

1994 BILL 45

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Second Session, 23rd Legislature, 43 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 45

ALBERTA HEALTH CARE INSURANCE  
AMENDMENT ACT, 1994 (NO. 2)

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MR. BRASSARD

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Bill 45  
Mr. Brassard

## BILL 45

1994

### ALBERTA HEALTH CARE INSURANCE AMENDMENT ACT, 1994 (NO. 2)

(Assented to \_\_\_\_\_, 1994)

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

Amends RSA  
1980 cA-24

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

2 *Section 6 is amended by adding the following after clause (l):*

(m) providing, without limiting the meaning of "residents' or practitioners' registration information" in section 13, that certain information relating to the registration or enrolment of residents or practitioners obtained under this Act or the *Health Insurance Premiums Act* is included in the meaning of "residents' or practitioners' registration information" in section 13;

(n) designating a person or entity with which the Minister may enter into an agreement under section 13(5.5)(b).

3 *Section 13 is amended*

(a) *in subsection (1) by adding "or the Health Insurance Premiums Act" after "this Act";*

(b) *by adding the following after subsection (4.1):*

(4.2) Notwithstanding subsection (4), the Minister or a person authorized by the Minister may disclose residents' or practitioners' registration information obtained under this Act or the *Health Insurance Premiums Act*

(a) *for the purpose of the administration of this Act or the Health Insurance Premiums Act, the regulations under those Acts, the federal Act or any program*

## **Explanatory Notes**

- 1** Amends chapter A-24 of the Revised Statutes of Alberta 1980.
- 2** Regulations by Lieutenant Governor in Council relating to section 13.

- 3** Section 13 presently reads in part:

*13(1) The Minister and every person employed in the administration of this Act shall preserve secrecy with respect to all matters that come to his knowledge in the course of his employment and shall not communicate any of those matters to any other person except as otherwise provided in this section.*

*(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*

that receives funds directly or indirectly from the Department of Health, or

- (b) in proceedings under this Act, the *Health Insurance Premiums Act* or the regulations under those Acts.

(c) by adding the following after subsection (5):

**(5.1)** The Minister or a person authorized by the Minister may disclose, for the purpose of bona fide health related research, any information obtained under this Act or the *Health Insurance Premiums Act* other than

- (a) the names of individuals to whom the information relates, or
- (b) information that would enable the person who is conducting the research to identify the names of those individuals.

**(5.2)** The Minister or a person authorized by the Minister may disclose, for the purpose of bona fide health related research, any information obtained under this Act or the *Health Insurance Premiums Act*, including the names of individuals to whom the information relates, if the Minister or authorized person is satisfied that the person conducting the research will not reveal or make identifiable the name of any individual to whom the information relates without the consent of the individual.

**(5.3)** A person who receives information under subsection (5.2) and reveals or makes identifiable the name of an individual to whom the information relates without the consent of the individual is guilty of an offence and liable to a fine of not more than \$10 000.

**(5.4)** A person who receives information under subsection (5.2) (in this section referred to as “the researcher”) shall not contact an individual to whom the information relates unless

- (a) the researcher provides the Minister with the reasons for wanting to contact the individual,
- (b) the Minister or a person authorized by the Minister is satisfied that the contact is appropriate and is for the purpose of bona fide health related research,
- (c) the Minister or authorized person contacts the individual to determine whether the individual consents to being contacted by the researcher, and

*(a) in connection with the administration of this Act, the regulations or the federal Act,*

(d) the individual consents.

(5.5) The Minister may enter into an agreement respecting the disclosure of residents' or practitioners' registration information obtained under this Act or the *Health Insurance Premiums Act* with

(a) any Minister or government, or

(b) a person or entity designated in the regulations.

(5.6) The Minister may, in accordance with an agreement made under subsection (5.5), disclose residents' or practitioners' registration information obtained under this Act or the *Health Insurance Premiums Act*.

(5.7) A government, person or entity that receives information under an agreement referred to in subsection (5.5) shall use the information only for the purposes specified in the agreement.

(d) by adding the following after subsection (8):

(8.1) The Minister or a person authorized by the Minister may disclose information obtained under the Blue Cross agreement to the council of The Alberta Pharmaceutical Association for the Association's use in investigating a complaint against a member of the Association or in disciplinary proceedings involving that member if

(a) an officer of the Association makes a written request for the information, or

(b) the Minister considers that it is in the interests of the public and of the Association that the information be disclosed.

4(1) Section 37 is amended by adding the following after subsection (1):

(1.1) The goods and services that may be provided under the Blue Cross agreement are goods and services that are not basic health services or extended health services.

(2) Subsection (1) is deemed to have come into force on January 1, 1991.

5 The *Pharmaceutical Profession Act* is amended by adding the following after section 100:

**4** Clarification of what goods and services may be provided under the Blue Cross agreement.

**5** Adds consequential amendment to unproclaimed Pharmaceutical Profession Act.

Amends RSA  
1980 cA-24

**100.1** *The Alberta Health Care Insurance Act is amended by repealing section 13(8.1) and substituting the following:*

**(8.1)** The Minister or a person authorized by the Minister may disclose information obtained under the Blue Cross agreement to the Council or Investigating Committee of the Alberta Pharmaceutical Association for the Association's use in investigating a complaint against a member of the Association or in disciplinary proceedings involving that member if

- (a) an officer of the Association makes a written request for the information, or
- (b) the Minister considers that it is in the interests of the public and of the Association that the information be disclosed.



