

1995 BILL 5

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Third Session, 23rd Legislature, 44 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 5

**PUBLIC HEALTH AMENDMENT ACT, 1995**

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MS. CALAHASEN

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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## BILL 5

1995

### PUBLIC HEALTH AMENDMENT ACT, 1995

(Assented to \_\_\_\_\_, 1995)

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

Amends SA  
1984 cP-27.1

1 *The Public Health Act is amended by this Act.*

2 *Section 1 is amended*

(a) *by repealing clause (c.1) and substituting the following:*

(c.1) "community health nurse" means a registered nurse as defined in the *Nursing Profession Act* who is employed by a regional health authority or a provincial health board established under the *Regional Health Authorities Act* or the Department to provide public health services;

(b) *by adding the following after clause (v):*

(v.1) "registered nurse providing extended health services" means a registered nurse as defined in the *Nursing Profession Act* who is employed or engaged by a regional health authority or a provincial health board established under the *Regional Health Authorities Act* or the Department to provide the extended health services referred to in section 21(1);

3 *Section 21 is repealed and the following is substituted:*

Extended  
health  
services

**21(1)** Notwithstanding the *Medical Profession Act* and the *Pharmaceutical Profession Act*, a registered nurse providing extended health services may provide the extended health services permitted under the regulations.

(2) No liability attaches to a registered nurse providing extended health services or a person who employs or

## **Explanatory Notes**

**1** Amends chapter P-27.1 of the Statutes of Alberta, 1984.

**2** Section 1(c.1) presently reads:

*1 In this Act,*

*(c.1) “community health nurse” means a registered nurse who is employed by a local board or in the Department;*

**3** Section 21 presently reads:

*21(1) Notwithstanding the Medical Profession Act and the Pharmaceutical Association Act, a community health nurse may provide preventive, treatment and emergency services permitted in the regulations.*

*(2) No liability attaches to a community health nurse by reason of any act done or omitted by the nurse in good faith in performing, in*

engages that nurse by reason of any act done or omitted by the nurse in good faith in providing, in accordance with the regulations, the extended health services referred to in subsection (1).

*4 Section 33(3) is amended by adding “, a registered nurse providing extended health services” after “nurse”.*

*5 Section 49(1) is amended by striking out “or community health nurse” wherever it occurs and substituting “, community health nurse or registered nurse providing extended health services”.*

*6 Section 75(1) is amended*

*(a) in clause (a.1) by striking out “33(1)(b)(i)” and substituting “33(1)(b)”;*

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

*(q) respecting the extended health services that may be provided by a registered nurse providing extended health services and respecting the terms and*

*accordance with the regulations, any preventive, treatment or emergency services permitted in the regulations.*

**4** Section 33(3) presently reads:

*(3) Where a physician, a community health nurse or a person in charge of an institution knows or has reason to believe that a person under his care, custody, supervision or control is infected with a disease referred to in section 31(2), he shall, within 48 hours, notify the Director in the prescribed form.*

**5** Section 49(1) presently reads:

*49(1) Where a physician or community health nurse knows or has reason to believe that a person*

*(a) is infected with a disease prescribed in the regulations for the purposes of this section, and*

*(b) refuses or neglects*

*(i) to submit*

*(A) to a medical examination for the purpose of ascertaining whether or not he is infected with that disease, or*

*(B) to medical, surgical or other remedial treatment that has been prescribed by a physician and that is necessary to render the person non-infectious, or*

*(ii) to comply with any other conditions that have been prescribed by a physician as being necessary to mitigate the disease or limit its spread to others,*

*the physician or community health nurse shall immediately notify the medical officer of health in the prescribed form.*

**6** Section 75(1)(a.1) and (q) presently read:

*75(1) The Lieutenant Governor in Council may make regulations*

*(a.1) prescribing communicable diseases of which immediate notification is required for the purposes of sections 33(1)(b)(i), 34(a)(i) and 37(b);*

*(q) prescribing the preventive, treatment and emergency services that may be provided by a community health nurse for the purposes of section 21;*

conditions under which those services may be provided;

- (q.01) respecting any additional training and experience that may be required by a registered nurse providing extended health services to be eligible to provide particular extended health services;
- (q.02) respecting any conditions relating to the employment or engagement of a registered nurse providing extended health services;

*7 This Act comes into force on Proclamation.*

**7** Coming into force.