE DENTAL HEALTH SERVICES ACT

MR. NOTLEY

First Reading -----

Second Reading -----

Committee of the Whole -----

Third Reading -----

Royal Assent -----

Bill 243
Mr. Notley

BILL 243

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THE DENTAL HEALTH SERVICES ACT

(Assented to _____, 1978)

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

1. In this Act,

- (a) "beneficiary" means a person who is a member of a class of persons designated by the Lieutenant Governor in Council as beneficiaries;
- (b) "dental health worker" means a dental nurse, dental hygienist, dental technician or dental assistant registered under *The Dental Health Workers Act*;
- (c) "dentist" means a practising member in good standing of the Alberta Dental Association;
- (d) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned.

2. (1) The Minister may establish programs for the purposes of this Act to provide any one or more of the following preventive and treatment dental services to a beneficiary

- (a) cleaning and scaling of teeth;
- (b) the topical application of anticariogenic agents;
- (c) education and instruction in the care of teeth;
- (d) examinations and diagnostic services, including x-rays;
- (e) fillings of teeth;
- (f) treatment of diseased gums;
- (g) extractions of teeth;
- (h) provision of prosthetic and orthodontic dental appliances of the kind approved by the Minister; and
- (i) the provision of drugs and medicines considered advisable in the treatment of a dental condition.

(2) Where under the regulations, the Lieutenant Governor in Council has prescribed other preventive or treatment dental services that may be provided to beneficiaries, the Minister may make arrangements to provide those services to beneficiaries.

Explanatory Notes

1. Definitions.

2. Dental programs may be established.

3. For the purpose of providing dental services under this Act, the Minister may

- (a) arrange for the employment of dentists, dental health workers, and other professional, technical and clerical staff under *The Public Service Act* or as contractors;
- (b) establish stationary and mobile clinics for the provision of dental services to beneficiaries;
- (c) acquire such dental equipment, material and substances as the Minister considers necessary in the provision of dental services pursuant to this Act;
- (d) enter into agreements with associations, dentists and other persons for the provision of dental services to beneficiaries;
- (e) enter into agreements with any person relating to the use of buildings and facilities for the purpose of providing dental services to beneficiaries; and
- (f) do such other things as he considers necessary or advisable for the carrying out of the objects and purposes of this Act.

4. (1) Nothing in this Act requires the Minister to make or authorize payment for dental services provided to a beneficiary by a dentist or other person unless the dentist or other person is employed under *The Public Service Act* or has entered into an agreement with the Minister to receive payment from the Government for the provision of those dental services.

(2) Where a dental service is not authorized by this Act or the regulations the Minister is not required to make payment for or provide that dental service or to require a dentist or any other person to provide the service.

5. The Minister, with the approval of the Lieutenant Governor in Council, may, on behalf of the Government, enter into agreements with the Government of Canada or the government of any province or territory for the provision of dental services to beneficiaries, subject to such terms and conditions as may be agreed upon.

6. A dentist who has agreed, either by himself or through an agent acting on his behalf to provide dental services to beneficiaries under this Act shall not charge, demand or accept a fee for those services, that is greater than the fee for those services provided by the agreement or established by regulations under this Act.

7. For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make such regulations and orders as are ancillary thereto and are not inconsistent therewith and, without restricting the generality of the foregoing, the Lieutenant Governor in Council may make regulations

3. Minister may employ or contract with dentists, etc.

4. Payments to dentists, etc.

5. Intergovernmental agreements.

6. Prohibits extra billing.

7. Regulations.

- (a) prescribing dental services other than those set out in section 2, that may be provided to beneficiaries;
- (b) prescribing the procedure to be followed by a person in obtaining dental services;
- (c) prescribing forms for use under this Act;
- (d) establishing the fees to be paid to dentists and other persons for providing dental services under this Act;
- (e) providing for the use of schools, clinics or government institutions and facilities for the delivery of dental services to beneficiaries.

8. The initiation of programs and services under this Act shall be contingent upon the appropriation of funds therefor by the Legislature.

9. This Act comes into force on a date to be fixed by Proclamation which shall not be earlier than the date of the appropriation mentioned in section 8 nor earlier than the date of Proclamation of *The Dental Health Workers Act*.

3. Programs contingent upon appropriation.