

1979 BILL 51

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First Session, 19th Legislature, 28 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 51**

**THE HEALTH INSURANCE PREMIUMS  
AMENDMENT ACT, 1979**

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MR. KUSHNER

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First Reading .....  
Second Reading.....  
Committee of the Whole.....  
Third Reading .....  
Royal Assent .....

*Bill 51*  
*Mr. Kushner*

## **BILL 51**

1979

### **THE HEALTH INSURANCE PREMIUMS AMENDMENT ACT, 1979**

*(Assented to , 1979)*

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

*1 The Health Insurance Premiums Act is amended by this Act.*

*2 Section 2 is amended*

*(a) by adding the following after clause (f):*

(f.1) “employer” means an employer as defined in the  
regulations;

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

(i.1) “registrant” means a resident who is registered  
under Part 3 of *The Alberta Health Care Insurance Act*  
but does not include a resident who is registered as a  
dependant under that Part;

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

(l) “wages” includes any salary, pay, holiday pay,  
overtime pay and any other remuneration for work or  
services however computed, but does not include tips  
or other gratuities.

*3 Section 3(1) is amended*

*(a) in clause (d) by striking out “the basis” and substituting  
“and the bases”;*

*(b) by adding the following after clause (e):*

(e.1) governing the waiver of premiums under section  
14.1;

## **Explanatory Notes**

**1** This Bill will amend chapter 167 of the Revised Statutes of Alberta 1970.

**2** Definitions.

**3** Section 3(1)(d), (k) and (l) presently read:

*3(1) The Lieutenant Governor in Council may make regulations*

*(d) prescribing the amounts of the basis for calculating subsidies;*

*(k) defining “dependant” and “employee” for the purposes of this Act or of any provisions of this Act;*

*(l) providing for any matter pertaining to declarations under section 22 not otherwise provided for in that section;*

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

(g.1) prescribing the circumstances under which the Minister may withhold overpayments of premiums under section 5;

(d) *by repealing clause (k) and substituting the following:*

(k) defining “dependant”, “employer” and “employee” for the purposes of this Act or any provision of this Act;

(e) *by repealing clause (l).*

**4** *Section 4 is amended*

(a) *in subsection (2) by striking out “resident” and substituting “registrant”, and*

(b) *by adding the following after subsection (3):*

(4) This section does not apply to premiums prescribed pursuant to section 3(1)(m).

**5** *Section 4.1 is repealed and the following is substituted:*

**4.1**(1) No registrant who is 65 years of age or over or whose spouse is 65 years of age or over is liable for the payment of premiums, other than premiums that are payable before this section becomes effective with respect to the registrant under subsection (2), on behalf of himself or any of his dependants.

(2) This section is effective with respect to a registrant

(a) on the date on which the registration becomes effective, where the registrant or the spouse of the registrant is 65 years of age or over at the time of registration,

(b) on the first day of the first month following the 65th birthday of the registrant or spouse, where that birthday occurs after the effective date of the registration, or

(c) on the 65th birthday of the registrant or spouse, where that birthday falls on the first day of a month and occurs after the effective date of registration.

(3) The exemption from liability for the payment of premiums under subsection (1) ceases at the end of the 2nd month following the month in which the death of the registrant or spouse who is 65 years of age or over occurs.

The proposed clause (e.1) is consequential to the amendment contained in section 11 of this Bill.

The proposed clause (g.1) is consequential to the amendment contained in section 6 of this Bill.

Clause (l) will be moved to The Alberta Health Care Insurance Act. See the Bill for The Alberta Health Care Insurance Amendment Act, 1979.

**4** Section 4(2) presently reads:

*(2) The regulations may prescribe different rates of premiums according to whether the resident liable for payment is a person with or without dependants and, in the case of persons with dependants, according to the number of his dependants.*

The proposed subsection (4) refers to premiums under The Alberta Blue Cross Plan.

**5** Section 4.1 presently reads:

*4.1(1) No resident who is 65 years of age or over is liable for the payment of premiums on behalf of himself or any of his dependants.*

*(2) Where a resident is under 65 years of age but has a spouse who is 65 years of age or over, subsection (1) applies as though the resident were 65 years of age or over.*

*(3) The exemption from liability for the payment of premiums under subsection (1) ceases upon the death of the resident 65 years of age or over.*

*(4) This section is effective with respect to a resident*

*(a) as of January 1, 1972, where the resident or spouse of the resident was 65 years of age or over on that date, or*

*(b) on the first day of the first month following the 65th birthday of the resident or spouse, where that birthday occurs after January 1, 1972, or*

*(c) on the first day of a month where, after January 1, 1972, the 65th birthday of the resident or spouse is the first day of that month.*

*6 Section 5 is amended*

*(a) in subsection (2) by striking out “it” and substituting “him”, and*

*(b) in subsection (3) by striking out “The” and substituting “Subject to the regulations, the”.*

*7 Sections 6 and 7 are repealed.*

*8 Section 9 is amended*

*(a) in subsection (3)(c) by striking out “circumstances” and substituting “circumstances”,*

*(b) in subsection (4)*

*(i) by striking out “The” and substituting “In addition to the employees, the”, and*

*(ii) by striking out “group, namely,” and substituting “group”,*

*(c) in subsection (6)*

*(i) by striking out “employer group” and substituting “employer’s group”, and*

*(ii) in clause (a) by striking out “or salary”, and*

**6** The amendment to subsection (2) corrects a reference.

Section 5(3) presently reads:

*(3) The Minister shall refund any overpayment of premium to the person who paid it or the person lawfully entitled to receive it.*

**7** Sections 6 and 7 presently read:

**6** *Where*

*(a) a claim is made under The Alberta Health Care Insurance Act for benefits for basic health services provided to a resident or any of his dependants or insured hospital services are provided to a resident or any of his dependants, and*

*(b) the resident or dependant is not registered under Part 3 of The Alberta Health Care Insurance Act at the time the claim is first submitted to the Minister or when the insured hospital services are provided, as the case may be,*

*the resident is liable to pay to the Minister, in addition to any arrears of premiums for which he is then liable, a penalty in an amount equal to 10 per cent of the arrears of such premiums.*

*7 For the purposes of this Act, arrears of premiums shall be calculated from July 1, 1969, or in the case of a person who was not a resident on that date but became a resident thereafter, from any later date accepted by the Minister as the date upon which the person became a resident of Alberta.*

**8** Section 9(4) presently reads:

*(4) The following persons are included in an employer's group, namely,*

*(a) the employer himself, if he is a resident, or*

*(b) where the employer is a partnership, each member of the partnership who is a resident.*

The amendment in clause (c)(i) corrects an error. The amendments in clauses (c)(ii) and (d) are consequential to the new definition of "wages". See section 2(c) of this Bill.

*(d) in subsection (8)(b) by striking out “or salary”.*

*9 Section 11(2) is amended by adding “or arrangement” after “by an agreement”.*

*10 Section 14(1) is amended*

*(a) by adding “or designated group” after “employer’s group”, and*

*(b) by striking out “or salary”.*

*11 Section 14.1 is repealed and the following is substituted:*

**14.1** Subject to the regulations, the Minister may waive the payment of the whole or any part of the premiums of a registrant who applies for a waiver of premiums for reasons of financial hardship.

*12 Section 17(1) is amended by striking out “resident” and substituting “registrant”.*

*13 Section 22 is repealed.*

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



**9** Section 11(2) presently reads:

*(2) A group constituted by an agreement under subsection (1) shall be called an "employee group".*

**10** Clause (a) corrects an omission. Clause (b) is consequential to the new definition of "wages". See section 2(c) of this Bill.

**11** Section 14.1 presently reads:

*14.1(1) A resident who is liable to pay premiums but is unable to do so due to financial hardship, may apply to the Minister for waiver of premiums during the period in which he is unable to pay his premiums.*

*(2) The Minister shall refer an application to the Department of Social Services and Community Health for evaluation by that Department in such manner as the Department determines to be proper.*

*(3) The Minister may waive the payment of the whole or any part of the premiums of an applicant during the period of financial hardship, but not exceeding six months, or such shorter periods as the Minister may prescribe, having regard to any advice or recommendation from the Department of Social Services and Community Health.*

*(4) Where the Minister has waived the payment of premiums by a resident under subsection (3), the resident may, before the expiration of the period during which the waiver is effective, apply to the Minister for extension of the waiver.*

*(5) The Minister may grant an extension of waiver for such further period or periods as the Minister may prescribe.*

*(6) An extension of waiver under subsection (5) may be subject to such terms and conditions as the Minister may prescribe.*

**12** Consequential to the new definition of "registrant". See section 2(b) of this Bill.

**13** Section 22, which deals with applications to "opt-out" of the Alberta Health Care Insurance Plan, will be moved to The Alberta Health Care Insurance Act. See the Bill for The Alberta Health Care Insurance Amendment Act, 1979.