

1984 BILL 93

Second Session, 20th Legislature, 33 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 93

HEALTH OCCUPATIONS AMENDMENT ACT, 1984

HON. MR. KING

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 93

1984

HEALTH OCCUPATIONS AMENDMENT ACT, 1984

(Assented to _____, 1984)

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

- 1 *The Health Occupations Act is amended by this Act.*
- 2 *The title and chapter number of the Act are repealed and the following is substituted:*

HEALTH DISCIPLINES ACT CHAPTER H-3.5

- 3 *Section 1 is amended*
 - (a) *in clause (a) by striking out "Occupations" and substituting "Disciplines";*
 - (b) *by adding the following after clause (d):*
 - (d.1) "health discipline association" means a health discipline association named in an order under section 4.2;
 - (c) *by repealing clause (e) and substituting the following:*
 - (e) "Minister" means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act;
- 4 *The heading preceding section 3 is repealed and the following is substituted:*

DESIGNATION OF HEALTH DISCIPLINES

- 5 *Section 3 is amended*
 - (a) *in subsection (1) by striking out "Occupations" and substituting "Disciplines";*
 - (b) *in subsection (7) by striking out "is" and substituting "and an employee of the Department of Hospitals and Medical Care designated by the Minister of Hospitals and Medical Care are";*

Explanatory Notes

1 This Bill will amend chapter H-5.1 of the Revised Statutes of Alberta 1980.

2 The title and chapter number presently read:

HEALTH OCCUPATIONS ACT
CHAPTER H-5.1

3 Section 1 presently reads in part:

1 In this Act,

(a) "Board" means the Health Occupations Board established under this Act;

(b) "Committee" means a Health Occupation Committee established under this Act;

(c) "Department" means the Department of Social Services and Community Health;

(d) "designated health occupation" means a health occupation designated under this Act in accordance with section 4(5);

(e) "Minister" means the Minister of Social Services and Community Health;

(f) "Registrar" means the Registrar of Health Occupations.

4 The heading preceding section 3 presently reads:

HEALTH OCCUPATIONS BOARD AND COMMITTEES

5 Section 3 presently reads in part:

3(1) There is hereby established a board called the Health Occupations Board consisting of not more than 9 members appointed, each for a term not exceeding 3 years, by the Lieutenant Governor in Council as follows:

(a) at least one but not more than 3 members of the College of Physicians and Surgeons of Alberta, and

(b) at least 6 but not more than 8 other persons.

(c) in subsection (12) by striking out “Six” and substituting “Five”.

6 Section 4 is amended

(a) in subsection (4)(e) by striking out “occupation” wherever it occurs and substituting “discipline”;

(b) in subsection (5) by striking out “legislation be enacted to designate that health occupation as a designated health occupation.” and substituting the following:

- (a) legislation be enacted to designate that health discipline as a designated health discipline, and**
- (b) the health discipline be governed by**
 - (i) a Committee, or**
 - (ii) a health discipline association.**

7 The following is added after section 4:

4.1(1) If the Board recommends under section 4(5) that a health discipline be designated as a designated health discipline, the Board shall carry out an assessment for the purpose of determining whether the designated health discipline should be governed by a Committee or a health discipline association.

(2) In carrying out an assessment under subsection (1), the Board shall consult with any person or association it considers appropriate.

(3) The Board shall consider the following matters:

- (a) whether an association exists that represents persons engaged in the health discipline referred to in subsection (1);**

(7) An employee of the Department of Advanced Education designated by the Minister of Advanced Education is entitled

- (a) to receive notice of meetings of the Board, and*
- (b) to attend meetings of the Board.*

(12) Six members of the Board then holding office constitute a quorum at a meeting of the Board.

6 Section 4 presently reads in part:

4(1) The Board shall conduct an investigation into a health occupation in respect of which

- (a) an application has been made by or on behalf of an association of persons who are engaged in that health occupation for it to be designated as a designated health occupation under this Act, or*
- (b) the Minister has directed the Board to make an investigation*

for the purpose of determining if the health occupation should be designated as a designated health occupation under this Act.

(1.1) The Board shall conduct an investigation into a health occupation if an application has been made by a professional association representing the majority of the persons who are

- (a) engaged in that health occupation, and*
- (b) entitled to practise the health occupation pursuant to any other Act*

for the purpose of determining if the health occupation should be designated as a designated health occupation under this Act.

(5) On completing an investigation under subsection (1) or (1.1), the Board shall, if it is satisfied, having regard to the matters ascertained, evaluated, determined and considered under subsections (3) and (4), that the potential for and degree of risk of harm to the public that may result from the practice of that health occupation is such that the health occupation investigated by the Board should be a designated health occupation under this Act, submit to the Minister a full report on the investigation and recommend to the Minister that legislation be enacted to designate that health occupation as a designated health occupation.

7 Assessment by Board.

- (b) the number of members in an association described in clause (a);
- (c) the percentage that the members of the association described in clause (a) are of the total number of persons who engage in the health discipline;
- (d) the length of time an association described in clause (a) has existed;
- (e) the financial position of an association described in clause (a);
- (f) the desire of an association described in clause (a) to become a health discipline association;
- (g) whether an association described in clause (a) represents or is normally engaged in representing its members in negotiation of collective bargaining agreements or in any proceedings under a collective bargaining agreement;
- (h) whether an association described in clause (a) is a corporate body;
- (i) whether an association described in clause (a) has an elected governing body;
- (j) any other matter it considers appropriate.

4.2 When a health discipline is designated as a designated health discipline, the Minister shall, by order, specify that the designated health discipline be governed by

- (a) a Committee, or
- (b) a health discipline association named in the order.

8 *Section 5 is amended*

(a) *in subsection (1)(a) by adding “that is specified by an order under section 4.2 to be governed by a Committee” after “occupation”;*

(b) *by repealing subsection (2) and substituting the following:*

(2) A Committee established under subsection (1) shall consist of not fewer than 3 and not more than 9 members appointed by the Minister for a term prescribed by the Minister.

(2.1) Subject to subsection (2.2), a majority of the members of a Committee shall be engaged in the designated health discipline for which the Committee is established, and the remaining members of the Committee shall be knowledgeable with respect to the practice of that designated health discipline.

(2.2) After a register is established for a designated health discipline, a majority of the members of a Committee established for that designated health discipline shall be registered in that designated health discipline and the remaining mem-

8 Section 5 presently reads:

5(1) The Minister shall by order

(a) establish a Health Occupation Committee for each designated health occupation, and

(b) designate for each Committee so established a name indicating the designated health occupation for which it is established.

(2) A Committee shall consist of not less than 3 and not more than 9 members appointed by the Minister who are currently associated with and, in the opinion of the Minister, are knowledgeable with respect to the practice of the designated health occupation for which the Committee is established.

(3) The Minister shall designate one of the members of a Committee to be chairman.

(4) In the absence of the chairman at a meeting of a Committee, the members present shall appoint a member to preside at that meeting.

(5) The Registrar shall act as secretary to a Committee.

(6) If at the time of appointment of the members of a Committee one or more associations of persons exist that are engaged in a health occupation

bers of the Committee shall be knowledgeable with respect to the practice of that designated health discipline.

(2.3) A person who is required under subsection (2.2) to be registered in a designated health discipline is not eligible to continue to act as a member of a Committee if he fails to be registered within 60 days after the register for that designated health discipline is established.

(c) by repealing subsections (6), (7), and (8).

9 Section 7 is amended

(a) by repealing subsections (1) and (2) and substituting the following:

7(1) A Committee or a health discipline association is entitled

(a) to receive notice of a Board meeting at which matters will be considered that relate to the designated health discipline for which the Committee was established or that is governed by the health discipline association, and

(b) to attend meetings referred to in clause (a).

(2) A Committee or health discipline association may request the Board to hold a meeting to consider matters contained in regulations or that the Committee or health discipline association desires to be included in regulations relating to the designated health occupation, and the Board shall, within 60 days from the date of receipt of the request, hold a meeting to enable the Committee or health discipline association to make representations to it respecting those matters.

(b) in subsection (3) by adding “or health discipline association” after “Committee”.

the same as or similar to the designated health occupation, the majority of the members of the Committee shall be appointed from the members of that association of persons that, in the opinion of the Minister, represents the greatest number of all persons engaged in Alberta in that health occupation.

(7) Each member of a Committee shall, subject to subsection (8), be appointed for a term prescribed by the Minister so as to provide for the periodic replacement of members without loss in continuity of membership on the Committee.

(8) At the expiration of the first term of each of the members of a Committee, any members appointed or reappointed by the Minister shall, in addition to meeting the other criteria prescribed in this section, be registered under this Act to practise that health occupation, if a register for that health occupation has been established.

(9) A member of a Committee who is not an employee of the government may be paid remuneration for his services and an allowance for the expenses necessarily incurred in the performance of his duties, at the rates prescribed by the Minister.

(10) A Committee may make rules governing the calling of and conduct of meetings of the Committee and any other matters pertaining to its business and affairs.

(11) A majority of the members of a Committee then holding office constitutes a quorum at a meeting of the Committee.

(12) The Minister may provide to a Committee at no cost to it any supplies and the services of employees of the Government under his administration to carry out any work that in the opinion of the Minister may reasonably be required by the Committee to enable it to perform its functions under this Act.

9 Section 7 presently reads:

7(1) The members of a Committee are entitled

(a) to receive notice of a Board meeting at which matters will be considered that relate to the designated health occupation for which that Committee was established, and

(b) to attend meetings referred to in clause (a).

(2) A Committee may request the Board to hold a meeting to consider matters contained in regulations or that the Committee desires to be included in regulations that relate to the designated health occupation for which that Committee was established and the Board shall, within 60 days from the date of receipt of the request, hold a meeting to enable the Committee to make representations to it respecting that designated health occupation.

(3) A request under subsection (2) shall be in writing and describe the matters with respect to which the Committee intends to make representations to the Board.

10 The following is added after section 7:

7.1(1) A health discipline association named in an order under section 4.2(b) is a corporation.

(2) A corporation has the capacity and, subject to this Act, the rights, powers and privileges of a natural person.

(3) A person who is a member of a health discipline association and registered to practise in the designated health discipline that is governed by that health discipline association is a member of a corporation referred to in subsection (1).

7.2(1) A health discipline association shall establish a governing body.

(2) The governing body of a health discipline association shall manage and conduct the business and affairs of the health discipline association and exercise the rights, powers and privileges of the health discipline association in the name and on behalf of the health discipline association.

7.3(1) The governing body of a health discipline association shall consist of

(a) the number of members of the health discipline association prescribed in the regulations, each of whom shall be elected by and from among members of the health discipline association in accordance with the by-laws, and

(b) 1 member of the public who shall be appointed by the Minister after consultation with the governing body for a 2-year term of office.

(2) The members of a governing body under subsection (1) shall elect from among themselves the officers of the corporation specified in the by-laws in the manner and for the term prescribed in the by-laws.

(3) A member of a governing body appointed under subsection (1)(b) continues to hold office after the expiry of his term of office until he is reappointed or his successor is appointed.

(4) The Minister may, after consultation with the governing body, revoke the appointment of a member of a governing body appointed under subsection (1)(b).

(5) The Minister may, in the absence of any payment by the governing body to the member for that purpose, pay to a member of a governing body appointed under subsection (1)(b) travelling and living expenses incurred by that member for his attendance at any meeting of the governing body while away from his usual place of residence and fees in an amount prescribed by the Minister.

(6) The powers, duties and operations of a governing body are not affected by

(a) the fact that no one is appointed as a member of the governing body under subsection (1)(b),

10 Health discipline associations.

(b) the revocation, under subsection (4), of the appointment of a member of the governing body, or

(c) the resignation from the governing body of a member appointed under subsection (1)(b).

(7) The failure of a member appointed under subsection (1)(b) to attend a meeting of the governing body does not affect or restrict the governing body from exercising any powers or performing any duties at that meeting.

7.4(1) A health discipline association shall appoint a registrar.

(2) A registrar appointed under subsection (1) has, with all necessary modifications, the powers and duties of the Registrar of Health Disciplines under Part 3, except section 11(3), and Part 4 in respect of the designated health discipline that appointed him.

(3) Sections 20 to 27 apply to a registrar appointed under subsection (1) as if he were the Registrar of Health Disciplines.

7.5(1) A health discipline association shall establish in accordance with the regulations a registration committee consisting of not fewer than 3 and not more than 9 members of the health association.

(2) A registration committee has, with all necessary modifications, the powers and duties of a Committee under Part 3.

7.6(1) A health discipline association shall establish in accordance with the regulations a conduct and competency committee consisting of not fewer than 3 and not more than 9 members of the health association.

(2) The conduct and competency committee has, with all necessary modifications, the powers and duties of a Committee under Part 4.

(3) The Registrar of Health Disciplines shall be notified of and may attend discipline proceedings conducted by a conduct and competency committee.

7.7 A health discipline association has, with all necessary modifications, the powers and duties of a Committee set out in section 6(c) to (f).

7.8 A health discipline association shall annually on or before the date prescribed in the regulations submit to the Registrar of Health Disciplines a report

(a) of the registration of persons during the year covered by the report as members of the designated health discipline represented by, and

(b) of the proceedings before the conduct and competency committee established by

the health discipline association.

7.9(1) If

- (a) the Board is satisfied that a Committee or a health discipline association is not performing its duties in a proper manner,
- (b) an association applies to become a health discipline association for a designated health discipline in respect of which a Committee has been established under section 5(1), or
- (c) the Minister directs the Board to consider whether a Committee or a health discipline association is performing its duties in a proper manner,

the Board shall recommend that

- (d) an order be made under subsection (2)(a),
- (e) an order be made under subsection (2)(b), or
- (f) no change be made in respect of a Committee or a health discipline association,

and the Board's recommendation and reasons for it shall be submitted to the Minister in writing.

(2) The Lieutenant Governor in Council, on the recommendation of the Minister, may

- (a) abolish a Committee and order that a health discipline association or another Committee be established by the Minister to act in that Committee's place, or
- (b) rescind an order specifying that a designated health discipline be governed by a health discipline association and establish a Committee to act in the health discipline association's place,

and direct the Committee abolished under clause (a) or the health discipline association in respect of which an order has been rescinded under clause (b) to turn over its files, records and register to the Committee or health discipline association ordered to take its place, as the case may be.

11 Section 8 is amended by striking out "Occupations" and substituting "Disciplines".

12 Section 11(3) is amended by striking out "and Committees" and substituting ", the Committees and the health discipline associations".

13 Section 12(1) is amended

- (a) in clause (a) by striking out "has" and substituting "meets";
- (b) by striking out "and" at the end of clause (a), adding "and" at the end of clause (b) and adding the following after clause (b):

11 Section 8 presently reads:

8 In accordance with the Public Service Act there may be appointed a Registrar of Health Occupations and any other persons who are necessary for the administration of this Act.

12 Section 11(3) presently reads:

(3) The Registrar shall annually submit to the Minister a report on all matters of registration under this Act and on the activities of the Board and Committees.

13 Section 12(1) presently reads:

12(1) Subject to subsection (2), a person is eligible to be registered to practise in a designated health occupation if that person

(a) has the qualifications prescribed in the regulations, and

(b) is of good character and reputation.

- (c) has paid the fees prescribed in
 - (i) the regulations, if the designated health discipline is governed by a Committee, or
 - (ii) the by-laws, if the designated health discipline is governed by a health discipline association.

14 Section 16 is amended

(a) by striking out “a return” wherever it occurs and substituting “an application for renewal of registration”;

(b) by striking out “the return” wherever it occurs and substituting “the application”;

(c) by repealing subsection (3) and substituting the following:

(3) The Registrar shall issue an annual certificate to a registered member who

(a) has practised the designated health discipline in which he is registered in accordance with the regulations,

(b) meets the continuing educational requirements prescribed in the regulations, and

(c) pays the annual fees prescribed in

(i) the regulations, if the designated health discipline is governed by a Committee, or

(ii) the by-laws, if the designated health discipline is governed by a health discipline association.

(3.1) If a registered member does not meet the requirements in subsection (3)(a) and (b), the Registrar shall refer the application for renewal of registration to the Committee established for the designated health discipline in which the registered member is registered.

15 Section 18 is amended

(a) by striking out “occupation” wherever it occurs and substituting “discipline”, and

(b) in clause (a) by striking out “an occupational capacity” and substituting “the practice of his discipline”.

14 Section 16 presently reads:

16(1) A registered member of a designated health occupation shall annually on or before the date prescribed in the regulations in respect of that designated health occupation submit to the Registrar a return in the form prescribed in the regulations.

(2) If a registered member of a designated health occupation fails to submit a return as required under subsection (1), the Registrar may cancel that member's registration after the expiration of one month following the service on that member of a written notice by the Registrar of his intention to cancel the registration unless that member submits the return to the Registrar within the time prescribed in the notice.

(3) The Registrar shall, if a return submitted under subsection (2) indicates that the person who submitted the return

(a) has practised the occupation to which his registration applies for less than 30 days out of the year to which the return applies, and

(b) has not participated in an educational or training program that relates to the practice of the health occupation,

refer the return to the Committee established for the designated health occupation of which that person is a member.

(4) The Committee, upon receiving a return referred to it under subsection (3), may, if it is satisfied that the person has failed to maintain, on a continuing basis, his competency in the health occupation either through actively engaging in the practice of that health occupation or through involvement in educational or training programs that relate to that health occupation, order the person named in the return to

(a) take a training program,

(b) pass an examination, or

(c) take a training program and pass an examination

as prescribed in the regulations within a period of time specified by the Committee.

(5) If a person does not take a training program or pass an examination or both as ordered under subsection (4) within the period of time specified by the Committee or, on appeal, by the Board, the Committee or Board may direct the Registrar to cancel that person's registration.

15 Section 18 presently reads:

18 A person who

(a) has a complaint respecting the skill or judgment of a registered member of a designated health occupation in the practice of his occupation, or his fitness to practise his occupation, or his conduct, whether in an occupational capacity or otherwise, or

16 *Section 19 is amended*

(a) *in clause (a) by striking out “an occupational capacity” and substituting “the practice of his discipline”, and*

(b) *in clause (b) by striking out “occupation” wherever it occurs and substituting “discipline”.*

17 *Section 20(10) is amended by striking out “into the General Revenue Fund” and substituting the following:*

(a) *if the order is made by a health discipline association, to the health discipline association, or*

(b) *if the order is made by a Committee, to the General Revenue Fund.*

18 *The following is added after section 26:*

26.1 *If the employment of a person who is entitled to engage in the practice of a designated health discipline is terminated because of conduct that is, in the opinion of the former employer, or is alleged by the former employer to be, unbecoming conduct, conduct that displays a lack of skill or judgment in the practice of a discipline or conduct that indicates that the person is unfit to practise his discipline, the former employer shall report the matter to the Registrar of Health Disciplines or to the registrar appointed under section 7.4, as the case may be, and provide a copy of the report to the person concerned.*

19 *Section 27 is amended by adding the following after clause (i):*

(j) *prescribing the matters to be entered by the Registrar in a register described in clause (e);*

(k) *prescribing the conditions for renewal of registration to be met by a registered member of a designated health discipline pursuant to section 16(3)(a) and (b);*

(l) *respecting training programs and examinations for the purposes of section 16(4);*

(m) *respecting the name, title, description, abbreviation or initial that a registered member of a designated health discipline may use to indicate that he is a member of a designated health discipline;*

(b) has reason to believe that a registered member of a designated health occupation has provided health services other than those health services that he is authorized to provide under this Act or the regulations,

may make a complaint in writing to the appropriate Committee.

16 Section 19 presently reads:

19 For the purposes of this Act, the determination of whether a person registered under this Act

(a) has been guilty of unbecoming conduct, whether in an occupational capacity or otherwise, or

(b) has displayed a lack of skill or judgment in the practice of his occupation or is unfit to practise his occupation

is a question of fact for the determination of the Committee, the Board, or, on appeal, for the final determination of the Court of Queen's Bench.

17 Section 20(10) presently reads:

(10) A penalty ordered to be paid pursuant to subsection (9)(b) and any costs ordered to be paid pursuant to subsection (9)(f) shall be paid into the General Revenue Fund.

18 Termination of employment by employer.

19 Section 27 presently reads:

27(1) The Board may make regulations

(a) prescribing the services that a designated health occupation may provide;

(b) prescribing conditions under which or limitations within which a designated health occupation may provide services;

(c) establishing the qualifications and conditions of eligibility of persons who may apply for registration to practise in a designated health occupation;

(d) prescribing forms for the purposes of this Act;

(e) respecting registers to be kept under section 11;

(f) prescribing standards of conduct and competency of members of a designated health occupation;

- (n) respecting fees payable to the Provincial Treasurer for registration, conducting an examination, and the renewal of registration;
- (o) respecting the temporary registration of a person who is entitled to engage in a designated health discipline;
- (p) respecting the limitations and restrictions on the practice of a designated health discipline by a person described in clause (o).

20 *The following is added after section 28:*

28.1(1) The governing body of a health discipline association may make by-laws

- (a) for the government of the health discipline association and the management and conduct of its affairs;
- (b) determining the location of the head office of the health discipline association;
- (c) respecting the calling of and conduct of meetings of the health discipline association and its governing body;
- (d) respecting the nomination, election, number and term of office of members of the governing body and officers of the health discipline association, the filling of vacancies on the governing body and any committee or board established by the governing body, the appointment of any individuals as *ex officio* members of the governing body and of any committee or board established by the governing body, and prescribing their powers, duties and functions, except the power to amend, repeal or suspend any by-law of the governing body;
- (e) providing for the appointment of alternate members of a governing body and procedures for the election of registered members;
- (f) providing for the term of office of the Registrar of Health Disciplines or a registrar appointed under section 7.4 and the appointment of an individual as an acting registrar who has all of the powers and performs all of the duties of a registrar under this Act, the regulations and the by-laws when a registrar is absent or unable to act or when there is a vacancy in the office of the Registrar of Health Disciplines or a registrar appointed under section 7.4, as the case may be;

(g) prescribing, in respect of a designated health occupation, a date or dates for the purposes of section 16(1);

(h) respecting training programs for applicants for registration to practise in a designated health occupation;

(i) respecting examinations to determine the eligibility of a person who has participated in and successfully completed a training program.

(2) A regulation under subsection (1) does not come into force unless it is approved by the Lieutenant Governor in Council under subsection (3).

(3) The Lieutenant Governor in Council may, with respect to a regulation referred to in subsection (1),

(a) approve the regulation,

(b) vary the regulation and approve the regulation as varied, or

(c) disapprove the regulation.

20 By-laws.

- (g) prescribing the number of members that constitutes a quorum at meetings of the health discipline association;
- (h) providing for the delegation of any powers or duties of a governing body under this Act, the regulations or the by-laws with or without conditions to a committee established by the governing body;
- (i) respecting the establishment of and payment of sums of money for scholarships, fellowships and any other educational incentive or benefit programs that the governing body considers appropriate;
- (j) governing the publication of the names of applicants for registration under this Act;
- (k) requiring persons who engage in the practice of a designated health discipline to maintain a business address in Alberta and to inform the Registrar of Health Disciplines or a registrar appointed under section 7.4, as the case may be, in writing of that address and of any change in that address forthwith after the change occurs;
- (l) prescribing the manner of proof as to matters required to be proved by applicants for temporary registration;
- (m) respecting the holding of votes by mail on any matter relating to a health discipline association;
- (n) respecting fees payable to a health discipline association for registration, conducting an examination, and the renewal of registration.

(2) A by-law under subsection (1) does not come into force unless it is approved by a majority of members of a health discipline association

- (a) present and voting at a general meeting, or
- (b) voting at a vote conducted by mail in accordance with the by-laws.

(3) The *Regulations Act* does not apply to by-laws of a health discipline association.

21 *Section 30 is amended*

(a) *by striking out “Board or a Committee” and substituting “Board, a Committee, a health discipline association or a committee appointed by a health discipline association”;*

(b) *by striking out “Board or Committee” and substituting “Board, the Committee, the health discipline association or the committee appointed by a health discipline association”.*

22 *Section 31 is amended by striking out “or of a Committee” and substituting “, a Committee, the governing body of a health discipline association, or a committee appointed by a health discipline association”.*

21 Section 30 presently reads:

30 Subject to this Act or any other Act and the regulations under this Act or any other Act, all matters coming before the Board or a Committee in respect of any person who receives health services from a registered member of a designated health occupation shall be treated by the members of the Board or Committee as private and confidential information, and that information shall not be published, released or disclosed in any manner that might be detrimental to the personal interests, reputation or privacy of that person without his consent.

22 Section 31 presently reads:

31 A person is not eligible to be appointed as or, on being appointed, to continue as a member of the Board or of a Committee for a designated health occupation if he represents or is normally engaged in representing

23 *The following is added after section 31:*

31.1(1) No action lies against

(a) a member of the Board, a Committee, a health discipline association or a committee appointed by a health discipline association, the Registrar of Health Disciplines, a registrar appointed under section 7.4, or any person acting on the instructions of any of them, or

(b) any member, officer or employee of a health discipline association

for anything done by him in good faith and in purporting to act under

(c) this Act,

(d) the regulations, or

(e) a by-law that relates to or is incidental to a professional matter or a matter of public interest that is or may be the subject of a regulation under section 27.

(2) No action for defamation may be founded on a communication that consists of or pertains to the conduct of a person who is entitled to engage in the practice of a designated health discipline if the communication is published to or by

(a) a member of a Committee, a health discipline association, a committee appointed by a health discipline association or the Board,

(b) an officer or employee of a health discipline association, or

(c) a person acting on the instructions of a person referred to in clause (a) or (b)

in good faith in the course of investigating the conduct or in the course of any proceeding under this Act relating to the conduct.

24 *The Schedule is amended by adding the following after clause (f):*

(g) Hearing Aid Practitioners;

(h) Combined Laboratory X-Ray Technicians.

25 *“Health Occupation” and “health occupation” are struck out wherever they occur and “Health Discipline” and “health discipline” are respectively substituted.*

(a) an employer of registered members of that designated health occupation, or

(b) a group of employees who are registered members of that designated health occupation,

in negotiations of collective bargaining agreements for a bargaining unit that consists of or includes those registered members or in any proceedings under a collective bargaining agreement.

23 Protection from liability.

24 Schedule of Designated Health Disciplines.

25 Change in terminology.

26 The Alberta Health Care Insurance Act is amended in section 13(4)(i)

(a) by striking out “Occupations” wherever it occurs and substituting “Disciplines”;

(b) by striking out “Occupation” and substituting “Discipline”;

(c) by adding “, a health association” after “Board”.

27 The Emergency Medical Aid Act is amended

(a) in section 1(b), by striking out “occupation” and “Occupations” and substituting “discipline” and “Disciplines” respectively;

(b) in section 2 by striking out “occupation” wherever it occurs and substituting “discipline”.

28 The Legislative Assembly Act is amended in Part 3 of the Schedule by striking out “Health Occupations Act” and substituting “Health Disciplines Act”.

29 This Act comes into force on Proclamation.

26 Section 13(4)(i) of the Alberta Health Care Insurance Act presently reads:

(4) The Minister or a person employed in the administration of this Act authorized by the Minister may furnish information pertaining to the date on which health services were provided and a description of those services, the name and address of the person who provided the services, the registration number of the person who received the services, the benefits paid for those services and the person to whom they were paid, but the information may be furnished only

(i) to the Health Occupations Board or a Health Occupation Committee under the Health Occupations Act, if the information is furnished in compliance with a notice under section 20 of the Health Occupations Act.

27 Sections 1 and 2 of the Emergency Medical Aid Act presently read:

1 In this Act,

(a) "physician" means a person who is registered as a medical practitioner under the Medical Profession Act;

(b) "registered health occupation member" means a person who is registered under the Health Occupations Act;

(c) "registered nurse" means a person who is a registered nurse under the Nursing Profession Act.

2 If, in respect of a person who is ill, injured or unconscious as the result of an accident or other emergency,

(a) a physician, registered health occupation member, or registered nurse voluntarily and without expectation of compensation or reward renders emergency medical services or first aid assistance and the services or assistance are not rendered at a hospital or other place having adequate medical facilities and equipment, or

(b) a person other than a person mentioned in clause (a) voluntarily renders emergency first aid assistance and that assistance is rendered at the immediate scene of the accident or emergency,

the physician, registered health occupation member, registered nurse or other person is not liable for damages for injuries to or the death of that person alleged to have been caused by an act or omission on his part in rendering the medical services or first aid assistance, unless it is established that the injuries or death were caused by gross negligence on his part.