

1987 BILL 31

Second Session, 21st Legislature, 36 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 31

**ALBERTA HOSPITAL ASSOCIATION
AMENDMENT ACT, 1987**

THE MINISTER OF HOSPITALS AND MEDICAL CARE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 31

BILL 31

1987

ALBERTA HOSPITAL ASSOCIATION AMENDMENT ACT, 1987

(Assented to _____, 1987)

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

- 1 The Alberta Hospital Association Act is amended by this Act.*
- 2 Section 5 is amended by striking out "section 10" and substituting "sections 10 and 10.1".*

Explanatory Notes

1 This Bill will amend chapter A-29.1 of the Statutes of Alberta, 1981.

2 Section 5 presently reads:

5 The business and affairs of the Association shall be carried on without the purpose of gain for its members and, subject to section 10, any profits or other accretions shall be used for the purposes of

(a) encouraging and assisting members of the Association to provide hospital services of high quality;

(b) fostering and promoting the concept of local authority and control over the provision of hospital services;

(c) studying, considering and discussing all matters relevant to, and distributing information and advice to, members of the Association concerning

(i) the planning, construction and equipping of hospitals and other facilities that provide hospital and other health care services,

(ii) the organization, management and administration of hospital and other health care facilities,

(iii) the development, maintenance and improvement of standards of hospital and other health care services,

(iv) the education and training of personnel providing hospital and other health care services,

(v) any other matter related to public health, and

(vi) any other act incidental to or in conjunction with the operation of the Plan;

(d) representing members of the Association in discussions and negotiations with governments and government agencies and with organizations that are engaged in providing or are otherwise interested in the provision of hospital and other health care services;

(e) regulating and promoting sound labour relations on behalf of the members of the Association and their employees or agents of their employees;

(f) co-ordinating the activities of members of the Association in co-operative or collaborative ventures;

3 *Section 8(1)(e) is repealed and the following is substituted:*

(e) the appointment by the Board of Directors of committees, and the delegation of any power or duty of the Board to a committee or person, except the power to make by-laws and regulations;

4 *The following is added after section 10:*

10.1(1) In this section, “plan” means the Liability Protective Plan authorized by an agreement under subsection (2).

(2) Subject to the approval of the Lieutenant Governor in Council, the Board of Directors and the Minister of Hospitals and Medical Care may enter into an agreement to establish a plan to be known as the “Liability Protective Plan” for the purpose of indemnifying persons described in the plan against loss or liability for loss in respect of certain risks or perils described in the plan, or to pay money or other things of value on the happening of an event specified in the plan.

(3) The agreement under subsection (2) may provide for

(a) the establishment of a fund for the purpose of the plan, and

(b) the operation, management and administration of the plan.

(4) The Lieutenant Governor in Council may make regulations governing any matter in connection with or incidental to matters provided for in the agreement under subsection (2) and not inconsistent with the agreement.

(5) The assets of the Association held in connection with the plan are not subject to attachment in any manner except under a judgment obtained on a claim arising out of the operation of the plan.

(6) Notwithstanding anything in the *Insurance Act*,

(a) the Association shall not be deemed to be carrying on the business of insurance, and

(b) the *Insurance Act* does not apply to the plan, the Association, the Board of Directors, or any person acting on its behalf

with respect to any activity relating or incidental to the plan.

(7) Nothing in the *Insurance Act* prevents an insurer from entering into a contract of insurance, reinsurance or excess insurance with the Association with respect to the plan.

(8) The agreement and regulations under this section may, if they so provide, be effective with reference to a period before they were made, but that period shall not commence prior to April 1, 1986.

(g) initiating and carrying out projects, plans or programs and operating and furnishing services designed to improve the quality or efficacy of services provided by members of the Association that, in the opinion of the Association, will contribute to the improvement of the health and well-being of the residents of Alberta.

3 Section 8(1)(e) presently reads:

8(1) The Board of Directors may make by-laws respecting

(e) the appointment of an executive committee of the Board of Directors and the delegation to that committee of any of the powers or duties of that Board other than the power to make by-laws and regulations;

4 Liability Protective Plan.