

1985 BILL 37

Third Session, 20th Legislature, 34 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 37

HEALTH DISCIPLINES AMENDMENT ACT, 1985

HON. DR. REID

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 37

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1985

HEALTH DISCIPLINES AMENDMENT ACT, 1985

(Assented to _____, 1985)

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

1 The Health Disciplines Act is amended by this Act.

2 Section 1 is amended

(a) by repealing clause (c);

(b) in clause (f) by striking out "Occupations" and substituting "Disciplines".

3 Section 2(3)(a)(iii) is amended by adding "of Social Services and Community Health" after "Minister".

Explanatory Notes

1 This Bill will amend chapter H-3.5 of the Revised Statutes of Alberta 1980.

2 Section 1 presently reads:

1 In this Act,

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

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

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

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

(d.1) "health discipline association" means a health discipline association named in an order under section 4.2;

(e) "Minister" means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act;

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

3 Section 2 presently reads in part:

(3) Nothing in this Act shall be construed to affect or restrict

(a) the right of a person who operates

(i) an approved hospital as defined in the Hospitals Act,

(ii) a contract nursing home as defined in the Nursing Homes Act, or

(iii) an institution or facility or under a program operated or approved by the Minister

to prescribe the duties, whether in accordance with a collective agreement or otherwise, of his employees who are registered members of a designated health discipline, or

4 *Section 3(7) is repealed and the following is substituted:*

(7) An employee of

(a) the Department of Advanced Education, designated by the Minister of Advanced Education,

(b) the Department of Hospitals and Medical Care, designated by the Minister of Hospitals and Medical Care, and

(c) the Department of Social Services and Community Health, designated by the Minister of Social Services and Community Health

are entitled to receive notice of and attend meetings of the Board.

5 *Section 9 is amended by striking out “employed in the Department”.*

6 *Section 27(1) is amended by adding the following after clause (p):*

(q) prescribing the information that the Registrar may include on an annual certificate;

(r) prescribing the number of members on the governing body of a health discipline association;

(s) providing for the establishment of a registration committee and a conduct and competency committee for a health discipline association;

(t) prescribing the date by which a health discipline association shall submit the report required under section 7.8.

7 *Section 28.1(1) is amended*

(a) *in clause (f)*

(i) *by striking out “the Registrar of Health Disciplines or” wherever it occurs;*

(ii) *by striking out “, as the case may be”;*

(b) *in clause (k)*

(i) *by striking out “Registrar of Health Disciplines or a”;*

(ii) *by striking out “, as the case may be,”;*

(c) *in clause (l) by striking out “temporary”.*

(b) the right of an employee who is a registered member of a designated health discipline to perform duties prescribed as mentioned in clause (a).

(4) Subject to section 4(1.1), this Act does not apply to a person who is entitled to practise a health discipline pursuant to any other Act.

4 Section 3(7) presently reads:

(7) An employee of the Department of Advanced Education designated by the Minister of Advanced Education and an employee of the Department of Hospitals and Medical Care designated by the Minister of Hospitals and Medical Care are entitled

(a) to receive notice of meetings of the Board, and

(b) to attend meetings of the Board.

5 Section 9 presently reads:

9 The Registrar may authorize in writing an employee of the Government employed in the Department or a member of a Committee to do any act or thing required or permitted to be done by the Registrar under this Act or the regulations.

6 Regulations.

7 Section 28.1(1)(f), (k) and (l) presently read:

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

(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;

(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;

8 Section 31 is amended by striking out all the words after clause (b) and substituting the following:

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

9 Sections 6 and 7 of the Health Occupations Amendment Act, 1983 are repealed.

In accordance with section 4(1) of the Interpretation Act, this Bill comes into force on the date it receives Royal Assent.

8 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, a Committee, the governing body of a health discipline association, or a committee appointed by a health discipline association for a designated health discipline if he represents or is normally engaged in representing

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

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

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.

9 Sections 6 and 7 of the Health Occupations Amendment Act, 1983 presently read:

6 *The Dental Association Act is amended*

(a) by repealing section 60(2) and substituting the following:

(2) Subsection (1) does not apply so as to prohibit a member of the Association from employing any person to perform in the field of dentistry any duties that the person is qualified and authorized under any other Act to perform.

(b) by repealing section 66(3).

7 *The Radiological Technicians Act is amended*

(a) in the title, by adding "(INDUSTRIAL)" after "RADIOLOGICAL";

(b) by repealing section 1(b);

(c) by repealing Part 1;

(d) in section 11 by striking out "or" at the end of clause (f), by adding "or" at the end of clause (g) and by adding the following after clause (g):

(h) a person registered under the Health Occupations Act as a medical radiation technologist.

(e) by repealing sections 12, 14(1)(b), 14(2) and (16).