

1990 BILL 6

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Second Session, 22nd Legislature, 39 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 6

ALBERTA HEALTH CARE INSURANCE  
AMENDMENT ACT, 1990

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MR. ADY

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Bill 6  
Mr. Ady

## BILL 6

1990

### ALBERTA HEALTH CARE INSURANCE AMENDMENT ACT, 1990

(Assented to \_\_\_\_\_, 1990)

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

1 *The Alberta Health Care Insurance Act is amended by this Act.*

2 *Section 8(4) is amended*

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

(g.1) the Council of The College of Physical Therapists of  
Alberta, when the practitioner concerned is a physical  
therapist as defined in the regulations;

*(b) by repealing clause (h)(i) and substituting the following:*

(i) is appointed by the board of directors or council of an  
organization referred to in clauses (a) to (g.1),

*(c) in clause (h)(ii) by striking out "association, society or guild"  
and substituting "organization".*

3 *Section 13 is amended*

*(a) in subsection (3) by striking out "a director under the Child  
Welfare Act under the Child Welfare Act" and substituting "a  
director under the Child Welfare Act";*

*(b) by repealing subsection (4)(f) and substituting the following:*

## Explanatory Notes

1 This Bill will amend chapter A-24 of the Revised Statutes of Alberta 1980.

2 Section 8(4)(g) and (h) presently read:

*(4) In reassessing claims pursuant to subsection (2) the Minister may have regard to any report or recommendations of:*

*(g) the council of The Alberta Guild of Ophthalmic Dispensers, when the practitioner concerned is an ophthalmic dispenser;*

*(h) any committee that*

*(i) is appointed by the board of directors or council of an association, society or guild referred to in clauses (a) to (g),*

*(ii) consists of persons who are members of that association, society or guild and who are members of the same profession as the practitioner concerned, and*

*(iii) is recognized by the Minister as a committee for the purposes of this section.*

3 Section 13(3), (4)(f), (6), (7) and (8) presently read:

*(3) The Minister or a person employed in the administration of this Act authorized by the Minister may disclose or communicate 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 benefits paid*

(f) to a board of directors, council or committee of an organization referred to in section 8(4) for purposes in connection with that section,

*(c) by repealing subsections (6) and (7) and substituting the following:*

(6) With the consent of the Minister or an employee of the Government authorized by him to do so, information of the kind referred to in subsection (3) and any other information pertaining to the nature of the health services provided and any diagnosis given by a person who provided the services may be disclosed or communicated to a disciplinary body of the organization of which he is a member if an officer of that organization makes a written request for the information and states that the information is required for the purposes of investigating a complaint against one of its members or for use in disciplinary proceedings involving that member.

(7) The Minister may disclose to a disciplinary body of an organization any information referred to in subsection (4) and any other information pertaining to health services provided by a member of that organization if the Minister considers that it is in the interests of the public and of the organization that the information be so disclosed.

*(d) in subsection (8) by striking out “or” at the end of clause (g) and by adding the following after clause (g):*

(g.1) the Council of The College of Physical Therapists of Alberta or the Discipline Committee under the *Physical Therapy Profession Act*, or

*for those services and the person to whom they were paid, the name and address of the person to whom the services were provided and any other information pertaining to the nature of the health services provided, to the Alberta Cancer Board, The Workers' Compensation Board, a director under the Child Welfare Act under the Child Welfare Act, the Sexually Transmitted Disease Control Unit of the Department of Health, or the Director of Medical Services appointed under the Occupational Health and Safety Act, if*

*(a) a member or officers of the Board, a director under the Child Welfare Act, or an officer of the Unit, or the Director of Medical Services, as the case may be, makes a written request for it, and*

*(b) the information required is necessary and relevant to a matter being dealt with by the Board, Children's Guardian, Unit or Director of Medical Services.*

*(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*

*(f) to a board of directors, council or committee of an association, society or guild referred to in section 8(4) for purposes in connection with that section,*

*(6) With the consent of the Minister or an employee of the Government authorized by him to do so, information of the kind referred to in subsection (3) and any other information pertaining to the nature of the health services provided and any diagnosis given by a person who provided the services may be disclosed or communicated to a disciplinary body of the College, association, society or guild as the case may be, of which he is a member if an officer of that association, society or guild makes a written request therefor and states that the information is required for the purposes of investigating a complaint against one of its members or for use in disciplinary proceedings involving that member.*

*(7) The Minister may disclose to a disciplinary body any information referred to in subsection (4) and any other information that pertains to health services provided by a member of that association if he considers that it is in the interests of the public and of the professional association that the information be so disclosed.*

*(8) In subsections (6) and (7), "disciplinary body" means*

*4 Section 34(2) is amended by striking out “association, society or guild” and substituting “organization”.*

*(a) the council of the College or a discipline committee under the Medical Profession Act,*

*(b) the Board or the Discipline Committee under the Dental Profession Act,*

*(c) the Council of Management of The Alberta Optometric Association or the discipline committee of that Association,*

*(d) the Council of The College of Chiropractors of Alberta or a discipline committee under the Chiropractic Profession Act,*

*(e) the Council of Management of the Alberta Podiatry Association,*

*(f) the council of management of The Alberta Certified Dental Mechanics Society,*

*(g) the council of The Alberta Guild of Ophthalmic Dispensers, or*

*(h) the Appeals Committee or the Professional Conduct Committee under the Nursing Profession Act.*

**4** Section 34(2) presently reads:

*(2) If any practitioner does not give or refuses to give a consent under subsection (1) after the Minister has requested that consent, the Minister, after consultation with the council of the College or the board of directors or council of the association, society or guild that represents the practitioner's profession, may withhold the payment of benefits to that practitioner in respect of claims made by him on behalf of residents until the consent is given.*