

1998 BILL 45

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 45

HEALTH PROFESSIONS ACT

MR. RENNER

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Bill 45
Mr. Renner

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1998

HEALTH PROFESSIONS ACT

(Assented to , 1998)

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

Interpretation

1(1) In this Act,

- (a) “Advisory Board” means the Health Professions Advisory Board established under Part 1;
- (b) “college” means the college of a regulated profession;
- (c) “competence” means the combined knowledge, skills, attitudes and judgment required to provide professional services;
- (d) “competence committee” means a competence committee established under Part 1;
- (e) “complaint resolution process” means a process to facilitate the complainant, the college and the investigated person reaching a settlement of a complaint;

- (f) “complaint review committee” means a complaint review committee established under Part 1;
- (g) “complaints director” means the complaints director of a college;
- (h) “conduct” includes an act or omission;
- (i) “continuing competence” means the maintenance and enhancement of competence;
- (j) “continuing competence program” means a program of continuing competence provided for in the regulations;
- (k) “council” means the council of a college;
- (l) “document” includes recorded information whether in written, photographic, magnetic, electronic or other format;
- (m) “drug” means drug as defined in the *Drug and Pharmacy Act*;
- (n) “expert report” means a report pursuant to a request under section 51(2)(c), 55(5) or 76(2);
- (o) “former Act” means an Act that regulated a profession immediately before this Act began to regulate that profession;
- (p) “former practising member” means a person whose registration as a practising member under this Act or as a person engaged in active practice under a former Act has been cancelled, or who has ceased to be a practising member under this Act or a person engaged in active practice under a former Act within the last 2 years;
- (q) “health service” means a service provided to people
 - (i) to protect, promote or maintain their health,
 - (ii) to prevent illness,
 - (iii) to diagnose, treat or rehabilitate, or
 - (iv) to take care of the ill, disabled, injured or dying;
- (r) “hearing tribunal” means a hearing tribunal established under Part 1;
- (s) “hearings director” means the hearings director of a college;

- (t) “incapacitated” means, in relation to an investigated person, that the person is suffering from a physical, mental or emotional condition or disorder or an addiction to alcohol or drugs, that grossly impairs the capacity of the person to provide professional services;
- (u) “investigated person” means a practising member or former practising member with respect to whom a complaint has been made under Part 4 with respect to which the proceedings have not been concluded;
- (v) “investigator” means the complaints director, or other person who conducts an investigation under Part 4;
- (w) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (x) “Ombudsman” means the Ombudsman appointed under the *Ombudsman Act*;
- (y) “physical therapy corporation” means a physical therapy corporation within the meaning of Part 5;
- (z) “practice” means the practice of a regulated profession within the meaning of section 3 of a Schedule to this Act;
- (aa) “practice visit” means a practice visit within the meaning of Part 3;
- (bb) “practising member” means a person registered as a member under section 31(1)(a)(i);
- (cc) “president” means the president of a college;
- (dd) “professional corporation” means professional corporation within the meaning of Part 5;
- (ee) “professional fee” means a fee charged by a practising member for a professional service;
- (ff) “professional service” means a service that comes within the practice of a regulated profession;
- (gg) “public member” means a person appointed as a public member under this Act;
- (hh) “registrar” means the registrar of a college;
- (ii) “registration committee” means a registration committee established under Part 1;

- (jj) “restricted activity” means a restricted activity within the meaning of Schedule 7.1 of the *Government Organization Act*;
- (kk) “regulated profession” means a profession that is regulated by this Act;
- (ll) “student member” means a person registered as a student under section 31(1)(a)(ii);
- (mm) “unprofessional conduct” means any or all of the following, whether or not it is disgraceful or dishonourable:
 - (i) acting in a way that is incompatible with the best interests of the public in the practice of the regulated profession;
 - (ii) displaying a lack of knowledge of or lack of skill or judgment in the practice of the regulated profession;
 - (iii) contravention of this Act or the regulations that pertains to the practice or ethics of the regulated profession;
 - (iv) representing or holding out that a person was registered as a practising member and in good standing while the registration was suspended or cancelled;
 - (v) failure or refusal to comply with an agreement that was part of a settlement in a complaint resolution process;
 - (vi) failure or refusal to co-operate with an investigator or a person conducting a practice visit in accordance with this Act;
 - (vii) failure or refusal to co-operate in an examination or test under section 52;
 - (viii) failure or refusal to co-operate at a hearing when required to;
 - (ix) carrying on the practice of the regulated profession with a practising member whose registration is suspended or with a person who is not a practising member;
- (nn) “unprofessional conduct fines table” means the unprofessional conduct fines table in Part 9.

(2) In this Act, a reference to “this Act” includes the regulations made under this Act.

PART 1

GOVERNANCE

Administration

College
established

- 2** A college is a corporation that
- (a) is created or continued under Part 9,
 - (b) consists of its practising members, student members and members registered on registers established under section 31(1)(b), and
 - (c) has the capacity and, subject to this Act, the rights, powers and privileges of a natural person.

College's role

- 3(1)** The college must
- (a) carry out its activities and govern its practising members and student members in a manner that protects and serves the public interest,
 - (b) oversee the practice of the regulated profession by its practising members and student members,
 - (c) establish, monitor and enforce standards of practice, ethics, registration and continuing competence for the practice of the regulated profession,
 - (d) carry on the activities of the college and perform other duties and functions by the exercise of the powers conferred by this Act.
- (2)** A college may not set professional fees, provide guidelines for professional fees or negotiate professional fees on behalf of some or all of its practising members unless the Minister grants the college an approval under section 25.
- (3)** A college or a council or committee of a college may not be a certified bargaining agent as defined in the *Labour Relations Code*.

Annual report

4(1) A college must submit to the Minister an annual report of its activities in a form acceptable to the Minister that contains the information requested by the Minister, including but not restricted to

- (a) a statement respecting the number of complaints received, the number of complaints referred to the complaint resolution process, the number of complaints disposed of, the number of hearings closed to the public in whole or in part and the number of appeals under Part 4;
- (b) information respecting registration;
- (c) a description and an assessment of the college's continuing competence program;
- (d) whether the college has an approval under section 25 and, if so, a statement describing how it is complying with conditions imposed on the approval, if any;
- (e) a statement respecting the committees established under this Act;
- (f) a financial statement in the form and manner satisfactory to the Minister.

(2) On receipt of a report under subsection (1), the Minister must lay a copy of it before the Legislative Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

(3) The Minister may, to ensure that the requirements of this Act are met, require reports from the college in addition to the annual report under subsection (1).

(4) The Minister may collect personal information about members of colleges and members of councils, hearing tribunals and committees of colleges and may use that information for the purposes of administering this Act.

Council
established

5(1) The governing body of a college is the council.

(2) The council consists of the president and

- (a) the practising members provided for in the by-laws,
- (b) the non-voting members, if any, provided for in the by-laws, and

(c) subject to section 14(1), the number of public members appointed by the Lieutenant Governor in Council.

(3) The president and members referred to in subsection (2)(a) and (c) are the voting members of council.

Council's role **6** A council manages and conducts the activities of the college, exercises powers of the college in the name of and on behalf of the college and carries out the powers, duties and functions of the council under this Act and the by-laws.

President **7** A council must appoint or provide for the election of an individual to be president for the purposes of this Act.

Registrar **8** A council must appoint an individual as registrar for the purposes of this Act.

Registration committee **9(1)** A council must, subject to section 13, establish a registration committee consisting of no fewer than 3 members, of which at least 2 must be practising members, and designate a member of that committee to act as chair.

(2) A registration committee may,

(a) in accordance with this Act, review an application for registration, and

(b) undertake any other power, duty or function given to it under this Act or the by-laws.

Committee panel **10(1)** The chair of the registration committee may designate 3 or more members of the registration committee to sit as a panel of the registration committee and may designate a member of the panel to act as chair.

(2) The chair of the registration committee may direct a panel to carry out any power or duty and to make any decision that the registration committee may carry out or make under this Act.

(3) A power or duty carried out or a decision made by a panel of the registration committee is a power or duty carried out or a decision made by the registration committee.

(4) Any reference in this Act or any other enactment to a registration committee is deemed to be also a reference to a panel of the registration committee.

Competence
committee

11(1) A council

- (a) must, subject to section 13, establish a competence committee consisting of no fewer than 3 members, of which at least 2 must be practising members appointed by the council, and designate one of the members of the committee to act as chair, and
- (b) may direct the registration committee to carry out the powers and duties of a competence committee except those described in subsection (2)(b).

(2) A competence committee

- (a) may make recommendations to the council on continuing competence requirements and the assessment of those requirements,
 - (b) may, if authorized by the regulations, provide for practice visits as part of the continuing competence program and conduct a practice visit of practising members, and
 - (c) may undertake any other power, duty or function given to it under this Act or the by-laws.
- (3)** A competence committee may appoint a person who has special technical or other knowledge to inquire into and report to the competence committee with respect to any power or duty of the competence committee.

Committee
panel

12(1) The chair of the competence committee may designate 3 or more members of the competence committee to sit as a panel of the competence committee and designate a member of the panel to act as chair.

(2) The chair of the competence committee may direct a panel to carry out any power or duty that the competence committee may carry out under this Act.

(3) A power or duty carried out by a panel of the competence committee is a power or duty carried out by the competence committee.

(4) Any reference in this Act or any other enactment to a competence committee is deemed to be also a reference to a panel of the competence committee.

Registration,
competence
function to
registrar

13(1) If the council, by regulation, directs the registrar to carry out the powers and duties of the registration committee or of the competence committee except those described in section 11(2)(b), then council is not required to establish a registration committee or a competence committee.

(2) If the council makes a direction under subsection (1), a power or duty carried out by the registrar on behalf of the registration committee or competence committee is deemed to be a power or duty carried out by the registration committee or competence committee.

(3) If the council makes a direction under subsection (1), any reference in this Act or any other enactment to the registration committee or competence committee is deemed to be also a reference to the registrar.

Public
members
required

14(1) At least 25% of the voting members of a council, a complaint review committee and a hearing tribunal and of a panel of any of them must be public members.

(2) The powers and duties of a council or panel of council, except when hearing an appeal under Part 4, are not affected

(a) by the failure of a public member to attend a meeting of the council, or

(b) by a vacancy in the office of a public member.

(3) Despite subsections (1) and (2), the powers and duties of a council, complaint review committee or hearing tribunal or a panel of any of them are not affected by a vacancy in the office of a public member for up to 2 years from the date that the Schedule in Part 9 governing the college comes into force.

Public
members
appointed,
lists

15(1) Subject to subsection (2), the Lieutenant Governor in Council

(a) may, after the Minister has consulted with the affected college, appoint and rescind the appointment of public members to a council, and

(b) may establish a list of public members for the purpose of appointments to the complaint review committees and hearing tribunals.

(2) The following are not eligible to be public members:

- (a) with respect to a college, a person who is a practising member, student member or former practising member of that college;
- (b) a person who represents or is normally engaged in representing a group of employees who are practising members in the negotiation of collective bargaining agreements or in any proceedings under a collective bargaining agreement with respect to practising members;
- (c) a member or officer of a regional health authority, the Provincial Mental Health Advisory Board or the Alberta Cancer Board.

(3) The public members of a complaint review committee and a hearing tribunal are the persons designated by a hearings director from the list of public members established under subsection (1)(b).

(4) A public member may be appointed under this section for a term of up to 3 years and may be reappointed, but may not be appointed for more than 6 consecutive years.

(5) A member of a council appointed under subsection (1)(a) continues to hold office after the expiry of the term of office until the member is reappointed, the member's appointment is rescinded or a successor is appointed.

(6) Public members may be paid remuneration by the Government and may receive reasonable living and travelling expenses from the Government while away from their ordinary places of residence in the course of their duties as members at the rates prescribed by the Lieutenant Governor in Council.

Hearings
director

16(1) A council must appoint an individual as a hearings director for the purposes of this Act.

(2) Subject to section 65(2), a hearings director may not chair or participate in a hearing, review or appeal under this Part.

Hearing
tribunal,
complaint
review
committee
membership
lists

17(1) A council must establish a membership list for hearing tribunals and complaint review committees consisting of no fewer than 4 practising members.

(2) Only practising members are eligible to be on a list referred to in subsection (1).

Tribunal,
complaint
review
committee
established

18(1) The hearings director may establish a hearing tribunal and complaint review committee, consisting of

- (a) 2 or more members from the membership list established under section 17, and
- (b) at least one public member or 25% of the number of members designated under clause (a), whichever is greater, from the list established under section 15(1)(b),

and if a hearing tribunal or complaint review committee is established, the hearings director must designate a member of that tribunal or committee to act as chair.

(2) Despite the by-laws governing quorum, one public member or public members equivalent to at least 25% of the number of members other than public members present, whichever is greater, must be present at a meeting of a hearing tribunal or complaint review committee.

(3) All members of a hearing tribunal and of a complaint review committee are voting members.

(4) The hearings director may direct one or more hearing tribunals or complaint review committees established under this section to carry out any power or duty that a hearing tribunal or complaint review committee may carry out under this Part.

Tribunal,
committee
functions

19(1) A hearing tribunal's powers and duties include holding hearings under this Part.

(2) A complaint review committee's powers and duties include reviewing and ratifying settlements under section 57 and conducting reviews under section 65.

Advisory
Board
established

20(1) The Health Professions Advisory Board is established.

(2) The Advisory Board consists of

- (a) not more than 10 persons appointed as voting members by the Lieutenant Governor in Council of which at least 25% must be practising members, and
- (b) the following non-voting members, who are employees of the Government:
 - (i) one employee designated by the Deputy Minister of Labour;

- (ii) one employee designated by the Deputy Minister of Health;
- (iii) one employee designated by the Deputy Minister of Advanced Education and Career Development;
- (iv) one employee designated by the Deputy Minister of Family and Social Services.

(3) A person may be appointed under subsection (2)(a) for a term of up to 3 years and may be reappointed, but may not be appointed for more than 6 consecutive years.

(4) The Lieutenant Governor in Council may designate a chair of the Advisory Board from among the voting members and in the absence or inability of the chair to act the voting members may designate a voting member as acting chair.

(5) Voting members appointed under this section may be paid remuneration and may receive reasonable living and travelling expenses while away from their ordinary places of residence in the course of their duties as members at the rates prescribed by the Lieutenant Governor in Council.

(6) The Minister may provide administrative, secretarial and clerical services required by the Advisory Board.

Advisory
Board's role

21 The Advisory Board may, on the request of the Minister, investigate and provide the Minister with advice with respect to this Act.

Advisory
Board
meetings

22(1) The Advisory Board must notify a college and allow it to make submissions if matters pertaining to the college are to be discussed at a meeting of the Advisory Board.

(2) A meeting of the Advisory Board is open to the public but the Advisory Board may close the meeting to the public for the purposes of discussion and voting.

Regulated Professions

Applying to be
regulated
profession

23(1) A profession seeking to be a regulated profession must apply to the Minister to recommend to the Legislature that this Act be amended to include the profession as a regulated profession.

(2) An application under subsection (1)

- (a) must be made by an organization that represents the majority of persons carrying on that profession in Alberta,
 - (b) must be in the form and contain the information requested by the Minister, and
 - (c) must be accompanied the application fee prescribed by the Minister.
- (3) On receipt of an application under subsection (1), the Minister may direct the Advisory Board to investigate whether the profession should be regulated under this Act.
- (4) When conducting an investigation under subsection (3), the Advisory Board may investigate as it considers necessary and, without limiting the generality of the foregoing, may do one or more of the following:
- (a) evaluate the risk to the physical and psychological health and safety of the public from incompetent, unethical or impaired practice of the profession;
 - (b) ascertain what constitutes the practice of the profession and whether persons practising the profession should be authorized to provide restricted activities and conditions, if any, that should apply to the practice of the profession or the provision of restricted activities;
 - (c) evaluate and make recommendations on the services normally provided by a person practising the profession, including the complexity of the services and how they are carried out;
 - (d) consider whether the profession is regulated by an enactment;
 - (e) consider whether the profession is a distinct and identifiable profession;
 - (f) consider whether the proposed protected title is appropriately descriptive and whether it is likely to cause public confusion;
 - (g) consider the potential costs and benefits of regulating the profession, including the expected impact on practitioner availability and on education and training programs, the expected impact on enhancement of quality of service and the expected impact on prices, access and service efficiency;

- (h) ascertain the qualifications and minimum standards of competence that are desirable for a person applying to practise the profession and how the continuing competence of practitioners is maintained, and ascertain what education programs are available and evaluate the available education programs;
- (i) ascertain the ability of the proposed college of the profession to carry out its powers and duties under this Act or consider whether they could be carried out in co-operation with another college;
- (j) evaluate the impact, if any, that the profession's becoming a regulated profession would have on any agreements on trade and mobility to which Canada or Alberta is a signatory.

Recommendation to Minister

24(1) On completing an investigation under section 23(3), the Advisory Board must recommend to the Minister with reasons for the recommendation, whether it would be in the public interest that this Act be amended to include the profession as a regulated profession or that the profession be regulated under another enactment.

(2) If the Advisory Board recommends that the profession be a regulated profession under this Act, the Advisory Board must also recommend

- (a) whether an existing corporation should be continued as a college,
- (b) a proposed practice for the profession, and
- (c) a name, title and initials, if any, for the profession and its members.

Fee negotiation approval

25 If the Minister is satisfied that a college is organized so that when it undertakes its powers, duties and functions under this Act it would not be influenced by an approval,

- (a) the Minister may approve the college's setting professional fees, providing guidelines on professional fees and negotiating professional fees on behalf of some or all of its practising members, and
- (b) the Minister may impose conditions on that approval.

PART 2

REGISTRATION

Applying for Registration

Application for
registration

26(1) An application for registration as a practising member is complete if it is in the form provided for in the by-laws and given to the registrar by the applicant along with

- (a) evidence of competence in the regulated profession by one of the following:
 - (i) by meeting one or more of the following as required by the regulations:
 - (A) education requirements,
 - (B) experience requirements,
 - (C) successfully completed examination requirements, or
 - (D) holding required certificates or diplomas,
 - (ii) by being registered with a profession in another jurisdiction recognized by the regulations as having substantially equivalent competence and practice requirements and meeting the requirements of the regulations for the registration, under this Act, of persons registered with that profession in that jurisdiction, or
 - (iii) by providing evidence of having acquired the competence that is required for registration,
- (b) the registration fee provided for in the by-laws,
- (c) evidence of having the amount and type of professional liability insurance, if required by the regulations,
- (d) evidence of being a Canadian citizen or a person lawfully permitted to work in Canada, if required by the regulations,
- (e) evidence of having good character and reputation, if required by the regulations, and
- (f) evidence of meeting standards of language proficiency, if required by the regulations.

(2) An application for registration as a student member is complete if it is in the form provided for in the by-laws and given to the registrar by the applicant along with

- (a) evidence of being enrolled in a program of studies provided for in the regulations or a substantially equivalent program,
- (b) the registration fee provided for in the by-laws,
- (c) evidence of having the amount and type of professional liability insurance, if required by the regulations,
- (d) evidence of being a Canadian citizen or a person lawfully permitted to work or study in Canada, if required by the regulations,
- (e) evidence of having good character and reputation, if required by the regulations, and
- (f) evidence of meeting standards of language proficiency, if required by the regulations.

Registrar's
duties

27(1) The registrar must, as soon as reasonably possible, on being given a complete application for registration as a practising member or student member, refer the application to the registration committee for that committee to make a decision on the application and give notice to the applicant that the application is complete.

(2) The registrar must consider an application for registration as a member other than a practising member or student member in accordance with the by-laws.

Registration
committee's
duties

28(1) The registration committee must consider an application for registration as soon as reasonably possible.

(2) The registration committee

- (a) must approve the registration if the applicant meets the requirements described in section 26(1)(a)(i) and (b) to (f) or in section 26(2),
- (b) may approve the registration if the applicant meets the requirements described in section 26(1)(a)(ii) or (iii) and (b) to (f) and may attach conditions that in the opinion of the registration committee are in the best interests of the public, or
- (c) may defer the registration if in the opinion of the registration committee it is in the best interest of the public

to defer the registration of an applicant who meets the requirements described in section 26(1)(a)(ii) or (iii) and (b) to (f) until the applicant complies with any or all of the following:

- (i) obtains further training or experience of a kind required by the registration committee;
- (ii) successfully completes examinations required by the registration committee;
- (iii) is enrolled in a program of studies provided for in the regulations or an equivalent program;
- (iv) meets any other requirements imposed by the registration committee.

(3) The registration committee must, as soon as possible after receipt of an application for registration, give the registrar and the applicant a copy of the decision with the reasons for the decision and give notice to the applicant of the right to request, within 30 days, a review under section 29.

(4) If the applicant does not receive a copy of the decision under subsection (3) by the date that is 120 days after notice was given that the application for registration is complete, the applicant may request a review under section 29.

Review
application

29(1) An applicant whose application for registration is accepted subject to conditions or whose registration is deferred or refused by the registration committee may, within 30 days of being given a copy of the decision, request a review by the council in accordance with subsection (3).

(2) An applicant who is not given a copy of a decision by the date described in section 28(4) may, within 30 days from that date, request a review by the council in accordance with subsection (3).

(3) A request for a review must

- (a) be in writing,
- (b) set out the reasons why the application for registration should be approved with or without conditions, and
- (c) be given to the registrar, who must give a copy of the request to the council.

(4) On being given a request for a review, the registrar must notify the applicant of the date, place and time at which the council will conduct the review.

(5) A review must be commenced not later than 60 days after the registrar is given the request for a review.

Review of
registration
decision

30(1) An applicant may appear with or without counsel and make representations to the council at a review.

(2) On reviewing a request for a review under section 29, the council may

- (a) confirm, reverse or vary the decision of the registration committee and make any decision that the registration committee could have made,
- (b) refer the matter back to the registration committee and direct the registration committee to make a further assessment of the application and make a decision under section 28(2) on the application, and
- (c) make any further order the council considers necessary for the purposes of carrying out its decision.

(3) The council must conduct the review as soon as reasonably possible and on making a decision must give the applicant and the registrar a copy of its decision with the reasons for the decision.

Registration

Registers of
members

31(1) A council

- (a) must establish, in accordance with the regulations,
 - (i) registers for one or more categories of members who provide professional services of the regulated profession, and
 - (ii) a register for students who provide restricted activities without the supervision of a practising member within the practice of the regulated profession;
- (b) may, in accordance with the by-laws, establish registers for students who do not provide restricted activities, honorary members, inactive members and other non-practising members.

(2) A practising member and a student member who is suspended remains in the register.

(3) The registrar must enter the following information for each member in a register established under subsection (1)(a):

- (a) the name of the member;
- (b) the member's registration number;
- (c) any conditions imposed on the member's practice;
- (d) the status of the member's practice permit;
- (e) the member's practice specialization recognized by the college;
- (f) whether the member's registration is suspended or cancelled.

(4) The registrar may, if authorized by the regulations,

- (a) enter in the register and remove from the register additional information about practising members and student members;
- (b) request practising members and student members to provide information related to their demographic status and their practice of the regulated profession.

(5) The registrar may, if authorized by the by-laws, enter in the register and remove from the register information about members registered under subsection (1)(b).

Public
information

32 The public may, during regular business hours, inquire about the information on the registers established under section 31(1) and the college must on request provide the information described in section 31(3) and the names of members and category of registration of the members on registers established under section 31(1)(b).

Register error

33 The council, the hearing tribunal, the registration committee and the competence committee may direct the registrar to correct or remove any entry made in error in a register.

Registration of
practising and
student
members

34(1) The registrar must enter in the register the name of a person whose application for registration as a practising member or student member has been approved and assign that person a registration member.

(2) On entering the name of a person in the register of practising members, the registrar must issue the person a certificate of registration and a practice permit.

(3) On entering the name of a person in the register of student members, the registrar must issue the person a practice permit.

Corporations
not members

35 No corporation, professional corporation or physical therapy corporation shall be registered as a practising member, student member, or as an honorary member, inactive member or other non-practising member.

Practice Permit

Application
date for
practice permit

36(1) A practising member and a student member must submit a complete application for a practice permit to the registrar periodically by the date provided for in the regulations.

(2) The registrar must, as soon as possible on receipt of an application for a practice permit, refer the application to the competence committee for that committee to make a decision on the application.

(3) A practising member and a student member may continue to practise if an application for a practice permit has been submitted but a decision on the application has not been made.

Applying for
practice permit

37(1) An application for a practice permit is complete if it is in the form provided for in the by-laws and given to the registrar by a practising member or student member

- (a) whose registration is not suspended or cancelled,
- (b) who meets the requirements for continuing competence provided for in the regulations or is enrolled as a student in a program of studies provided for in the regulations or a substantially equivalent program,
- (c) who provides evidence of having the amount and type of professional liability insurance, if required by the regulations, and

- (d) who has paid the practice permit fee provided for in the by-laws.
- (2) The competence committee must consider an application for a practice permit and any report under section 47(5) with respect to the applicant and decide whether
- (a) to approve the application if the practising member or student member meets the requirements set out in subsection (1) and issue the member a practice permit,
 - (b) to approve the application but to impose conditions for the completion of the continuing competence requirements within the time specified by the competence committee, before issuing a practice permit,
 - (c) to suspend the registration and practice permit of the practising member or student member until the practising member has successfully completed the continuing competence requirements set out in the regulations or the student member is enrolled as a student in a program of studies provided for in the regulations or a substantially equivalent program, or
 - (d) to refuse the application for a practice permit,

and must give the registrar and the practising member or student member a copy of the decision with the reasons for the decision, direct the registrar to issue the practice permit or suspend the registration in accordance with the decision, and give notice to the practising member or student member of the right to request, within 30 days, a review under section 39.

Permit not
applied for

38 If a practising member or a student member does not submit an application for a practice permit as required, the registrar

- (a) shall not issue a practice permit to the practising member or student member,
- (b) must give written notice to the practising member or student member that the member's registration and practice permit will be cancelled if the member does not submit a complete application for a practice permit within 30 days of being given the notice or within a greater number of days as set out in the notice, and
- (c) if the member fails to submit a complete application within the time set out in the notice, must cancel the registration and practice permit in accordance with section 41.

Review by
council

39(1) An applicant whose application for a practice permit is approved subject to conditions, deferred or refused by the competence committee may, within 30 days of being given a copy of the decision, request a review by giving the registrar a written request for review that sets out the reasons why the application should be approved with or without conditions.

(2) On being given a request for a review, the registrar must notify the applicant of the date, place and time at which the council will conduct the review.

(3) A review must be commenced not later than 60 days after the registrar is given the request for a review.

(4) The applicant and a member of the competence committee may appear with or without counsel and make representations to the council at the review.

(5) On completing a review, the council may

- (a) confirm, reverse or vary the decision of the competence committee and make any decision that the competence committee could have made, or
- (b) refer the matter back to the competence committee and direct the competence committee to make a further assessment of the application for a practice permit and make a decision under section 37(2) on the application

and may make any further order the council considers necessary for the purposes of carrying out the decision.

(6) The council must give the applicant a written copy of its decision under subsection (5) with the reasons for the decision.

Suspension, Cancellation and Reinstatement

Cancellation
grounds

40 Registration and a practice permit may be

- (a) cancelled in accordance with section 41,
- (b) suspended in accordance with section 37(2)(c),
- (c) suspended or cancelled pursuant to an order under Part 4,
or
- (d) on a request under section 41(5).

Cancellation of
registration

41(1) The registrar, after 30 days or a greater number of days, as set out in the notice, after giving a written notice to a practising member or a student member, may cancel the registration and practice permit of that member if the member does not apply for a practice permit, is in default of payment of the practice permit fee or fails to pay a penalty, costs or any other fees, levies or assessments due under this Act or the by-laws.

(2) The notice under subsection (1) must state that the registrar may cancel the registration and practice permit of the practising member or student member unless a complete application for a practice permit is received, the practice permit fee is paid, and any other penalties, costs, fees, levies or assessments are paid, as indicated in the notice.

(3) If a registration is cancelled under subsection (2) only because the practice permit fee or a penalty, cost, fee, levy or assessment is not paid, the registrar may, on its payment, reinstate that registration in the register and, if necessary, return the certificate of registration and issue or reissue the practice permit.

(4) If a practising member or student member does not comply with conditions imposed under section 37(2)(b) or (c) within the time specified, the competence committee may direct the registrar to cancel the member's practice permit and registration.

(5) The registrar may cancel the registration or practice permit of a practising member or student member and cancel the registration of a member other than a practising member or student member on the member's request.

Return
suspended or
cancelled
permit,
certificate

42 If the registration or practice permit of a practising member or student member is suspended or cancelled under this Part or suspended or cancelled under an order under Part 4, that person must, on request, send the practice permit or certificate of registration to the registrar.

Reinstatement

43 A person whose registration or practice permit is cancelled may apply for reinstatement in accordance with the regulations.

Registration Required

Mandatory
registration

44(1) A person must apply for registration if the person

- (a) meets the requirements of this Act for registration as a practising member of a regulated profession, and
- (b) provides any or all of the following:

- (i) professional services directly to the public;
- (ii) the manufacture of dental appliances or conducting laboratory tests that are used by other practising members to provide professional services directly to the public;
- (iii) teaching the practice of a regulated profession to practising members or students of that regulated profession;
- (iv) the supervision of practising members or students of that regulated profession who provide professional services to the public.

(2) If a registrar becomes aware of a person who meets the requirements of subsection (1) but is not a practising member, the registrar may give that person a written request to apply for registration.

(3) A person who receives a request under subsection (2) must give a complete application for registration to the registrar within 30 days of receiving the request.

(4) This section does not apply to a person who is

- (a) a practising member or student member of another college, or
- (b) authorized to provide services referred to in subsection (1) pursuant to another enactment.

Offence

45(1) A person who meets the requirements of section 44(1) but does not comply with a request under section 44(2) is guilty of an offence.

(2) A person who is guilty of an offence under this section is liable

- (a) for a first offence, to a fine of not more than \$2000,
- (b) for a 2nd offence, to a fine of not more than \$4000, and
- (c) for a 3rd and every subsequent offence, to a fine of not more than \$6000 or to imprisonment for a term of not more than 6 months or to both a fine and imprisonment.

(3) A prosecution under this section may be commenced within 2 years after the commission of the alleged offence, but not afterwards.

PART 3

CONTINUING COMPETENCE AND PRACTICE VISITS

Continuing Competence Program

Continuing
competence
program

46(1) A council must provide, by regulation, continuing competence requirements within 5 years from the date that a Schedule in Part 9, with respect to the council, comes into force.

(2) Continuing competence requirements

- (a) must provide for the maintenance and improvement of competence by the practising members on an on-going basis, and
- (b) may, if authorized by the regulation, provide for practice visits of the practising members on a regular basis.

Practice Visits

Practice visit

47(1) In this section “publicly funded facility” means an institution or facility that

- (a) is a hospital as defined in the *Hospitals Act*, a nursing home as defined in the *Nursing Homes Act*, a correctional institution as defined in the *Corrections Act* or is any other health or social care institution or facility that is approved or receives money under an Act of the Parliament of Canada or of the Legislature of Alberta, and
- (b) is a place where professional services are provided.

(2) If authorized by the regulations to carry out practice visits as part of a continuing competence program, the competence committee may direct that a practising member participate in a practice visit, and the practising member must co-operate with the members of the competence committee and a person appointed under section 11(3).

(3) For the purposes of conducting a practice visit any or all of the members of the competence committee and a person appointed under section 11(3) may,

- (a) subject to subsection (4), at any reasonable time and on having given prior notice, enter and inspect any place where the practising member provides professional services;

- (b) interview a practising member about the member's professional services;
 - (c) observe the practising member providing professional services if the person who is receiving the professional services consents;
 - (d) interview or survey patients, clients and co-workers or the practising member about the practising member's professional services;
 - (e) review documents and examine substances and things that
 - (i) are owned by or under the control of, the practising member, and
 - (ii) are related to the provision of professional services by the practising member;
 - (f) assess the safety and condition of equipment and technology used by the practising member in the provision of professional services.
- (4)** No member of the competence committee or a person appointed under section 11(3) may enter
- (a) a private dwelling place or any part of a place that is designed to be used and is being used as a permanent or temporary private dwelling place except with the consent of the occupant of the dwelling place, or
 - (b) a publicly funded facility except with the consent of the person who controls or operates the publicly funded facility.
- (5)** Within 90 days of completing a practice visit the competence committee must
- (a) give a report to the practising member setting out the findings of the visit;
 - (b) advise the practising member and the registrar
 - (i) that results from the practice visit were satisfactory,
 - (ii) that the practising member must undertake specified actions in accordance with the regulations, or
 - (iii) that information obtained from the practice visit has been referred to the complaints director to be acted

on by the complaints director in accordance with section 53.

(6) The competence committee must make a referral under subsection (5)(b)(iii) if in the opinion of the competence committee

- (a) the practising member displays a lack of skill or judgment in the provision of professional services that cannot be or has not been remedied by participating in a continuing competence program, or
- (b) the conduct of the practising member otherwise constitutes unprofessional conduct.

Confidentiality 48(1) A member of the competence committee or a person appointed under section 11(3) shall not publish, release or disclose in any manner information obtained in the course of carrying out their powers and duties under section 47 except as is necessary to carry out those powers and duties.

(2) Despite subsection (1), information obtained under section 47 may be

- (a) provided or published by the competence committee in summarized or statistical form if the information is provided or published in a manner so that it is not possible to relate the information to any particular identifiable person,
- (b) used by the competence committee to give to the complaints director the name of a practising member and the grounds for a referral under section 47(5), and
- (c) released or disclosed to the legal representative of the practising member in connection with proceedings under this Part, Part 2 and Part 4.

(3) A person who knowingly publishes, releases or discloses information contrary to this section is guilty of an offence and liable to a fine of not more than \$10 000.

PART 4
PROFESSIONAL CONDUCT

Division 1
Complaint Process

Complaints director	<p>49 A council must appoint an individual as a complaints director for the purposes of this Act.</p>
Making a complaint	<p>50(1) A person may give a written, signed complaint to the complaints director regarding the unprofessional conduct or alleged unprofessional conduct of</p> <ul style="list-style-type: none">(a) a practising member,(b) a former practising member, or(c) a student member if student members are, by the regulations, made subject to this Part. <p>(2) If a complaint is made regarding the unprofessional conduct of a practising member or student member proceedings with respect to that person are not affected by the person ceasing to be a practising member or student member before the proceedings are completed.</p> <p>(3) Despite subsection (1)(b), a complaint about a former practising member who was a member under a former Act but has not been a member under this Act may be dealt with under this Part only if discipline proceedings under the former Act could be commenced if that Act were still in force.</p>
Acting on a complaint	<p>51(1) Within 30 days of being given a complaint the complaints director must give notice to the complainant, if any, of the action taken under this section with respect to the complaint.</p> <p>(2) The complaints director</p> <ul style="list-style-type: none">(a) may encourage the complainant and the member about whom the complaint is made to communicate with each other and resolve the complaint,(b) may make a referral to a complaint resolution process under Division 2,(c) may request an expert to assess and provide a written report on the professional service that is the subject-matter of the complaint,

- (d) may conduct, or appoint an investigator to conduct, an investigation regarding the member about whom the complaint is made,
- (e) if satisfied that the complaint is trivial or vexatious, may dismiss the complaint, or
- (f) if satisfied that there is insufficient or no evidence of unprofessional conduct, may dismiss the complaint.

(3) If the complaints director dismisses the complaint, the complaints director must, within 30 days, give notice to the complainant, if any, of the dismissal and the right to apply for a review by the complaint review committee under section 65.

Assessing
incapacity

52(1) If the complaints director has reasonable grounds to believe that an investigated person who provides a professional service is incapacitated, the complaints director may make and give an order to an investigated person that requires the investigated person to submit to physical or mental examinations and tests to be conducted by or ordered by a member of a regulated profession specified in the order.

(2) An investigated person given an order under subsection (1) may apply, by filing an originating notice with the Court of Queen's Bench and on giving a copy to the registrar, for an order to quash an order under subsection (1) on the basis that there are no reasonable grounds for that order.

(3) The Court of Queen's Bench may grant a stay of an order under subsection (1) pending the conclusion of a hearing under subsection (2).

(4) The member of a regulated profession who conducts the examinations or tests under subsection (1) must give a report of the results of the examinations and tests to the complaints director and the investigated person.

Aware of
unprofessional
conduct

53(1) If the complaints director has reason to believe that the conduct of a practising member or former practising member constitutes unprofessional conduct, the complaints director must treat the information as a complaint.

(2) If the complaints director receives information that a practising member, former practising member or student member has been found guilty of an indictable offence and the complaints director is of the opinion that the subject-matter of the indictable offence constitutes unprofessional conduct, the complaints director must treat the matter as a complaint and

- (a) treat the information as if it were a complaint received under section 50, or
- (b) refer the information, as a complaint, to the hearings director for a hearing.

Termination by employer

54(1) If the employment of a practising member is terminated because of conduct that in the opinion of the employer is unprofessional conduct, that employer must give notice to the complaints director of that conduct.

(2) On being given notice under subsection (1), the complaints director must

- (a) treat the employer as a complainant,
- (b) treat the information as a complaint and act on it under section 51, and
- (c) notify the employer and the practising member accordingly.

Division 2 Complaint Resolution

Complaint resolution process

55(1) If a complaint is within the rules provided for in the regulations on complaint resolution, the complaints director may, with the agreement of the complainant and the investigated person, refer the complainant and the investigated person to a complaint resolution process provided for in the regulations at any time prior to the commencement of a hearing by the hearing tribunal.

(2) A representative of the college must conduct or participate in a complaint resolution process.

(3) The person who conducts a complaint resolution process must be impartial and must act impartially.

(4) If an expert report has been prepared with respect to a professional service that is the subject-matter of the complaint, the complaints director must give a copy of the report to the person conducting the complaint resolution process.

(5) If an expert report has not been prepared, the person conducting the complaint resolution process may request an expert to assess and provide a written report on the professional service that is the subject-matter of the complaint.

(6) A person who conducts a complaint resolution process may assist in settling a complaint, but if

- (a) in the opinion of that person a settlement is not likely to occur, or
- (b) the complaints review committee does not ratify the settlement under section 57,

the person must notify the complaints director.

(7) If during the complaint resolution process information is introduced that causes the person conducting the complaint resolution process to believe that the matter is no longer within the rules provided for in the regulations on complaint resolution, the person must notify the complaints director and the complaints director must act in accordance with subsection (8).

(8) The complaints director, on being notified under subsection (6) or (7) or section 57(7)(b), must

- (a) if an investigation has not been commenced, commence an investigation under Division 3,
- (b) if an investigation has been commenced but no report of the investigation has been made, refer the complaint back to the investigator, if available, or appoint another investigator to complete the investigation regarding the complaint and make a report, or
- (c) in all other cases, refer the matter to the hearings director for a hearing.

Complaint
resolution
evidence

56(1) A person who conducts a complaint resolution process must keep any records relating to the process separate from the college records except records relating to a settlement under section 57.

(2) Any document prepared or generated for the purposes of a complaints resolution process is privileged in the hands of the person to whom it belongs.

(3) An expert report and information described in section 55(8), any communication and evidence arising from anything said, evidence of anything said or evidence of an admission or communication made in the course of a complaint resolution process is confidential and not admissible in any proceedings under this or any other Act or in any action, matter or proceeding before a court, without the written consent of the investigated person and the complainant unless it is part of a settlement under section 57.

Settlement

57(1) If the complainant and the investigated person agree, in writing, to a settlement of a complaint in a complaint resolution process, the person conducting the complaint resolution process must report the settlement to the complaint review committee.

(2) The complaint review committee may, on reviewing a proposed settlement of a complaint referred to it under subsection (1),

- (a) ratify the settlement,
- (b) with the consent of the complainant and the investigated person, amend the settlement, or
- (c) refuse to ratify the settlement.

(3) If a ratified settlement includes an agreement that the investigated person is to do or to refrain from doing something, the complaints director must oversee the carrying out of the agreement.

(4) On being informed that the agreement is not complied with, the complaints director may treat the information as a complaint and

- (a) act on it under section 51, or
- (b) refer it to the hearings director for a hearing.

(5) If the complaints director makes a referral under subsection (4)(b), the complaints director must notify the complainant.

(6) The college may publish information respecting a complaint and a ratified settlement but may only reveal the identity

- (a) of the investigated person, if the investigated person's registration is suspended or cancelled or if conditions are imposed on the investigated person's registration or practice permit,
- (b) of the complainant, only with the consent of the complainant and the investigated person, or
- (c) of the investigated person, only with the consent of the complainant and the investigated person,

and the college must retain a copy of the ratified settlement.

(7) Subject to subsections (4) and (6), if a settlement is ratified

- (a) that relates to all the matters complained of or that arose during the complaint resolution process, no further proceedings under this Part shall be taken with respect to those matters, or

- (b) that relates to only part of the matters complained of or that arose during the complaint resolution process, the persons who conducted the complaints resolution process must notify the complaints director of the matters that do not form part of the settlement and the complaints director must treat that information as a complaint and act on it under section 51.

Division 3 Investigations

Notice of
investigation

58(1) If an investigation is to be conducted under this Part, the complaints director

- (a) must give the complainant the name of the investigator,
- (b) must provide the investigator with reasonable particulars of the complaint to be investigated and give the investigator a copy of the expert report, if any, prepared with respect to the complaint, and
- (c) must, unless it would likely result in harm to the public interest, give the investigated person the name of the investigator and give the investigated person reasonable particulars of the complaint to be investigated.

(2) If the investigated person is given any information under subsection (1)(c), the complaints director must advise the investigated person that anything said and copies of any documents provided to the investigator and a description of and discussion about any substance or thing given to the investigator may be included in a report under section 63 and provided to the complaint review committee for review under section 65.

Investigation
scope

59(1) An investigator may investigate a complaint.

(2) In the course of the investigation under subsection (1) an investigator may investigate matters that arise related to how the investigated person provided professional services.

Investigation
powers

60(1) An investigator

- (a) may, at any reasonable time,
 - (i) require any person to answer any relevant questions and direct the person to answer the questions under oath, and

- (ii) require any person to give any document, substance and thing relevant to the investigation to the investigator,
 - (b) may require any person to give up possession of any document described in clause (a) to allow the investigator to take it away to copy it, in which case the investigator must return it within a reasonable time of being given it but must return it no later than after a hearing is completed, and
 - (c) may require any person to give up possession of any substance and thing described in clause (a) to allow the investigator to take it away to examine it and perform tests on it, in which case the investigator must return it, if possible, within a reasonable time of being given it but must return it, if possible, no later than after a hearing is completed.
- (2) The investigator may copy and keep copies of anything given under subsection (1).
- (3) The complaints director, on the request of an investigator or without a request if the complaints director is the investigator, may apply to the Court of Queen's Bench for
- (a) an order directing any person
 - (i) to produce to the investigator any documents, substances or things relevant to the investigation in the person's possession or under the person's control,
 - (ii) to give up possession of any document described in subclause (i) to allow the investigator to take it away to copy it, in which case the investigator must return it within a reasonable time after receiving it but return it no later than after a hearing is completed, or
 - (iii) to give up possession of any substance or thing described in subclause (i) to allow the investigator to take it away, examine it and perform tests on it, in which case the investigator must return it, if possible, within a reasonable time of being given it but return it, if possible, no later than after a hearing is completed;
 - (b) an order directing any person to attend before the investigator to answer any relevant inquiries the investigator may have relating to the investigation.

(4) An application for an order under subsection (3) may be made without notice to the other party if the Court is satisfied that it is proper to make the order in the circumstances.

(5) A person may comply with a request to give documents under subsection (1)(a)(ii) or an order under subsection (3)(a)(i) by giving copies of the documents to the investigator.

(6) If a person gives copies under subsection (5), the person must on the request of the investigator allow the investigator to compare the copies with the original documents at the person's place of business during regular business hours.

Proceedings
delayed

61(1) If an investigated person is charged or if in the opinion of the complaints director it is likely that the investigated person may be charged with an offence under an Act of the Parliament of Canada or the Legislature of Alberta and that offence relates to the subject-matter of the complaint, the complaints director must advise the Minister of Justice and Attorney General, and proceedings under this Part may continue unless the Minister of Justice and Attorney General directs that the proceedings under this Part be delayed until the proceedings respecting the offence are concluded.

(2) If during the investigation the complaints director, in accordance with this Part, refers the complainant and the investigated person to a complaint resolution process, the investigation and hearing must not proceed until the matter is referred to the hearings director under section 55(8)(c).

Practice
conditions,
suspension
during
proceedings

62(1) On the recommendation of the complaints director or the hearing tribunal, the president may

(a) impose conditions on the investigated person's entitlement to engage in the practice of the regulated profession generally or in any field of the practice of that regulated profession, including the conditions that the investigated person

(i) practise under supervision, or

(ii) practise with one or more other practising members,

or

(b) suspend the registration of an investigated person,

until the outcome of proceedings under this Part even if the proceedings are delayed under section 61.

(2) The investigated person may apply for an order of the Court of Queen's Bench to stay the decision of the president by filing an originating notice with the Court and giving a copy to the registrar.

(3) If the registration of an investigated person is suspended under this section, the complaints director must ensure that the proceedings under this Part proceed as soon as practicable.

Report of
investigation

63(1) When an investigator concludes an investigation, the investigator must make a report within a reasonable time and, if the investigator is not the complaints director, submit the report to the complaints director.

(2) If, on reviewing a report made under this section, the complaints director determines that the report is not complete or that the investigation was not properly conducted, the complaints director must direct the investigator, or appoint another investigator, to undertake further investigation and make a report and submit it to the complaints director.

(3) If, on reviewing a report made under this section or section 65(4)(b), the complaints director determines that the investigation is concluded, the complaints director must

(a) refer the complaint to the hearings director for a hearing, or

(b) dismiss the complaint, if in the opinion of the complaints director

(i) the complaint is trivial or vexatious, or

(ii) there is insufficient or no evidence of unprofessional conduct.

(4) Despite subsection (3)(a), if the hearing tribunal has not commenced a hearing and the complaints director learns of new evidence that causes the complaints director to be of the opinion that the complaint is trivial or vexatious or there is insufficient or no evidence of unprofessional conduct, the complaints director may withdraw the matter from the hearings director and hearing tribunal and dismiss the complaint.

Notification of
action taken

64 The complaints director must

(a) notify the complainant and the investigated person in writing of the action taken under section 63(3) and the reasons for it, and

- (b) if the complaints director dismisses the complaint, notify the complainant in writing of the right to apply to the hearings director for a review under section 65.

Review of
dismissal of
complaint

65(1) A complainant may apply, in writing with reasons, to the hearings director for a review of the dismissal of a complaint within 30 days of being notified under section 51 or 64 of the dismissal.

(2) On receipt of an application under subsection (1) the hearings director must notify the investigated person, give a copy of the application to the complaint review committee and direct the complaints director to give a copy of the report made under section 63 to a complaint review committee.

(3) The complaint review committee, within a reasonable time,

- (a) must review what is given to it under subsection (2) and the decision to dismiss the complaint, and
- (b) may interview any person it considers necessary.

(4) The complaint review committee, on complying with subsection (3), must

- (a) refer the matter to the hearings director for a hearing,
- (b) direct the complaints director to conduct or appoint an investigator to conduct a further investigation and to make a report and submit it to the complaints director, or
- (c) confirm that the complaint is dismissed if in the opinion of the complaint review committee
 - (i) the complaint is trivial or vexatious, or
 - (ii) there is insufficient or no evidence of unprofessional conduct.

(5) The complaint review committee must give the complainant written notification, with reasons, of any action taken under subsection (4).

Hearing to be
scheduled

66 On receiving a referral for a hearing or when acting under section 78(3)(b), the hearings director must ensure that, within 90 days, a hearing tribunal sets a date for a hearing with respect to the complaint unless

- (a) proceedings are delayed under section 61,

- (b) the complaints director dismisses the complaint under section 63(4), or
- (c) the president grants an extension on application by the hearings director on the grounds of unavoidable delay.

Admission of
unprofessional
conduct

67(1) Any time after a complaint has been made but prior to the hearing tribunal's making a decision as to whether unprofessional conduct has occurred, an investigated person may submit to the hearings director a written admission of unprofessional conduct with respect to the subject-matter of the complaint.

(2) An admission of unprofessional conduct shall not be acted on unless it is acceptable in whole or in part to the hearing tribunal.

(3) If an admission of unprofessional conduct is accepted in whole or in part by the hearing tribunal, any investigation of the complaint and any complaint resolution process with respect to the complaint is suspended and the hearing tribunal may hold a hearing limiting itself to deciding

- (a) whether the admitted conduct is unprofessional conduct, and
- (b) any orders to be made under section 78(1).

(4) Despite subsection (3), if an admission of unprofessional conduct does not relate to all the matters complained of or investigated, the hearing tribunal may commence or continue a hearing with respect to those matters.

Division 4 Hearings and Decisions

Bias
prevention

68(1) Any person who has investigated, reviewed or made a decision on the complaint or matters related to the complaint may not subsequently sit as a member of a council, tribunal or committee while it is holding a hearing or a review with respect to the complaint.

(2) No person who is sitting as a member of a council, tribunal or committee holding a hearing or review under this Part shall communicate outside the hearing, in relation to the subject-matter of the hearing, with a party to the hearing, the complainant or their representatives.

Investigated
person at
hearing

69(1) The investigated person may appear and be represented by counsel at a hearing before the hearing tribunal.

(2) The investigated person or counsel for the investigated person may examine any witness appearing before the hearing tribunal.

Witnesses

Investigated
person's
witnesses

70(1) The investigated person may cause to be given to any person, including the complainant, prior to the hearing a notice to attend and a notice to produce at the hearing any document, substance or thing related to the subject-matter of the hearing other than an investigator's report.

(2) Subsection (1) does not preclude

(a) the college from directing the release of a copy of the investigator's report to the investigated person, or

(b) the investigated person's being given a copy of the investigator's report if

(i) the report is to be produced in whole or in part as evidence at the hearing, or

(ii) the memory of the investigator is refreshed by referring to the report prior to or while being a witness at the hearing.

College
witnesses

71 The complaints director may request that any person, including the complainant and the investigated person, who in the opinion of the complaints director has knowledge of the complaint be given, under section 74, a notice to attend and a notice to produce any document, substance or thing related to the subject-matter of the hearing.

Rights and
obligations of
witnesses

72(1) A witness must be examined under oath, may give evidence on all matters relevant to the hearing before the hearing tribunal and is not excused from answering a question because the answer may

(a) tend to incriminate the witness,

(b) subject the witness to orders under this Part, or

(c) tend to establish the witnesses's liability in a civil proceeding or a prosecution under this or any other enactment.

(2) If an answer given under subsection (1) could subject the witness to orders under this Part or establish the witness's liability in a civil proceeding or proceedings under this or any other enactment, that answer may not be used or received against the witness in a civil proceeding or in proceedings under this Part or any other enactment, but that answer may be used or received against the witness

(a) in proceedings in respect of perjury or of giving contradictory evidence under this Act, or

(b) other proceedings under other Parts of this Act.

(3) A witness must be advised that the hearing is open to the public unless the hearing tribunal directs that the hearing be closed.

(4) If a person has been given a notice to attend or with a notice to produce in accordance with section 70 or 74 and that person fails

(a) to attend the hearing,

(b) to produce the items set out in the order to produce, or

(c) to be sworn or to answer any question that the hearings tribunal directs the person to answer,

the college or the investigated person may apply to the Court of Queen's Bench for an order directing the person to do so.

(5) An application for an order under subsection (4) may be made without notice to the other party if the Court is satisfied that it is proper to make the order in the circumstances.

(6) If a witness is outside of Alberta, a judge of the Court of Queen's Bench may, on an application made by the college or the investigated person without notifying the witness, direct the issuing of a commission for the obtaining of evidence of the witness, but the commission may only be issued and the evidence must be taken in the same manner as under the *Alberta Rules of Court*.

Witness fees

73 A witness who has been given a notice to attend or a notice to produce is entitled to be paid fees in the same amount as are payable to a witness in an action in the Court of Queen's Bench,

(a) by the college, if the notice was given under section 74, or

- (b) by the investigated person, if the notice was given under section 70.

Hearings

College duties
in respect of
hearing

74 The complaints director must

- (a) at least 30 days before the hearing give the investigated person a notice to attend and give reasonable particulars of the subject-matter of the hearing,
- (b) prior to the hearing,
 - (i) advise the complainant, if not requested under section 71 to give evidence, of the date, time and location of the hearing,
 - (ii) give any person requested under section 71 a notice to attend, and
 - (iii) give any person requested under section 71 who is to produce documents or any substance or thing a notice to attend and a notice to produce.

Access to
hearing

75(1) A hearing is open to the public unless

- (a) the hearing tribunal may hold the hearing or part of the hearing in private on its own motion or on an application of any person that the hearing or part of the hearing should be in private because
 - (i) of probable prejudice to a civil action or a prosecution of an offence,
 - (ii) of the safety of the person or of the public,
 - (iii) the non-disclosure of a person's confidential, personal, property acquisition or financial information outweighs the desirability of having the hearing open to the public,
 - (iv) the presence of the public or complainant could compromise the ability of the witness to testify, or
 - (v) of other reasons satisfactory to the hearing tribunal,

or

- (b) another Act requires that the hearing or part of the hearing be held in private.
- (2) If a hearing or part of a hearing is held in private the hearing tribunal must state the reason why.
- (3) Even if a hearing is held in private,
 - (a) the investigated person may attend, and
 - (b) the complainant may attend unless the hearing tribunal directs otherwise.
- (4) Even if a hearing is open to the public, a witness, except for the investigated person, may be excluded from the hearing until the witness gives evidence and has been released or dismissed from the hearing.

Tribunal at
hearing

- 76(1)** If the hearing tribunal is advised by counsel acting on behalf of the tribunal at a hearing, that counsel may not lead or present evidence at the hearing on behalf of the college.
- (2) The hearing tribunal may request an expert to assess and provide a written report on the professional service that is the subject-matter of the complaint.
- (3) The hearing tribunal may hear any other matter related to the complaint that arises in the course of a hearing, but the hearing tribunal must give the investigated person notice of its intention to hear the matter and on the request of the investigated person grant an adjournment before hearing the new matter.
- (4) Evidence may be given before the hearing tribunal in any manner that it considers appropriate and it is not bound by the rules of law respecting evidence applicable to judicial hearings.
- (5) If the investigated person does not appear at a hearing and there is proof that the investigated person has been given a notice of the hearing, the hearing tribunal may
 - (a) proceed with the hearing in the absence of the investigated person, and
 - (b) act, decide or report on the matter being heard as if the investigated person were in attendance.

Decisions and Records

Findings of tribunal **77** The hearing tribunal may find that the conduct of an investigated person does or does not constitute unprofessional conduct.

Orders of tribunal **78(1)** If the hearing tribunal finds that the conduct of an investigated person constitutes unprofessional conduct, the hearing tribunal may make any one or more of the following orders:

- (a) caution the investigated person;
- (b) reprimand the investigated person;
- (c) impose conditions on the investigated person's registration generally or in any area of the practice of that regulated profession, including conditions that the investigated person
 - (i) practise under supervision,
 - (ii) practise with one or more other practising members, or
 - (iii) report on specific matters to the hearing tribunal, council, committee or individual specified in the order;
- (d) direct the investigated person to satisfy the hearing tribunal or committee specified in the order that the investigated person is not incapacitated and suspend the person's registration until the hearing tribunal or committee is so satisfied;
- (e) require the investigated person to undertake counselling or a treatment program that in its opinion is appropriate;
- (f) direct that within the time set by the order the investigated person must pass a particular course of study or satisfy the committee specified in the order as to the investigated person's competence generally or in a field of the practice of the regulated profession;
- (g) suspend the registration of the investigated person either generally or from any part of the practice of the regulated profession until
 - (i) the investigated person has successfully completed a specific course of studies or obtained supervised practical experience of a type described in the order, or

- (ii) the hearing tribunal, committee or individual specified in the order is satisfied as to the competence of the investigated person generally or in a specified field of the practice of the regulated profession;
 - (h) suspend the registration and practice permit of the investigated person either generally or from any part of the practice of the regulated profession for a stated period;
 - (i) accept in place of a suspension the investigated person's undertaking to limit that person's practice;
 - (j) cancel the registration and practice permit of the investigated person;
 - (k) if, in the opinion of the hearing tribunal, the investigated person's fees for professional services were improper or inappropriate or the professional services that the investigated person provided were improperly rendered or required the complainant to undergo remedial treatment, the hearing tribunal may direct the investigated person to do any or all of the following:
 - (i) waive, reduce or repay the fee for professional services;
 - (ii) pay any fees required to be paid by the complainant for remedial treatment;
 - (l) direct, subject to the regulations, that the investigated person pay within the time set in the order all or part of the expenses of the investigation or hearing;
 - (m) direct that the investigated person pay to the college within the time set in the order a fine not exceeding the amount set out in the column of the unprofessional conduct fines table that is specified for the college for each finding of unprofessional conduct or the aggregate amount set out in that column for all of the findings arising out of the hearing;
 - (n) any order that the hearing tribunal considers necessary for the protection of the public.
- (2) The hearing tribunal may, in an order under subsection (1), stay the order or a portion of the order until an event specified in the order takes place or a condition specified in the order is fulfilled.

(3) If a complaints director is satisfied that an investigated person has not complied with an order under this section or section 86(5)(b), the complaints director may

- (a) treat the matter as information under section 53,
- (b) refer the matter to the hearings director to schedule a hearing before the hearing tribunal, or
- (c) in the case of non-payment of a fine described in subsection (1)(m), cancel the registration and practice permit of the investigated person.

(4) A fine or expenses ordered to be paid under this section are a debt due to the college and may be recovered by the college by an action in debt.

Written
decision

79 The hearing tribunal must, within a reasonable time after the conclusion of a hearing before it, make a written decision on the matter in which it

- (a) describes each finding made by it,
- (b) states the reasons for each finding made by it, and
- (c) states any order made under this Part.

Service of
decision and
record of
hearing

80(1) The hearing tribunal must forward to the hearings director

- (a) the decision, and
- (b) the record of the hearing, consisting of all evidence presented before it, including
 - (i) the exhibits and documents, and
 - (ii) a record of the evidence, including all testimony given before it, however recorded, and a transcript, if any.

(2) The hearings director must, on receiving the decision and the record described in subsection (1),

- (a) give a copy of the decision to the complainant, and
- (b) give a copy of the decision to the investigated person and notify the investigated person of the right to appeal the decision to the council.

Examination of
record

81(1) The investigated person may examine the record of the hearing and, on paying the reasonable costs of copying and delivering the record, receive a copy of it.

(2) The complainant may examine the record of the hearing, except for the record that relates to a part of the hearing that the complainant was directed by the hearing tribunal not to attend and on paying the reasonable costs of copying and delivering that record may receive a copy of it.

(3) The public may examine the decision and the record of the hearing except for the record that relates to a part of the hearing that was held in private and on paying the reasonable costs of copying and delivering that decision and record may receive a copy of it.

Division 5 Appeals

Stay pending
appeal

82(1) A decision of the hearing tribunal remains in effect pending an appeal to the council unless the president, on application, stays the decision pending the appeal.

(2) If the president

- (a) decides not to stay the decision of the hearing tribunal, or
- (b) does not make a decision within 10 days, excluding holidays, of the application,

the applicant may apply to the Court of Queen's Bench for a stay of the decision of the hearing tribunal pending an appeal to the council.

(3) A decision of the council remains in effect pending an appeal to the Court of Appeal unless the Court, on application, stays the decision pending the appeal.

Appeal within College

Appeal to the
council

83(1) An investigated person or the complaints director, on behalf of the college, may commence an appeal to the council on the decision of the hearing tribunal by a written notice of appeal that

- (a) identifies the appealed decision, and
- (b) states the reasons for the appeal.

(2) A notice of appeal must be given to the registrar within 30 days after the date on which the decision of the hearing tribunal is given to the investigated person.

(3) A registrar must, on being given a notice of appeal,

- (a) give a copy of the notice of appeal, and make a copy of the decision and record of the hearing available, to each member of the council or panel of council hearing the appeal, and
- (b) ensure that the investigated person and the complainant are given a notice of the hearing of an appeal that states the date, time and place at which the council will hear the matters appealed and are given a copy of the record.

Council panel **84(1)** Subject to section 14, a council may designate one or more panels of council members, of at least 3 persons to carry out any power or duty and make any decision that the council may carry out or make under this Division.

(2) The council must designate one of the panel members to act as chair of the panel.

(3) The council may direct a panel to carry out any power or duty and make any decisions that the council may carry out or make under this Division.

(4) A decision made or power or duty carried out by a panel of the council at a sitting of the panel is a decision made or power or duty carried out by the council.

(5) Any reference in this Act or any other enactment to a council is deemed to be also a reference to a panel of the council.

Scheduling the appeal **85(1)** A council must,

- (a) if conditions have been imposed under section 78(1)(c)(i) or (ii) on the registration of the investigated person or if the registration of the investigated person has been suspended or cancelled under section 78(1)(g), (h) or (j), hear the appeal within 45 days after the date of service of the notice of appeal, and
- (b) in all other cases, hear the appeal within 90 days after the date of service of the notice of appeal.

(2) A council may, on the written request of the investigated person or the complaints director, extend the periods referred to in subsection (1) for one or more additional periods, but

(a) in a case to which subsection (1)(a) applies, no extension may be granted without the consent of the investigated person, and

(b) in a case to which subsection (1)(b) applies, no extension may be granted for a period of more than 90 days.

Council's
powers on
appeal

86(1) The complaints director and the investigated person may appear and be represented by counsel at the appeal before the council.

(2) Subject to subsection (4)(b), an appeal to the council must be based on the record of the proceedings before the hearing tribunal and its decision.

(3) Subject to subsection (4)(b), sections 68, 69, 74, 75, 76(1), (3), (4), (5) and 77 to 81 apply to proceedings before the council.

(4) The council on an appeal may

(a) grant adjournments of the proceedings or reserve the determination of the matters before it for a future meeting of the council,

(b) on granting special leave for that purpose, receive compelling new evidence and direct the hearing tribunal that held the hearing to hear the evidence and to reconsider its decision and quash, confirm or vary the decision, and

(c) draw inferences of fact and make a determination or finding that, in its opinion, should have been made by the hearing tribunal.

(5) The council must, within 90 days from the date of the conclusion of the appeal proceedings before it, decide and, by order, do any or all of the following:

(a) make any finding that in its opinion should have been made by the hearing tribunal,

(b) quash, vary or confirm any finding or order of the hearing tribunal or substitute or make a finding or order of its own,

(c) refer the matter back to the hearing tribunal in order to receive additional evidence for further consideration in

accordance with any direction that the council may make,
or

- (d) refer the matter to the hearings director to schedule it before another hearing tribunal composed of persons who were not members of the hearing tribunal that heard the matter, to rehear the matter.

(6) In addition to expenses referred to in section 78(1)(l) the council may, subject to the regulations, direct the investigated person to pay, within the time set by the council, all or part of expenses of the appeal.

(7) A fine or expenses ordered or directed to be paid under this section are a debt due to the college and may be recovered by the college as an action in debt.

Appeal to the Court

Court of
Appeal

87(1) An investigated person may appeal to the Court of Appeal any finding, order or direction of the council under section 86.

(2) An appeal under this section may be commenced

- (a) by filing a notice of appeal with the clerk of the Court at Edmonton or Calgary, and
- (b) by giving a copy of the notice of appeal to the complaints director and the complainant

within 30 days from the date on which the decision of the council is given to the investigated person.

Appeal on
record

88(1) The appeal to the Court of Appeal must be based on the record of the hearing before the council and the council's decision, including the reasons for the decision, all of which must be certified by the hearings director.

(2) The hearings director, at the expense of the appellant must arrange for the preparation of the record of the hearing before the council.

Power of
Court on
appeal

89(1) The Court of Appeal on hearing an appeal may

- (a) make any finding that in its opinion should have been made;

- (b) quash, confirm or vary the finding or order of the council or any part of it;
 - (c) refer the matter back to the council for further consideration in accordance with any direction of the Court;
 - (d) if the appeal is wholly or partly successful, direct that all or part of the cost of preparation of the record referred to in section 88 be repaid by the college to the appellant or be applied to reduce the amount of penalties or costs otherwise payable to the college by the appellant.
- (2) The Court of Appeal may make any award as to the costs of an appeal to it that it considers appropriate.

Application to
vary order

90 If the time for filing an appeal under this Part has passed and due to a change in circumstances an order is impossible to carry out, the practising member or former practising member to whom the order is directed may apply to the council for a variation of the order.

Division 6 General

Non-prejudicial
orders

91 A hearings director may make any order with respect to clerical and administrative matters that the hearings director considers necessary to prevent prejudice to the investigated person.

Hearings
documents,
exhibits

92 The college must

- (a) release documents and exhibits produced at a hearing to the person who produced them, on the person's request, within a reasonable time after the matter in issue has been finally determined, but
- (b) must keep a copy of them as part of the record in accordance with section 116.

Commissioner
for oaths

93 A complaints director, a person appointed by the complaints director to conduct an investigation and any member of a hearing tribunal, council or complaint review committee is conferred with the powers of a commissioner for oaths under the *Commissioners for Oaths Act* for the purposes of an investigation, hearing or review under this Part.

PART 5
BUSINESS ARRANGEMENTS

Conducting a Practice

Practice in
association

94(1) In this section, “practice in association” means a practice conducted in co-operation with another person where any or all of the following occur:

- (a) joint advertising;
- (b) shared office telephone number;
- (c) combined client billing for services provided by more than one person;
- (d) shared office reception area;
- (e) shared office or clinic expenses.

(2) Unless restricted by regulations under this section, a practising member may

- (a) practise in association with a practising member or with a person who is not a practising member, and
- (b) refer patients to and receive referrals from a practising member of any college or a person who is not a practising member.

(3) The Lieutenant Governor in Council may make regulations

- (a) restricting the persons or classes of persons with whom a practising member or class of practising member may practise in association;
- (b) restricting the persons or classes of persons to whom a practising member or class of practising members may refer or receive referrals of patients.

Partnership
restrictions

95(1) A practising member of

- (a) the College of Physicians and Surgeons of the Province of Alberta,
- (b) The Alberta Dental Association and College, or
- (c) The Alberta College of Optometrists

shall not

- (d) provide professional services as a member of a partnership unless each member of the partnership is a practising member of the same college as the practising member, or
- (e) divide, share, split or allocate, either directly or indirectly, any fee for professional services or materials with any person who is not a practising member of the same college as the practising member.

(2) Subsection (1) does not apply

- (a) to a payment by a practising member to an employee made in the regular course of the employment, or
- (b) to a payment of rent under a lease that is calculated on the basis of gross fees.

Physical
therapy
practice
restrictions

96 No practising member who is a physical therapist or who is a shareholder of a corporation that provides physical therapy services shall carry on the practice of physical therapy in contravention of section 6 of Schedule 21.

Practice
arrangements

97 A practising member is responsible, for the purposes of this Act, for how the practising member provides professional services and complies with this Act regardless of the practice arrangements of the practising member and, without restricting the generality of how professional services are provided, this responsibility includes providing professional services as

- (a) a self-employed individual,
- (b) an employee,
- (c) a partner,
- (d) a shareholder,
- (e) a director,
- (f) a corporation other than a professional corporation or a physical therapy corporation,
- (g) a professional corporation or a physical therapy corporation, or
- (h) an employer.

Municipal,
settlement
licence
exemption

98 No municipality or Metis settlement has the power to require

- (a) a practising member to obtain a licence from the municipality or Metis settlement to practise a regulated profession, or
- (b) a professional corporation, a physical therapy corporation, a business corporation or a partnership owned by practising members to obtain a licence from the municipality or Metis settlement to practise a regulated profession.

Advertising

99 A practising member shall not engage in advertising that is untruthful, inaccurate or otherwise capable of misleading or misinforming the public.

Professional Corporations and Physical Therapy Corporations

Definitions

100 In sections 101 to 112,

- (a) “annual permit” means an annual permit issued under section 106 or 107;
- (b) “articles” means articles as defined in the *Business Corporations Act*;
- (c) “podiatrist” means a podiatrist, registered podiatrist, podiatric medical practitioner, and doctor of podiatric medicine;
- (d) “registrar” means the registrar of
 - (i) the College of Physicians and Surgeons of the Province of Alberta;
 - (ii) The Alberta Dental Association and College;
 - (iii) The College of Chiropractors of Alberta;
 - (iv) The Alberta College of Optometrists;
- (e) “Registrar of Corporations” means the Registrar under the *Business Corporations Act*.

Professional
corporation,
physical
therapy
corporation

101(1) A corporation may provide professional services of a practising member of

- (a) the College of Physicians and Surgeons of the Province of Alberta, other than a podiatrist,
- (b) The Alberta Dental Association and College,
- (c) The College of Chiropractors of Alberta, or
- (d) The Alberta College of Optometrists

in its own name only if it is a professional corporation that holds an annual permit under this Act.

(2) A corporation may provide professional services of a practising member of

- (a) the College of Physicians and Surgeons of the Province of Alberta, other than a podiatrist,
- (b) The Alberta Dental Association and College,
- (c) The College of Chiropractors of Alberta, or
- (d) The Alberta College of Optometrists

only if it is a professional corporation that holds an annual permit.

(3) A professional corporation may only provide the professional service of a practising member of

- (a) the College of Physicians and Surgeons of the Province of Alberta, other than a podiatrist,
- (b) The Alberta Dental Association and College,
- (c) The College of Chiropractors of Alberta, or
- (d) The Alberta College of Optometrists.

(4) A corporation, company or society may provide professional services of a practising member of the College of Physical Therapists of Alberta in its own name only if it is a physical therapy corporation that holds an annual permit under this Act.

(5) A physical therapy corporation may only provide the professional service of a practising member of the College of Physical Therapists of Alberta.

- Name **102(1)** The name of a professional corporation must contain only the surnames, or the surnames and any combination of the given names or initials, of one or more practising members who are or were shareholders of the corporation, or whose names appeared in the name of any practice acquired by the corporation, followed by the words "Professional Corporation".
- (2) Subject to subsection (1), if a professional corporation's shareholders consist of one practising member, the name of the professional corporation must contain the surname and at least one given name or initial of the shareholder, followed by the words "Professional Corporation".
- (3) Subject to subsection (4), a professional corporation may provide professional services only under its corporate name.
- (4) A professional corporation may provide professional services in partnership under a partnership name that does not contain the full corporate name of all the partners if the full corporate name of each professional corporation that is a partner is shown on the letterhead of the partnership.
- (5) A physical therapy corporation may provide professional services only under its corporate name or another name approved in accordance with the by-laws of the College of Physical Therapists of Alberta.
- Use of name **103(1)** No person shall provide the professional services of a practising member of
- (a) the College of Physicians and Surgeons of the Province of Alberta,
 - (b) The Alberta Dental Association and College,
 - (c) The College of Chiropractors of Alberta, or
 - (d) The Alberta College of Optometrists,
- within Alberta under any name containing the words "Professional Corporation" or the abbreviation "P.C." unless that person is incorporated or continued as a corporation under the *Business Corporations Act* and the corporation holds an annual permit under this Act, or unless otherwise expressly authorized by statute.
- (2) No person shall provide the professional services of a practising member of the College of Physical Therapists of Alberta under any name containing the word "company", "society", "corporation" or "limited" or the abbreviation "Ltd." unless that

person is incorporated and the company, society or corporation holds an annual permit under this Act, or unless otherwise expressly authorized by statute.

(3) A person who contravenes subsection (1) or (2) is guilty of an offence and liable to a fine not exceeding \$100 for every day on which that name is used.

Liability of
shareholders
and
employees

104(1) Despite anything to the contrary in the *Business Corporations Act* and despite a professional corporation's providing the professional services of a practising member of

- (a) the College of Physicians and Surgeons of the Province of Alberta,
- (b) The Alberta Dental Association and College,
- (c) The College of Chiropractors of Alberta, or
- (d) The Alberta College of Optometrists,

every shareholder of a professional corporation during the time that it holds an annual permit or during the time that it contravenes this Act or a former Act is liable to the same extent and in the same way as if the shareholder were during that time carrying on the business of the professional corporation as a partnership or, if there is only one shareholder, as an individual providing professional services.

(2) Despite anything to the contrary in the *Companies Act*, *Societies Act* and *Business Corporations Act* and despite a physical therapy corporation's providing the professional services of a practising member of the College of Physical Therapists of Alberta every shareholder and member of a physical therapy corporation during the time that it holds an annual permit or during the time that it contravenes this Act or a former Act is liable to the same extent and in the same way as if the shareholder or member were during that time carrying on the business of the physical therapy corporation as a partnership or, if there is only one shareholder or member, as an individual providing professional services.

(3) For the purposes of this Act, the responsibilities and liability of any person in providing professional services are not affected because the professional services are provided by that person as an employee and on behalf of a professional corporation or a physical therapy corporation.

Approval for
professional
corporation

105 The registrar may issue an approval of the articles of a proposed professional corporation for the purposes of section 7(2) of the *Business Corporations Act* to a practising member other than a podiatrist who files an application in the form provided for in the by-laws, submits a copy of the proposed articles and pays all the approval application fees provided for by the by-laws.

Professional
corporation,
physical
therapy
corporation
registered

106(1) A practising member who obtains an approval under section 105 and incorporates the proposed professional corporation under the *Business Corporations Act* may register the professional corporation under this Act, if the practising member

- (a) satisfies the registrar that the individuals who will provide restricted activities on behalf of the professional corporation are practising members of the college,
- (b) satisfies the registrar that the professional corporation is a corporation in good standing with the Registrar of Corporations,
- (c) satisfies the registrar that the professional corporation is not restricted from providing professional services regulated by the college or from carrying out its powers, duties and functions under this Act,
- (d) satisfies the registrar that the name of the corporation meets the requirements of this Act,
- (e) satisfies the registrar that the legal and beneficial ownership of all the issued shares of the professional corporation is vested in one or more practising members of the college and that all of the directors of the corporation are practising members of the college,
- (f) satisfies the registrar that no shareholder of the professional corporation has entered into a voting trust agreement, proxy or any other type of agreement vesting in another person who is not a practising member of the same college the authority to exercise the voting rights attached to any or all of the shareholder's shares, and
- (g) submits the permit application fees provided for in the by-laws.

(2) If a registrar is satisfied that subsection (1) has been complied with, the registrar must register the professional corporation, issue an annual permit to the professional corporation, assign a number to the professional corporation and enter the name of the professional corporation in the record of professional corporations.

(3) The registrar of the College of Physical Therapists of Alberta may issue an annual permit to a physical therapy corporation if a practising member

- (a) submits an application for registration in accordance with the by-laws,
- (b) satisfies the registrar that the corporation, company or society meets the requirements set out in subsection (1)(a) to (d) and (g) with any necessary modifications, and
- (c) satisfies the registrar of the College of Physical Therapists of Alberta that the legal and beneficial ownership of the issued shares, if any, of the physical therapy corporation meet the requirements of Schedule 21 and that no shareholders or members of the physical therapy corporation have entered into an agreement contrary to subsection (1)(f).

(4) If the registrar of the College of Physical Therapists of Alberta is satisfied that subsection (3) has been complied with, the registrar of the College of Physical Therapists of Alberta must issue an annual permit to the physical therapy corporation, assign a number to the physical therapy corporation, and enter the name of the physical therapy corporation on the record of physical therapy corporations.

Annual permit

107(1) An annual permit for a professional corporation and for a physical therapy corporation expires on the date provided for in the by-laws.

(2) If a professional corporation to which a number is assigned under section 106(2) submits

- (a) an application for an annual permit in the form provided for in the by-laws,
- (b) evidence satisfactory to the registrar that the corporation complies with and, while an annual permit was in effect, complied with, section 106(1)(a) to (f),
- (c) the information required by the regulations, and
- (d) the annual permit application fee provided for in the by-laws,

the registrar must issue an annual permit to the professional corporation.

(3) If a physical therapy corporation for which a number is assigned under section 106(4) submits

- (a) an application for an annual permit in the form provided for by the by-laws,
- (b) evidence satisfactory to the registrar that the corporation complies with and while an annual permit was in effect, has complied with section 106(3),
- (c) the information required by the regulations, and
- (d) the annual permit application fee provided for by the by-laws,

the registrar must issue an annual permit to the physical therapy corporation.

(4) If the annual permit of a professional corporation or physical therapy corporation is not issued, the annual permit expires in accordance with subsection (1).

Voting of
shares
restrictions

108(1) No shareholder of a professional corporation shall enter into a voting trust agreement, proxy or any other type of agreement vesting in another person who is not a practising member of the same college the authority to exercise the voting rights attached to any or all of the shareholder's shares.

(2) No shareholder of a physical therapy corporation shall enter into a voting trust agreement, proxy or any other type of agreement vesting in another person who is not a practising member of the College of Physical Therapists of Alberta the authority to exercise the voting rights attached to any or all of the shareholder's shares if to do so would conflict with the requirements of section 6 of Schedule 21.

Change in
organization

109 A professional corporation and a physical therapy corporation must inform the registrar within 15 days in the form provided for in the by-laws of any change in the ownership or directors of the professional corporation or physical therapy corporation or to the name of the professional corporation or physical therapy corporation.

Professional corporations, physical therapy corporations record

110(1) A registrar must keep and maintain a record of professional corporations containing the following information with respect to each professional corporation and the registrar of the College of Physical Therapists of Alberta must keep and maintain a record of physical therapy corporations containing the following information with respect to each physical therapy corporation:

- (a) its name and registered head office address,
- (b) the registration number issued to the professional corporation or physical therapy corporation,
- (c) the date the annual permit was issued, and
- (d) other information required by the regulations.

(2) The public may, during regular office hours, inquire about the information on the record of professional corporations and physical therapy corporations and the college must on request provide the information described in subsection (1)(a) to (c).

Cancellation of p.c., p.t. permit

111(1) Subject to subsection (2), an annual permit of a professional corporation or physical therapy corporation may be cancelled by a registrar or by the registrar of the College of Physical Therapists of Alberta if sections 101 to 110 are not complied with or the professional corporation or physical therapy corporation ceases to be in good standing under the *Business Corporations Act*, *Companies Act* or *Societies Act*.

(2) If a professional corporation ceases to comply with section 106(1)(a) and (d) to (f) only because of

- (a) the death of a practising member, or
- (b) the suspension or cancellation of a practising member

who is a shareholder of the professional corporation, the professional corporation has 90 days from the date of death, suspension or cancellation in which to comply with section 106(1)(a) and (d) to (f), failing which the annual permit issued to the professional corporation is cancelled on the expiration of the 90 days.

(3) If a physical therapy corporation ceases to comply with section 106(1)(a) or (d) only because of

- (a) the death of a practising member, or
- (b) the suspension or cancellation of the registration or practice permit of a practising member

who is a shareholder of the physical therapy corporation, the physical therapy corporation has 90 days from the date of the death, suspension or cancellation in which to comply with section 106(1)(a) and (d), as modified by section 106(3)(b), failing which the annual permit issued to the physical therapy corporation is cancelled on the expiration of the 90 days.

(4) When an annual permit issued to a professional corporation or physical therapy corporation is not applied for, expires or is cancelled the registrar or the Registrar of the College of Physical Therapists of Alberta must record in the record of professional corporations or physical therapy corporations that an annual permit was not applied for or that the annual permit expired or was cancelled.

(5) A registrar or the registrar of the College of Physical Therapists of Alberta shall not remove any information from the record of professional corporations or physical therapy corporations except in accordance with the regulations.

Notification of
cancelled,
expired p.c.,
p.t. permits

112(1) When an annual permit is cancelled, a registrar or the registrar of the College of Physical Therapists of Alberta must notify the Registrar of Corporations and the practising members who are shareholders of the professional corporation or physical therapy corporation.

(2) Thirty days after the date that an annual permit expires, the registrar or the registrar of the College of Physical Therapists of Alberta must notify the Registrar of Corporations that the annual permit has expired.

(3) In addition to the information provided under subsection (1), the registrar and the registrar of the College of Physical Therapists of Alberta may provide information, in accordance with the regulations, on expired and cancelled annual permits.

Regulations, By-laws Restrictions

Regulations,
by-laws
inoperative

113 Subject to regulations under section 124(1)(u) to (y) and by-laws under section 125(1)(h) and (i), a regulation or by-law made by a council is inoperative if it purports to regulate a matter that is regulated under sections 94 to 98, under a regulation under section 94, under sections 100 to 112 or under section 6 of Schedule 21.

PART 6
OTHER MATTERS

Notices and Information

Notification of
conditions,
suspension or
cancellation

114(1) If under Part 2 or Part 4 a practising member's registration or practice permit is suspended or cancelled, the registrar must

- (a) enter the information on the register,
 - (b) provide the information to the investigated person's employer, if any,
 - (c) provide the information to the regional health authority of the health region where the investigated persons normally provides professional service,
 - (d) provide the information to any Minister who, or an organization specified in the regulations that, administers the payment of fees for the professional services that the investigated person provides,
 - (e) provide the information to another college if the registrar knows that the practising member is also a member of that college, and
 - (f) provide the information to the governing bodies of any similar profession in other provinces.
- (2)** If under Part 4 conditions are imposed on a practising member's or student member's practice, the registrar may, subject to the regulations, publish or distribute the information.

Notices

115(1) A notice to attend and a notice to produce must include the date, time and place.

(2) The person who gives a notice to attend or a notice to produce may at any time amend the notice to correct errors or omissions of a minor or clerical nature.

Record
retention

116 A college must, for at least 10 years, keep

- (a) complaint resolution records and a copy of ratified settlements and admissions of unprofessional conduct,
- (b) records of investigations and hearings, and
- (c) records of registration applications and reviews.

Giving notice

117 When this Act, the regulations or the by-laws require that a document or notice be given to any person, the document or notice is sufficiently given if it is personally given to that person or sent to that person by registered mail at that person's address last shown on the register or record of the registrar or, if that is not reasonably possible, then by publishing the document at least twice, and not more than a week apart, in a local newspaper circulating at or near the address last shown for that person in the records of the college.

Additional
information

118 A registrar must, on the request of the Minister, require practising members and student members to provide the registrar with information related to their demographic status and their practice of the regulated profession, and the registrar must compile the information and release it in the form and to the persons directed by the Minister for the purpose of health workforce planning, policy development and related research, but the following shall not be included in the information:

- (a) the name of any practising member or student member to whom the information relates;
- (b) any information that would enable a person to identify the name of a practising member or student member to whom the information relates.

Evidence

Evidence of
registration

119(1) A certificate purporting to be signed by the registrar that states that a named person or corporation was or was not, on a specified day or during a specified period, a practising member including the category of practising member or student member or a professional corporation or physical therapy corporation according to the records of the college under this Act or a former Act, is admissible in evidence as prima facie proof of those facts without proof of the registrar's appointment or signature.

(2) When proof of registration under this Act or a former Act is required,

- (a) a printed copy of the register or record of professional corporations or physical therapy corporations, or
- (b) an extract from the register or record of professional corporations, certified by the registrar,

is admissible in evidence instead of the original register.

(3) A certificate purporting to be signed by a person in that person's capacity as registrar and bearing the seal of the college is admissible in evidence as prima facie proof of the facts stated in the certificate without proof of the signature of the registrar or the registrar's appointment.

(4) When

- (a) proof that a person is registered under this Act and is not under suspension is required to validate a witness's evidence, and
- (b) a copy of the register or extract from the register certified by the registrar is not available and the production of the original register is not feasible without prejudicial delay to the case or the parties interested,

the evidence of the person under oath claiming to be a practising member and not under suspension is admissible in evidence as prima facie proof of those facts.

Burden of
proof

120 In a prosecution under this Act, the burden of proving

- (a) that a person is a registered member or a practice permit holder and the category of registration, or
- (b) a corporation, company or society is a professional corporation or a physical therapy corporation and holds an annual permit

is on the accused.

Records,
evidence not
admissible

121 Despite any other Act or law except the *Ombudsman Act*,

- (a) a college,
- (b) a person who is or was an officer of a college,
- (c) a person who is or was engaged by a college, or
- (d) a person who is or was a member of a council or a committee of a college

shall not be required in any proceedings to give evidence relating to any matter that arose in any proceedings under this Act or the by-laws, or to produce any record or thing adduced in evidence in proceedings under this Act or the by-laws or forming part of the records of the college that relate to the conduct of a practising member or former practising member or that relate to any matter

that arose in a practice visit or that forms part of a practice visit, except in

- (e) proceedings under this Act, or
- (f) a prosecution with respect to perjury or the giving of contradictory evidence.

Liability

Protection
from liability

122(1) A member of a council, registration committee, competence committee, hearing tribunal or complaint review committee and a registrar, president, complaints director, hearings director, investigator or person appointed under section 11(3), a person who prepares an expert report, a representative of the college who participates in a complaint resolution process or a person conducting a complaint resolution process is not liable for loss or damage caused by anything said or done or omitted to be done, in good faith, while carrying out powers, duties and functions under this Act.

(2) No action lies against a college, a member of a council, registration committee, competence committee, hearing tribunal or complaint review committee or a registrar, president, complaints director, hearings director, investigator or person appointed under section 11(3), a person who prepares an expert report, a representative of the college who participates in a complaint resolution process or a person conducting a complaint resolution process in respect of anything done by any of them in good faith pursuant to this Act.

(3) No action for defamation may be founded on a communication regarding a practising member if the communication is published in good faith pursuant to and in accordance with this Act.

Ombudsman

Complaints to
Ombudsman

123(1) Any person may make a complaint in accordance with the *Ombudsman Act*.

(2) A college, the council, committee of a college and any officer, investigator or person engaged by a college may, on the recommendation of the Ombudsman, rehear any matter and reconsider any decision or recommendation made by the college, council, committee, officer, investigator or person engaged by the college and quash, confirm or vary the decision or recommendation or any part of it.

(3) If a matter is reheard or reconsidered pursuant to subsection (2), the provisions of this Act governing the original hearing or consideration apply to the rehearing or reconsideration, with all necessary modifications.

Regulations and By-laws

Council
regulations

124(1) A council may make regulations

- (a) subject to meeting the requirements under this Act for public members, respecting who or which committee may carry out powers and duties, except the power to make regulations or by-laws, on behalf of the council, president, registrar, complaints director, hearings director, hearing tribunal, registration committee or competence committee and under what circumstances;
- (b) respecting requirements for registration and applications for practice permits;
- (c) respecting the evaluation of and who or what may evaluate the education, training, experience, practice and competence required of applicants for registration as practising members and student members and of applicants for practice permits;
- (d) respecting which restricted activities a practising member or student member or categories of practising members or student members may provide and conditions respecting the provision of restricted activities;
- (e) respecting conditions on registration and practice permits;
- (f) establishing and respecting continuing competence programs;
- (g) establishing and respecting practice visits as part of a continuing competence program and respecting specified actions under section 47(5)(b)(ii);
- (h) making student members subject to Part 4;
- (i) respecting applications for reinstatement of registration and practice permits;
- (j) respecting registration and establishing registers for and the registration of one or more categories of practising members and student members;

- (k) respecting the terms and conditions of membership and practice applicable to categories provided for under clause (j) and abbreviations and titles, within the meaning of the Schedules to this Act, authorized for use by a practising member, student or a category of practising members or student members;
- (l) respecting the use of and authorizing the use of, the title “doctor” and the abbreviation “Dr.”;
- (m) respecting the entry of information in registers of practising members and of student members and removal of that information;
- (n) respecting the publication and distribution of information described in sections 57(6) and 114(2);
- (o) respecting information to be provided to the registrar by practising members and student members on their demographic status and their practice of the regulated profession;
- (p) requiring practising members and student members
 - (i) to carry professional liability insurance and governing the minimum coverage and type of insurance required to be carried;
 - (ii) to provide evidence of being Canadian citizens or lawfully permitted to work or study in Canada;
 - (iii) to provide evidence respecting standards of language proficiency;
- (q) respecting complaint resolution processes and the rules for when a complaint resolution process may be undertaken;
- (r) respecting advertising by practising members in connection with their practices;
- (s) establishing a code of ethics and standards of practice for professional services and of competence;
- (t) respecting the approval of by-laws;
- (u) respecting the entry of information in a record of professional corporations and physical therapy corporations and the removal of that information;
- (v) respecting information to be submitted by professional corporations and physical therapy corporations;

- (w) respecting the providing of information on expired and cancelled annual permits of professional corporations and physical therapy corporations;
 - (x) respecting registration and annual permits of professional corporations and physical therapy corporations;
 - (y) establishing and respecting the record of professional corporations and physical therapy corporations.
- (2) If a code, standard or body of rules relating to a code of ethics or standards of practice with respect to professional services or of competence has been published by a college or organization or other person and copies are readily available, the council may in addition to or instead of a regulation under subsection (1)(s) by regulation declare the code, standard or body of rules to be in force in whole or in part or with any variations that the council specifies.
- (3) A regulation under this section does not come into force unless it has been approved by the Lieutenant Governor in Council.

By-laws

125(1) A council may make by-laws

- (a) respecting the government of the college and the management and conduct of its affairs;
- (b) respecting the number and selection of the voting and non-voting members of council;
- (c) respecting the calling and conduct of meetings;
- (d) establishing categories of membership and qualification requirements of persons to be registered under section 31(1)(b);
- (e) respecting applying for and the privileges and obligations of members other than practising members and student members;
- (f) establishing and respecting registers for, and the registration of, members other than practising members and student members and the entry of information and removal of information from those registers;
- (g) establishing the date by which practising members and student members are to apply for practice permits;
- (h) respecting the date on which an annual permit of a professional corporation and a physical therapy corporation expires;

- (i) respecting approval of the names of physical therapy corporations;
- (j) respecting benefits programs and educational incentives;
- (k) respecting forms and notices and establishing fees, levies and assessments to be paid by members and applicants for registration;
- (l) subject to an approval under section 25, respecting setting and negotiating professional fees and guidelines on professional fees.

(2) The *Regulations Act* does not apply to by-laws under this section.

Expenses
regulations

126 The Lieutenant Governor in Council may make regulations respecting the expenses for the purposes of sections 78(1)(l) and 86(6).

Transitional
regulations

127(1) The Lieutenant Governor in Council may make regulations

- (a) respecting the conversion to this Act of anything from a former Act;
- (b) to deal with any difficulty or impossibility resulting from the transition to this Act from a former Act.

(2) A regulation made under subsection (1) is repealed on the earliest of

- (a) the coming into force of an amendment that adds the matter to this Act;
- (b) the coming into force of a regulation that repeals the regulation made under subsection (1);
- (c) 2 years after the regulation comes into force.

(3) The repeal of a regulation under subsection (2)(b) or (c) does not affect anything done, incurred or acquired under the authority of the regulation before the repeal of the regulation.

PART 7

TITLE PROTECTION

Protected
words,
abbreviations

128(1) No person or group of persons shall

- (a) represent or imply that the person or the group of persons is or consists of practising members or student members,
- (b) use the name of a college, alone or in combination with other words, in a manner that states or implies that the person or group of persons is a college or its agent,
- (c) use any name, title, description, suffix, prefix or abbreviation in a manner that states or implies that the person or group of persons is or consists of practising members or student members, or
- (d) use the word “registered” in connection with the name of a regulated profession or professional service,

unless the person or group of persons is a college or an agent of a college or is or consists of practising members or student members of the relevant college.

(2) No person shall contravene section 2 of a Schedule to this Act.

(3) No corporation shall use the name of a college, alone or in combination with other words, in a manner that states or implies that the corporation is a college under this Act or its agent unless the corporation is a college under this Act or its agent.

(4) No person shall use the title “doctor” or the abbreviation “Dr.” in connection with a health service unless the person is authorized to do so in accordance with this Act.

(5) No person or group of persons shall use the word “registered” in connection with a health service unless the person or group of persons are practising members or student members.

Penalty

129 A person who contravenes section 128 is guilty of an offence and liable

- (a) for a first offence, to a fine of not more than \$2000,
- (b) for a 2nd offence, to a fine of not more than \$4000,
- (c) for a 3rd and every subsequent offence, to a fine of not more than \$6000 or to imprisonment for a term of not more than 6 months or to both a fine and imprisonment.

Injunction **130** The Court of Queen’s Bench, on application by a college by way of originating notice, may grant an injunction enjoining any person from doing any act that contravenes section 128, despite any penalty that may be provided by section 129 in respect of that contravention.

PART 8

CONSEQUENTIAL AMENDMENTS, REPEALS AND COMING INTO FORCE

Consequential Amendments

Amends SA
1981 cB-15 **131** The *Business Corporations Act* is amended in section 7(2) by striking out “the approval” and substituting “an approval that is less than 2 years old”.

Amends SA
1994 cG-8.5 **132** The *Government Organization Act* is amended by adding the following after Schedule 7:

SCHEDULE 7.1

HEALTH SERVICE RESTRICTED ACTIVITIES

Definitions **1** In this Schedule,

- (a) “activity of daily living” means an activity that individuals normally perform on their own behalf to maintain their health and well-being and includes
 - (i) routine and invasive self-care activities, including but not restricted to the removal of slivers and the cleaning of wounds, and
 - (ii) specifically taught procedures, which generally result in predictable and stable responses, including but not restricted to catheterization, maintenance of drainage tubes and administration of drugs by injection;
- (b) “compound” means to apply pharmaceutical knowledge for the purpose of mixing together 2 or more ingredients of which at least one is a drug, but does not include reconstituting or mixing a drug for administration to a person;

- (c) “dispense” means, except in section 2(1)(h) and (r), to provide a drug pursuant to a prescription but does not include administration of a drug to a person;
- (d) “drug” means drug as defined in the *Drug and Pharmacy Act*;
- (e) “health service” means a service provided to people
 - (i) to protect, promote or maintain their health,
 - (ii) to prevent illness,
 - (iii) to diagnose, treat or rehabilitate them, or
 - (iv) to take care of the ill, disabled, injured or dying;
- (f) “Minister” means the Minister responsible for the *Health Professions Act*;
- (g) “restricted activity” means an activity named as a restricted activity in section 2;
- (h) “sale” or “sell” includes exchange, barter, supplying and distributing;
- (i) “surrogate” means a person authorized by an individual or by the individual’s guardian to assist the individual in carrying on an activity of daily living.

**Restricted
activities**

2(1) The following, carried out in relation to or as part of providing a health service, are restricted activities:

- (a) to cut a body tissue, to administer anything by an invasive procedure on body tissue, or to perform surgical or other invasive procedures on body tissue,
 - (i) below the dermis or the mucous membrane, or in or below the surface of the cornea;
 - (ii) in or below the surface of teeth, including scaling of teeth;
- (b) to insert or remove instruments, devices, fingers or hand
 - (i) beyond the external ear canal,

- (ii) beyond the point in the nasal passages where they normally narrow,
- (iii) beyond the pharynx,
- (iv) beyond the opening of the urethra,
- (v) beyond the labia majora,
- (vi) beyond the anal verge, or
- (vii) into an artificial opening into the body;
- (c) to set a fracture of a bone or to fracture a bone;
- (d) to reduce a dislocation of a joint except for a partial dislocation of the joints of the fingers and toes;
- (e) to use a deliberate, brief, fast thrust to move the joints of the spine beyond the normal range but within the anatomical range of motion, which generally results in an audible click or pop;
- (f) to prescribe or compound a category 1 drug within the meaning of the Drug and Pharmacy Act;
- (g) to dispense, compound, provide for sale or sell a category 1 drug or category 2 drug within the meaning of the Drug and Pharmacy Act;
- (h) to prescribe, dispense, compound or administer a vaccine or total parenteral nutrition;
- (i) to prescribe, compound or administer blood or blood products;
- (j) to prescribe or administer diagnostic imaging contrast agents;
- (k) to prescribe or administer anaesthetic gases, including nitrous oxide, for the purposes of anaesthesia or sedation;
- (l) to prescribe or administer radiopharmaceuticals, radiolabelled substances, radioactive gases or radioaerosols;
- (m) to order or apply any form of ionizing radiation in
 - (i) medical radiography,

- (ii) nuclear medicine, or
- (iii) radiation therapy;
- (n) to order or apply non-ionizing radiation in
 - (i) lithotripsy,
 - (ii) magnetic resonance imaging, or
 - (iii) ultrasound imaging, including any application of ultrasound to a fetus;
- (o) to prescribe or fit
 - (i) an orthodontic or periodontal appliance, or
 - (ii) a fixed or removable partial denture;
- (p) to perform a psychosocial intervention with an expectation of treating a substantial disorder of thought, mood, perception, orientation or memory that grossly impairs
 - (i) judgment,
 - (ii) behaviour,
 - (iii) capacity to recognize reality, or
 - (iv) ability to meet the ordinary demands of life;
- (q) to manage labour or deliver a baby;
- (r) to prescribe or dispense corrective lenses.

(2) Despite subsection (1), the following are not restricted activities:

- (a) activities of daily living, whether performed by the individual or by a surrogate on the individual's behalf,
- (b) giving information and providing advice with the intent of enhancing personal development, providing emotional support or promoting spiritual growth of individuals, couples, families and groups, and
- (c) drawing venous blood.

Regulations	<p>3 The Minister may make regulations authorizing a person or a class of persons other than a practising member, class of practising members or student members under the Health Professions Act, to provide one or more restricted activities subject to any conditions included in the regulations.</p>
Offence	<p>4(1) No person shall provide a restricted activity to or for another person unless the person providing the restricted activity is authorized to do so</p> <p>(a) by the regulations under the Health Professions Act,</p> <p>(b) by a regulation under section 3, or</p> <p>(c) by another enactment.</p> <p>(2) Despite subsection (1), a person may provide a restricted activity to another person who is ill, injured or unconscious as a result of an accident or other emergency if no person who is authorized under subsection (1) is available to provide the restricted activity.</p> <p>(3) Subject to section 5, a transfer of an authorization to provide a restricted activity or a delegation of an authorization to provide a restricted activity is void.</p>
Offence	<p>5(1) No person shall purport to transfer or delegate or purport to transfer a delegation of, an authorization to provide a restricted activity unless the person is authorized in accordance with section 4(1) to provide the restricted activity and the transferee or delegatee of the authorization provides the restricted activity under the direction of that person.</p> <p>(2) Despite subsection (1), a person may provide a restricted activity under the direct on-site supervision of, and under the authorization of, a person authorized by subsection (1) to provide the restricted activity.</p>
Offence	<p>6 No person shall require another person to provide a restricted activity if that other person is not authorized in accordance with section 4(1) to provide that restricted activity.</p>
Penalty	<p>7 A person who contravenes section 4, 5 or 6 is guilty of an offence and is liable</p> <p>(a) for a first offence, to a fine of not more than \$2000,</p> <p>(b) for a 2nd offence, to a fine of not more than \$4000, and</p>

- (c) for a 3rd and every subsequent offence, to a fine of not more than \$6000 or to imprisonment for a term of not more than 6 months or to both a fine and imprisonment.

Injunction

8 The Court of Queen's Bench, on application by a person authorized by the Minister by way of originating notice, may grant an injunction enjoining any person from doing any act that contravenes section 4, 5 or 6 despite any penalty that may be provided by section 7 in respect of that contravention.

Amends RSA
1980 cO-7

133 The Ombudsman Act is amended

(a) in section 1

(i) by adding the following after clause (a):

- (a.1) "college" means college as defined in the *Health Professions Act*;

(ii) by adding the following after clause (c):

- (c.1) "registrar" means registrar as defined in the *Health Professions Act*;

(b) in section 11

(i) by adding the following after subsection (1):

(1.1) In addition to the Ombudsman's functions and duties under this Act, with respect to the *Health Professions Act*, it is the function and duty of the Ombudsman to investigate any decision or recommendation made, or any act done or omitted to be done, by a college, or by a council, committee or officer of a college or by an investigator or other person engaged by a college, in the exercise of any power or function conferred on the college, council, committee, officer or person under Parts 2, 3 and 4 of the *Health Professions Act* and sections 114(1) and 117 of that Act as those sections relate to Parts 2, 3 and 4 of that Act, that

- (a) relates to a matter of administration, and
- (b) personally affects any person or body of persons,

but it is not a function or duty of the Ombudsman to investigate the provision of professional services by a practising member or student member as defined in the *Health Professions Act*.

- (ii) **in subsections (2), (3) and (5) by adding “or (1.1)” after “subsection (1)”.**

(c) in section 15

- (i) **in subsection (1) by striking out “department or the administrative head of the agency” and substituting “department, administrative head of the agency or registrar of the college”;**
- (ii) **in subsections (2) and (3) by adding “or registrar” after “Minister” wherever it occurs;**
- (iii) **in subsection (4) by striking out “or agency, he shall refer the matter to the deputy minister of the department or the administrative head of the agency” and substituting “, agency or college, the Ombudsman must refer the matter to the deputy minister of the department, administrative head of the agency or registrar of the college”;**

(d) in section 17

- (i) **in subsection (1) by striking out “department or agency” wherever it occurs and substituting “department, agency or college”;**
- (ii) **in subsection (2) by striking out “department or the administrative head of the agency, the Ombudsman shall return the document, paper or thing to the department or agency” and substituting “department, administrative head of the agency or registrar of the college or the person who produced the document, paper or thing, the Ombudsman must return the document, paper or thing to the department, agency or college or to that person”;**
- (iii) **in subsection (3)(a) by striking out “department or agency” and substituting “department, agency or college”;**

(e) in section 20

- (i) **in subsection (3)**

(A) by striking out “concerned,” and substituting “concerned or to the registrar of the appropriate college,”;

(B) by striking out “department or agency to notify” and substituting “department, agency or college to notify”;

(ii) by adding the following after subsection (3):

(3.1) If within a reasonable time after the report is made under subsection (3) to the registrar of the appropriate college no action is taken that seems to the Ombudsman to be adequate and appropriate, the Ombudsman may, after considering the comments, if any made by or on behalf of the college send a copy of the report to the appropriate Minister.

(iii) in subsection (4)

(A) by adding “to the Minister and department or agency or to the appropriate college under subsection (3) and to the appropriate Minister under subsection (3.1)” after “report is made”;

(B) by striking out “the department or agency” and substituting “the department, agency or college”;

(iv) in subsection (5) by striking out “department or agency” and substituting “department, agency or college”;

(f) in section 21(1) by striking out “20(3)” and substituting “20(3) or (3.1)”;

(g) in section 25

(i) in subsection (1) by striking out “department or agency” and substituting “department, agency or college”;

(ii) in subsection (2) by adding “or the registrar of the college” after “agency”;

(h) in section 27

(i) in subsection (2) by striking out “or department or agency” and substituting “, department, agency or college,”;

(ii) in subsection (3)

(A) by striking out “or” at the end of clause (b) and adding the following after clause (b):

(b.1) any college, council, committee or officer of a college or any investigator or other person engaged by a college, or

(B) by adding “college, council, committee or officer of a college or any investigator or other person engaged by a college” after “that department, agency,”.

Consequential
amendments

134(1) In the following provisions “*Chiropractic Profession Act*” is struck out and “chiropractic profession under the *Health Professions Act*” is substituted:

Act	Section
Companies Act	16(2), (3)
Licensing of Trades and Businesses Act	2(b)

(2) In the following provisions “registered member, registered practitioner or professional corporation under the *Chiropractic Profession Act*” is struck out and “practising member of, or professional corporation of, the chiropractic profession under the *Health Professions Act*” is substituted:

Act	Section
Alberta Health Care Insurance Act	1(e)(i)
Limitation of Actions Act	55(c)

(3) Section 13(8)(d) of the *Alberta Health Care Insurance Act* is repealed and the following is substituted:

(d) the council or a hearing tribunal of The College of Chiropractors of Alberta under the *Health Professions Act*,

Consequential
amendments

135 Section 2(b) of the *Licensing of Trades and Businesses Act* is amended

- (a) by striking out “*Pharmaceutical Profession Act*,”;**
- (b) by striking out “*Chiropractic Profession Act*,”;**
- (c) by striking out “*Dental Profession Act*,”;**
- (d) by striking out “*Medical Profession Act*,”;**

- (e) by striking out “*Optometry Profession Act*,”;
- (f) by striking out “*Nursing Profession Act*,”;
- (g) by adding “*Health Professions Act*” after “*Veterinary Profession Act*,”.

Consequential amendment **136** Section 17(6)(m)(ii) of the *Mental Health Act* is amended by striking out “section 49 of the *Medical Profession Act* or section 72 of the *Nursing Profession Act*” and substituting “sections 70 and 74 of the *Health Professions Act*”.

Consequential amendment **137** Section 21 of the *Public Health Act* is amended by striking out “Notwithstanding the *Medical Profession Act* and the *Pharmaceutical Profession Act*, a” and substituting “A”.

Consequential amendment **138** Section 1(1)(u) of the *Workers’ Compensation Act* is amended by striking out “licensed” and substituting “licensed or authorized under the *Health Professions Act*”.

Consequential amendment **139(1)** In the following provisions “registered member, registered practitioner or professional corporation under the *Chiropractic Profession Act*” is struck out and “practising member or professional corporation of the chiropractic profession under the *Health Professions Act*” is substituted:

Act	Section
Alberta Health Care Insurance Act	1(e)(i)
Limitation of Actions Act	55(c)

(2) Section 16(2) and (3) of the *Companies Act* are amended by striking out “, *Optometry Profession Act* or *Chiropractic Profession Act*” and substituting “or *Optometry Profession Act*”.

Consequential amendments **140** The *Alberta Health Care Insurance Act* is amended

(a) in section 1

(i) by repealing clause (g) and adding the following after clause (h):

(h.1) “denturist” means,

(i) with reference to goods and services provided in Alberta, a person who is a

practising member of the denturists profession under the *Health Professions Act*, and

- (ii) with reference to goods and services provided in a place outside Alberta, a person lawfully entitled to practise denture construction in that place;

(ii) in clause (x) by striking out “dental mechanic” and substituting “denturist”;

(b) by repealing section 8(4)(f) and substituting the following:

- (f) the council of the College of Alberta Denturists, when the practitioner concerned is a denturist;

(c) by repealing section 13(8)(f) and substituting the following:

- (f) the council or a hearing tribunal of the College of Alberta Denturists,

Consequential
amendments

141(1) The *Alberta Health Care Insurance Act* is amended

(a) in section 1(h)(i) by striking out “a person registered as a member of The Alberta Dental Association” and substituting “a practising member of the dental profession under the *Health Professions Act*”;

(b) in sections 5.2(2)(b) and 8(4)(b) by adding “and College” after “Association”;

(c) by repealing section 13(8)(b) and substituting the following:

- (b) the council or a hearing tribunal of The Alberta Dental Association and College,

(2) Section 16(2) and (3) of the *Companies Act* are amended by striking out “*Dental Profession Act*,”.

(3) Section 55(b) of the *Limitation of Actions Act* is repealed and the following is substituted:

- (b) a practising member of the dental profession under the *Health Professions Act*,

(4) Section 17(6)(n) of the *Mental Health Act* is repealed and the following is substituted:

(n) to a person conducting an investigation, a hearing tribunal or the council of the dental profession under the *Health Professions Act* if

(i) an officer of The Alberta Dental Association and College makes a written request for it and the disclosure is consented to by the patient or the patient's legal representative, or

(ii) the disclosure is made in compliance with a notice under sections 70 and 74 of the *Health Professions Act* to attend as a witness or to produce documents,

(5) Section 78(4)(b)(ii) of the *Public Health Act* is repealed and the following is substituted:

(ii) a practising member of the dental profession under the *Health Professions Act*, or

Consequential
amendments

142(1) In the following provisions "*Medical Profession Act*" is struck out and "*Health Professions Act*" is substituted:

Act	Section
Alberta Health Care Insurance Act	1(u)(i), 5.7(1), 5.7(2)
Cancer Programs Act	12(5)(d)
Fatality Inquiries Act	8(2)
Hospitals Act	1(1)(o.1)

(2) Section 13(8)(a) of the *Alberta Health Care Insurance Act* is repealed and the following is substituted:

(a) the council or a hearing committee of the College,

(3) The *Companies Act* is amended

(a) in section 15(4)

(i) by adding "or" at the end of clause (a);

(ii) in clause (c) by striking out "Alberta, or" and substituting "Alberta";

(iii) by repealing clause (d);

(iv) by striking out ", *Legal Profession Act* or *Medical Profession Act*" and substituting "or *Legal Profession Act*";

(b) in section 16(2) and (3) by striking out “*Medical Profession Act*,”;

(c) in section 16(5)

(i) by striking out “, *Legal Profession Act* or *Medical Profession Act*” and substituting “or *Legal Profession Act*”;

(ii) by striking out “, section 116(1) of the *Legal Profession Act* or section 67(1) of the *Medical Profession Act*” and substituting “or section 116(1) of the *Legal Profession Act*”.

(4) Section 1(n) of the *Dependent Adults Act* is amended by striking out “registered as a medical practitioner under the *Medical Profession Act*” and substituting “who is a practising member of the College of Physicians and Surgeons of the Province of Alberta other than a podiatrist”.

(5) Section 1(a) of the *Emergency Medical Aid Act* is amended by striking out “registered as a medical practitioner under the *Medical Profession Act*” and substituting “a practising member of the College of Physicians and Surgeons of the Province of Alberta other than a podiatrist”.

(6) Section 25(1)(p.1) of the *Interpretation Act* is amended by striking out “registered under the *Medical Profession Act* as a medical practitioner” and substituting “a practising member of the College of Physicians and Surgeons of the Province of Alberta other than a podiatrist”.

(7) Section 55 of the *Limitation of Actions Act* is amended

(a) by repealing clause (a) and substituting the following:

(a) a practising member of the College of Physicians and Surgeons of the Province of Alberta,

(b) by adding “or” at the end of clause (c) and repealing clause (e).

(8) The *Mental Health Act* is amended

(a) in section 1(j)

(i) by striking out “*Medical Profession Act*” and substituting “*Health Professions Act*”;

(ii) by striking out “Alberta” and substituting “the Province of Alberta”;

(b) in section 17(6)(m)

(i) by striking out “of the College of Physicians and Surgeons or an investigating committee under the *Medical Profession Act*” **and substituting** “or hearing tribunal of the College of Physicians and Surgeons of the Province of Alberta”;

(ii) in subclause (i) by adding “of Physicians and Surgeons of the Province of Alberta” **after** “College”.

(9) Section 78(4)(b)(i) of the *Public Health Act* is repealed and the following is substituted:

(i) a practising member of the College of Physicians and Surgeons of the Province of Alberta other than a podiatrist,

Consequential
amendments

143(1) In the following provisions “*Nursing Profession Act*” is struck out and “*Health Professions Act*” is substituted:

Act	Section
Lloydminster Hospital Act	10(3)
Students Finance Act	9(1)(d)

(2) Section 13(8)(h) of the *Alberta Health Care Insurance Act* is repealed and the following is substituted:

(h) the council or a hearing tribunal of the Alberta Association and College of Registered Nurses.

(3) Section 1(c) of the *Emergency Medical Aid Act* is amended by striking out “under the *Nursing Profession Act*” and substituting “within the meaning of the *Health Professions Act*”.

(4) Sections 26(b) and 33(1)(d) of the *Hospitals Act* are amended by adding “and College” after “Alberta Association”.

(5) Section 17(6)(m) of the *Mental Health Act* is amended

(a) by striking out “Appeals Committee under the *Nursing Profession Act*” **and substituting** “council of the Alberta Association and College of Registered Nurses”;

(b) in subclause (i) by striking out “Association” **and substituting** “Association and College”.

(6) Section 1(v.2) of the *Public Health Act* is amended by striking out “as defined in the *Nursing Profession Act*” and substituting “within the meaning of the *Health Professions Act*”.

Consequential
amendments

144(1) The *Alberta Health Care Insurance Act* is amended by this section.

(2) Section 1(p)(i) is amended

(a) by striking out “Alberta Opticians Association” and substituting “College of Opticians of Alberta”;

(b) by striking out “*Opticians Act*” and substituting “*Health Professions Act*”.

(3) Section 8(4)(g) is amended by striking out “Alberta Opticians Association” and substituting “College of Opticians of Alberta”.

(4) Section 13(8)(g) is repealed and the following is substituted:

(g) the council or a hearing tribunal of the College of Opticians of Alberta,

Consequential
amendments

145(1) The *Alberta Health Care Insurance Act* is amended

(a) in section 1(s)(i) by striking out “registered under the *Optometry Profession Act* as an authorized entity” and substituting “who is a practising member of the optometry profession under the *Health Professions Act*”;

(b) by repealing section 8(4)(c) and substituting the following:

(c) the council of The Alberta College of Optometrists;

(c) by repealing section 13(8)(c) and substituting the following:

(c) the council or a hearing tribunal of The Alberta College of Optometrists,

(2) Section 16(2) and (3) of the *Companies Act* are amended by striking out “, *Optometry Profession Act*”.

(3) Section 55(f) of the *Limitation of Actions Act* is repealed and the following is substituted:

- (f) a practising member of the optometry profession under the *Health Professions Act*,

Consequential
amendments

146(1) Section 31 of the *Agrologists Act* is amended by striking out “Pharmaceutical Association under the *Pharmaceutical Profession Act*” and substituting “College of Pharmacists under the *Health Professions Act*”.

(2) Section 13(8.1) of the *Alberta Health Care Insurance Act* is repealed and the following is substituted:

(8.1) The Minister or a person authorized by the Minister may disclose information obtained under the Blue Cross agreement to the council or complaints director of the Alberta College of Pharmacists for that organization’s use in investigating a complaint against a member of that organization or in disciplinary hearings involving that member if

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

(3) Section 26(b) of the *Hospitals Act* is amended by striking out “Pharmaceutical Association” and substituting “College of Pharmacists”.

(4) Section 9 of the *Livestock Diseases Act* is amended by striking out “which (notwithstanding the *Pharmaceutical Profession Act*) persons other than pharmacists or registered practitioners under the *Pharmaceutical Profession Act* or” and substituting “which, notwithstanding the *Drug and Pharmacy Act*, persons other than practising members under the *Health Professions Act* or”.

Consequential
amendments

147 Section 13(8)(g.1) of the *Alberta Health Care Insurance Act* is repealed and the following is substituted:

- (g.1) the council or a hearing tribunal of the College of Physical Therapists of Alberta, or

Consequential
amendments

148(1) The *Alberta Health Care Insurance Act* is amended

- (a) in section 1(w)(i) by striking out “Alberta Podiatry Association and lawfully entitled to practise” and**

substituting “College of Physicians and Surgeons of the Province of Alberta and lawfully entitled to practise podiatry”;

(b) in section 8(4)(e) by striking out “Council of Management of the Alberta Podiatry Association” **and substituting** “council of the College of Physicians and Surgeons of the Province of Alberta”;

(c) by repealing section 13(8)(e).

(2) Part 3 of the Schedule to the *Conflicts of Interest Act* is amended by striking out “Board of Examiners in Podiatry”.

Consequential
amendments

149(1) Section 91(2)(c) of the *Child Welfare Act* is amended by striking out “certified psychologist” **and substituting** “a practising member of the College of Alberta Psychologists”.

(2) Section 1(o) of the *Dependent Adults Act* is amended by striking out “registered under the *Psychology Profession Act*” **and substituting** “who is a practising member of the psychology profession under the *Health Professions Act*”.

(3) Section 17(2) of the *Freedom of Information and Protection of Privacy Act* is amended by striking out “chartered psychologist” **and substituting** “practising member of the College of Alberta Psychologists”.

(4) Section 17(6)(q) of the *Mental Health Act* is repealed and the following is substituted:

- (q) to an investigator or a hearing tribunal of the psychology profession under the *Health Professions Act* if
 - (i) an officer of the College of Alberta Psychologists makes a written request for it and the disclosure is consented to by the patient or the patient’s legal representative, or
 - (ii) the disclosure is made in compliance with a notice under sections 70 and 74 of the *Health Professions Act* to attend as a witness or to produce documents.

Consequential
amendments

150 Section 91(2)(c) of the *Child Welfare Act* is amended by striking out “registered social worker” **and substituting** “a practising member of the Alberta College of Social Workers”.

Consequential
amendments

151(1) Section 13(4) of the *Alberta Health Care Insurance Act* is amended

(a) in clause (i) by striking out “of the *Health Disciplines Act*” and substituting “of the *Health Disciplines Act*, or”;

(b) by adding the following after clause (i):

(j) to a hearings director of a College under the *Health Professions Act*, if the information is furnished in compliance with a notice under section 74 of the *Health Professions Act*.

(c) by repealing clause (i).

(2) Section 20 of the *Apprenticeship and Industry Training Act* is amended by striking out “health discipline designated or eligible to be designated under the *Health Disciplines Act*” and substituting “profession regulated or eligible to be regulated under the *Health Professions Act*”.

(3) The *Emergency Medical Aid Act* is amended

(a) by repealing section 1(b) and substituting the following:

(b) “paramedic” means an emergency medical technologist, an emergency medical technician or an emergency medical responder within the meaning of the *Health Professions Act*;

(b) in section 2 by striking out “registered health discipline member” wherever it occurs and substituting “paramedic”.

(4) Section 17(6) of the *Mental Health Act* is amended

(a) in clause (p) by striking out “Act, and” and substituting “Act,”;

(b) by adding the following after clause (p):

(p.1) to a hearings director of a College under the *Health Professions Act* if the disclosure is made in compliance with a notice under section 74 of the *Health Professions Act*, and

(c) by repealing clause (p).

(5) Section 5(a) of the *Professional and Occupational Associations Registration Act* is repealed and the following is substituted:

- (a) a profession regulated or eligible to be regulated under the *Health Professions Act*, or

(6) Section 16(1) of the *Radiation Protection Act* is amended

- (a) in clause (b) by striking out “practise the discipline” and substituting “practise the discipline, and”;**

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

- (c) if he believes that the condition involves the conduct of a worker who is a practising member of a College under the *Health Professions Act*, report that conduct to the complaints director of that College if he believes that the conduct is unbecoming conduct, conduct that displays a lack of skill or judgment in the practice of that profession or conduct indicating that the worker is unfit to practise.

- (c) by repealing clause (b).**

Repeals

Repeals

152 The following are repealed on Proclamation:

- (a) *Chiropractic Profession Act*;
- (b) *Dental Mechanics Act*;
- (c) *Dental Profession Act*;
- (d) *Medical Profession Act*;
- (e) *Nursing Profession Act*;
- (f) *Occupational Therapy Profession Act*;
- (g) *Opticians Act*;
- (h) *Optometry Profession Act*;
- (i) *Pharmaceutical Profession Act*;
- (j) *Physical Therapy Profession Act*;
- (k) *Podiatry Act*;
- (l) *Psychology Profession Act*;

- (m) *Registered Dietitians Act*;
- (n) *Social Work Profession Act*;
- (o) *Health Disciplines Act* except for clauses (a) to (d), (f) to (i), (k) and (l) of the Schedule;
- (p) clause (a) of the Schedule to the *Health Disciplines Act*;
- (q) clause (b) of the Schedule to the *Health Disciplines Act*;
- (r) clause (c) of the Schedule to the *Health Disciplines Act*;
- (s) clause (c.1) of the Schedule to the *Health Disciplines Act*;
- (t) clause (d) of the Schedule to the *Health Disciplines Act*;
- (u) clause (f) of the Schedule to the *Health Disciplines Act*;
- (v) clause (g) of the Schedule to the *Health Disciplines Act*;
- (w) clause (h) of the Schedule to the *Health Disciplines Act*;
- (x) clause (i) of the Schedule to the *Health Disciplines Act*;
- (y) clause (k) of the Schedule to the *Health Disciplines Act*;
- (z) clause (l) of the Schedule to the *Health Disciplines Act*;
- (aa) section 3 of the *Health Occupations Amendment Act, 1983* (No. 2) insofar as section 3 adds a clause (e) to the Schedule to the *Health Occupations Act* renamed as the *Health Disciplines Act* by section 2 of the *Health Occupations Amendment Act, 1984*;
- (bb) section 14 of the *Health Disciplines Amendment Act, 1988*;
- (cc) section 3(8) and (9) of the *Professional Statutes Amendment Act, 1994*;
- (dd) *Dental Disciplines Act* except for section 1(e)(i) to (iii), (f), (g), (l), 2 to 4, 7 to 9 and 75(1)(a)(i) to (iii);
- (ee) sections 1(e)(i) and (f), 2, 7 and 75(1)(a)(i) of the *Dental Disciplines Act*;
- (ff) sections 1(e)(ii) and (g), 3, 8 and 75(1)(a)(ii) of the *Dental Disciplines Act*;
- (gg) sections 1(e)(iii) and (l), 4, 9 and 75(1)(a)(iii) of the *Dental Disciplines Act*.

Coming into Force

Coming into
force

153 This Act comes into force on Proclamation.

PART 9

PROFESSION-SPECIFIC PROVISIONS

Unprofessional
conduct fines
table

154 For the purposes of this Act the unprofessional conduct fines table is the following:

UNPROFESSIONAL CONDUCT FINES TABLE

The following columns of maximum fines apply to proceedings under Part 4:

	Column 1	Column 2	Column 3
maximum fine for each finding of unprofessional conduct	\$1000	\$5000	\$10 000
maximum aggregate fine for all findings of unprofessional conduct arising out of a hearing	\$5000	\$25 000	\$50 000

Definition

155 In this Part, “proceedings” means all of the steps and procedures that are available under a former Act to resolve a complaint, including any and all of the following that relate to the complaints:

- (a) deliberations;
- (b) consultations;
- (c) mediation agreements or other complaint resolution processes;
- (d) investigations;
- (e) reports;
- (f) hearings;
- (g) reviews;
- (h) appeals;

- (i) orders;
- (j) acts of an administrative or quasi-judicial nature.

SCHEDULE 1

ACUPUNCTURISTS PROFESSION

1(1) On the coming into force of this Schedule a society under the Societies Act designated by the Lieutenant Governor in Council is continued as the College of Acupuncturists of Alberta.

(2) The Lieutenant Governor in Council may by order designate a society under the Societies Act as the society that, on the coming into force of this Schedule, continues as the College of Acupuncturists of Alberta under this Act.

2(1) No person other than a practising member of the College of Acupuncturists of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) acupuncturist;
- (b) R. Ac.

(2) No person other than a student member of the College of Acupuncturists of Alberta shall use any of the following titles and abbreviations in connection with a professional service:

- (a) student acupuncturist;
- (b) intern acupuncturist.

3 Acupuncturists diagnose, treat and prevent diseases, disorders and dysfunctions using methods based on the holistic principles of traditional Chinese medicine and on using methods of stimulating acupuncture points and meridians.

4 Column 1 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Acupuncturists of Alberta.

5 On the coming into force of this Schedule, a person who is registered as a member or a student of the designated health

discipline of Acupuncturist under the Health Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member or a student member of, and is deemed to be issued a practice permit by the registrar of, the College of Acupuncturists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule an application for registration, temporary registration or renewal of registration as a member of the designated discipline of Acupuncturists under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Director of Health Disciplines and of the registrar of the designated health discipline of Acupuncturists under the Health Disciplines Act are vested in and may be exercised by the registrar of the College of Acupuncturists of Alberta, and any reference to the Director of Health Disciplines or the registrar in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Acupuncture Committee under the Health Disciplines Act are vested in and may be exercised by the registration committee of the College of Acupuncturists of Alberta, and any reference to a committee in the Health Disciplines Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Acupuncturists of Alberta and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(3) For the purposes of subsection (1), a form referred to in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.

(4) A person who is registered or whose registration is renewed, under this section is deemed to be registered, subject to the same conditions, as a practising member of and is deemed to be issued a practice permit, by the registrar of, the College of Acupuncturists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

7(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated discipline of Acupuncturists under the Health Disciplines Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the registrar of the designated health discipline of Acupuncturists under the Health Disciplines Act are vested in and may be exercised by the complaints director of the College of Acupuncturists of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;
- (b) of the chair of the Acupuncture Committee under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of the College of Acupuncturists of Alberta, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;
- (c) of the chair of the Acupuncture Committee except under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the chair of the hearing tribunal of the College of Acupuncturists of Alberta, and any reference to the chair in the Health Disciplines Act except section 15(1) is deemed to be a reference to the chair of the hearing tribunal under this Act;
- (d) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the hearings director of the College of Acupuncturists of Alberta, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to the hearings director under this Act;
- (e) of the Acupuncture Committee under section 14.1 of the Health Disciplines Act are vested in and may be exercised by the complaint review committee of the College of Acupuncturists of Alberta, and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to the complaint review committee under this Act;

- (f) of the Acupuncture Committee except under section 14.1 of the Health Disciplines Act are vested in and may be exercised by a hearing tribunal of the College of Acupuncturists of Alberta and any reference to a committee in Part 4 of the Health Disciplines Act except in section 14.1 is deemed to be a reference to a hearing tribunal under this Act;
 - (g) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Acupuncturists of Alberta and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.
- (4) For the purposes of subsection (2), a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 2

CHIROPRACTORS PROFESSION

- 1 On the coming into force of this Schedule, the corporation known as “The College of Chiropractors of Alberta” continues as a corporation under this Act.
- 2 No person other than a practising member of The College of Chiropractors of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:
- (a) Doctor of Chiropractic;
 - (b) Registered Chiropractor;
 - (c) Chiropractor;
 - (d) D.C.
- 3 Chiropractors restore and maintain health by the chiropractic adjustment or manipulation of the spinal column and other articulations of the body.
- 4 Column 3 of the unprofessional conduct fines table applies to proceedings under Part 4 in The College of Chiropractors of Alberta.

5 On the coming into force of this Schedule, a person who is a registered member or a registered practitioner under the Chiropractic Profession Act is deemed to be registered as a practising member of, and is deemed to be issued a practice permit by the registrar of, The College of Chiropractors of Alberta under this Act subject to the same conditions as under the Chiropractic Profession Act until the registration or practice permit expires or is cancelled under this Act.

6 On the coming into force of this Schedule,

- (a) the Registrar and president under the Chiropractic Profession Act are deemed to be the registrar and president of The College of Chiropractors of Alberta under this Act for the same terms of office until their terms of office expire or are terminated under this Act;
- (b) the members of the Council under the Chiropractic Profession Act are deemed to be members of the council of The College of Chiropractors of Alberta under this Act for the same terms of office until their terms expire or are terminated under this Act.

7(1) On the coming into force of this Schedule, an application for registration as a registered member or for a permit under section 20 of the Chiropractic Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Registrar under the Chiropractic Profession Act are vested in and may be exercised by the registrar of The College of Chiropractors of Alberta under this Act, and any reference to the Registrar in the Chiropractic Profession Act is deemed to be a reference to a registrar under this Act;
- (b) of the Universities Co-ordinating Council under the Chiropractic Profession Act are vested in and may be exercised by the registration committee of the College of Chiropractors of Alberta under this Act and any reference to the Universities Co-ordinating Council in the Chiropractic Profession Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Registration Committee under the Chiropractic Profession Act are vested in and may be exercised by the registration committee of The College of Chiropractors of

Alberta under this Act and any reference to the Registration Committee in the Chiropractic Profession Act is deemed to be a reference to the registration committee of The College of Chiropractors of Alberta under this Act.

(3) A person who is registered under this section is deemed to be registered as a practising member, subject to the same conditions, of, and is deemed to be issued a practice permit under this Act by the registrar of, The College of Chiropractors of Alberta under this Act until the registration and practice permit expire or are cancelled under this Act.

(4) A corporation that is issued a permit under this section is deemed to be issued an annual permit under this Act until the annual permit expires or is cancelled under this Act.

8(1) On the coming into force of this Schedule, a review of a practice under the Chiropractic Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Practice Review Board under the Chiropractic Profession Act are vested in and may be exercised by the competence committee of The College of Chiropractors of Alberta, and any reference to the Practice Review Committee in the Chiropractic Profession Act is deemed to be a reference to a competence committee under this Act;
- (b) of the Council under the Chiropractic Profession Act are vested in and may be exercised by the council of The College of Chiropractors of Alberta and any reference to the Council in the Chiropractic Profession Act is deemed to be a reference to a council under this Act;
- (c) of the Registrar under the Chiropractic Profession Act are vested in and may be exercised by the complaints director of The College of Chiropractors of Alberta, and any reference to the Registrar in the Chiropractic Profession Act is deemed to be a reference to a registrar under this Act;
- (d) of the president under the Chiropractic Profession Act are vested in and may be exercised by the president of The College of Chiropractors of Alberta and any reference to the president in the Chiropractic Profession Act is deemed to be a reference to a president under this Act.

9(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered member or registered practitioner under the Chiropractic Profession Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the Registrar under the Chiropractic Profession Act are vested in and may be exercised by the complaints director of The College of Chiropractors of Alberta under this Act, and any reference to the Registrar in the Chiropractic Profession Act is deemed to be a reference to a complaints director under this Act;
- (b) of a person conducting a preliminary investigation under the Chiropractic Profession Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to that person in the Chiropractic Profession Act is deemed to be a reference to an investigator under this Act;
- (c) of a member of a Discipline Committee referred to under sections 43 to 45 and 66 of the Chiropractic Profession Act are vested in and may be exercised by the complaints director of The College of Chiropractors of Alberta, and any reference to a member of a Discipline Committee in sections 43 to 45 and 66 of the Chiropractic Profession Act is deemed to be a reference to a complaints director under this Act;
- (d) of the chairman under section 47 of the Chiropractic Profession Act are vested in and may be exercised by the complaints director of The College of Chiropractors of Alberta, and any reference to the chairman in section 47 the Chiropractic Profession Act is deemed to be a reference to a complaints director under this Act;
- (e) of the chairman under the Chiropractic Profession Act, except under section 47, are vested in and may be exercised by the chair of a hearing tribunal of The College of Chiropractors of Alberta, and any reference to chairman in the Chiropractic Profession Act except in section 47 is deemed to be a reference to the chair of a hearing tribunal under this Act;

- (f) of the president under the Chiropractic Profession Act are vested in and may be exercised by the president of The College of Chiropractors of Alberta, and any reference to the president in the Chiropractic Profession Act is deemed to be a reference to a president under this Act;
 - (g) of the Discipline Committee under the Chiropractic Profession Act, except under section 46, are vested in and may be exercised by a hearing tribunal of The College of Chiropractors of Alberta, and any reference to the Discipline Committee in the Chiropractic Profession Act except in section 46 is deemed to be a reference to a hearing tribunal under this Act;
 - (h) of the Discipline Committee under section 46 of the Chiropractic Profession Act are vested in and may be exercised by the complaints director of The College of Chiropractors of Alberta, and any reference to the Discipline Committee in section 46 of the Chiropractic Profession Act is deemed to be a reference to a complaints director under this Act;
 - (i) of the Council under the Chiropractic Profession Act are vested in and may be exercised by the council of The College of Chiropractors of Alberta, and any reference to the Council in the Chiropractic Profession Act is deemed to be a reference to a council under this Act.
- (4) For the purposes of subsection (2), references to a certificate of registration and an annual certificate in section 57 of the Chiropractic Profession Act are deemed to be references to registration and a practice permit under this Act.

10 Any complaint made before the coming into force of the Chiropractic Profession Act (SA 1984 cC-9.1) that relates to conduct governed by the Chiropractic Profession Act, (RSA 1980 cC-9) and occurring before the coming into force of the Chiropractic Profession Act (SA 1984 cC-9.1) must be dealt with under the Chiropractic Profession Act (RSA 1980 cC-9) in accordance with section 83 of the Chiropractic Profession Act (SA 1984 cC-9.1).

SCHEDULE 3

COMBINED LABORATORY AND X-RAY TECHNICIANS PROFESSION

1(1) On the coming into force of this Schedule, a society under the Societies Act designated by the Lieutenant Governor in Council is continued as the College of Combined Laboratory and X-ray Technicians of Alberta.

(2) The Lieutenant Governor in Council may by order designate a society incorporated under the Societies Act as the society that, on the coming into force of this Schedule, continues as the College of Combined Laboratory and X-ray Technicians of Alberta under this Act.

2 No person other than a practising member of the College of Combined Laboratory and X-ray Technicians of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

(a) combined laboratory x-ray technicians;

(b) C.L.X.T.

3 Combined laboratory and x-ray technicians analyze biological specimens, apply ionizing radiation and perform electrocardiography procedures and evaluate the results for accuracy and reliability.

4 Column 1 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Combined Laboratory and X-ray Technicians of Alberta.

5 On the coming into force of this Schedule, a person who is registered or temporarily registered as a member of the designated health discipline of Combined Laboratory X-Ray Technicians under the Health Disciplines Act is deemed to be a practising member, subject to the same conditions, of, and to be issued a practice permit by the registrar of, the College of Combined Laboratory and X-ray Technicians of Alberta under this Act until the person's registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule an application for registration, temporary registration or renewal of registration as a member of the designated discipline of Combined Laboratory

X-Ray Technicians under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Director of Health Disciplines and of the registrar of the designated health discipline of Combined Laboratory X-Ray Technicians under the Health Disciplines Act are vested in and may be exercised by the registrar of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to the Director of Health Disciplines or the registrar in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Combined Laboratory X-Ray Technicians Committee under the Health Disciplines Act are vested in and may be exercised by the registration committee of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to a committee in the Health Disciplines Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(3) For the purposes of subsection (1), a form referred to in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.

(4) A person who is registered or whose registration is renewed under this section is deemed to be registered as a practising member, subject to the same conditions, of, and is deemed to be issued a practice permit by the registrar of, the College of Combined Laboratory and X-ray Technicians of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

7(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated health discipline of Combined Laboratory

X-Ray Technician under the Health Disciplines Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the registrar of the designated health discipline of Combined Laboratory X-Ray Technicians under the Health Disciplines Act are vested in and may be exercised by the complaints director of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;
- (b) of the chair under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;
- (c) of the chair of the Combined Laboratory X-Ray Technicians Committee under the Health Disciplines Act, except under section 15(1), are vested in and may be exercised by the chair of the hearing tribunal of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to the chair in the Health Disciplines Act except in section 15(1) is deemed to be a reference to the chair of a hearing tribunal under this Act;
- (d) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the hearings director of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to the hearings director under this Act;
- (e) of the Combined Laboratory X-Ray Technicians Committee under section 14.1 of the Health Disciplines Act are vested in and may be exercised by the complaint review committee of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to the complaint review committee under this Act;
- (f) of the Combined Laboratory X-Ray Technicians Committee under the Health Disciplines Act, except under section 14.1, are vested in and may be exercised by a hearing tribunal of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to a committee

in the Health Disciplines Act except in section 14.1 is deemed to be a reference to a hearing tribunal under this Act;

- (g) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Combined Laboratory and X-ray Technicians of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(4) For the purposes of subsection (2) a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 4

DENTISTS PROFESSION

1 The corporation known as The Alberta Dental Association is continued under the name The Alberta Dental Association and College.

2 No person except a practising member of The Alberta Dental Association and College shall, as authorized by the regulations, use any of the following titles in connection with a professional service:

- (a) Registered Dentist;
- (b) Dentist;
- (c) Endodontist;
- (d) Oral and Maxillofacial Surgeon;
- (e) Orthodontist and Dental Facial Orthopedist;
- (f) Pediatric Dentist;
- (g) Periodontist;
- (h) Prosthodontist;
- (i) Oral Pathologist;
- (j) Oral and Maxillofacial Radiologist;
- (k) Oral Medicine Specialist;

(l) Public Health Dentist.

3 Dentists evaluate, diagnose and treat, surgically or non-surgically, diseases, disorders and conditions of the mouth, teeth, gums and other supporting structures and the maxillofacial area, upper and lower jaws and joints and the adjacent or associated structures of the head and neck, to maintain and improve a person's physical, psychological and social health.

4 Column 3 of the unprofessional conduct fines table applies to proceedings under Part 4 in The Alberta Dental Association and College.

5(1) On the coming into force of this Schedule, a person

- (a) who is registered on the Register of Licensed Members, or
- (b) who is authorized by the regulations to provide restricted activities and is registered on the
 - (i) Courtesy Register,
 - (ii) Teaching and Research Register, or
 - (iii) Restricted Register,

of The Alberta Dental Association under the Dental Profession Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The Alberta Dental Association and College under this Act until the registration or practice permit expires or is terminated under this Act.

(2) On the coming into force of this Schedule a person who is registered on the Education Register of the Alberta Dental Association under the Dental Profession Act is deemed to be registered, subject to the same conditions, as a student member of, and is deemed to be issued a practice permit by the registrar of, The Alberta Dental Association and College under this Act until the registration or practice permit expires or is terminated under this Act.

6 On the coming into force of this Schedule, a professional corporation permit under the Dental Profession Act is deemed to be an annual permit issued to a professional corporation under this Act until the annual permit expires or is cancelled under this Act.

7 On the coming into force of this Schedule, members of the Board of the Association under the Dental Profession Act continue as members of the council of The Alberta Dental Association and College under this Act for the same term of office unless the term is terminated earlier under this Act.

8(1) On the coming into force of this Schedule, an application for registration under section 19, 21, 22, 23, 24, 25 or 26 or for a permit under section 33 of the Dental Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Registrar under the Dental Profession Act are vested in and may be exercised by the registrar of The Alberta Dental Association and College under this Act, and any reference to the Registrar in the Dental Profession Act is deemed to be a reference to a registrar under this Act;
- (b) of the Board of the Association under the Dental Profession Act are vested in and may be exercised by the council of The Alberta Dental Association and College under this Act, and any reference to the Board of the Association in the Dental Profession Act is deemed to be a reference to a council under this Act;
- (c) of the Universities Co-ordinating Council under sections 19, 20, 21 and 26 of the Dental Professions Act are vested in and may be exercised by the Universities Co-ordinating Council.

(3) For the purposes of subsection (1), an academic institution designated as an approved faculty of dentistry on the coming into force of this Schedule continues as an approved faculty of dentistry.

(4) A person who is registered under this section, except in the case of an application with respect to sections 22 to 25 of the Dental Profession Act, is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The Alberta Dental Association and College under this Act until the registration or practice permit expires or is cancelled under this Act.

(5) A person who is registered under this section, in the case of an application with respect to section 23, 24 or 25 of the Dental Profession Act, is deemed, if the person is authorized by the regulations to provide restricted activities, to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The Alberta

Dental Association and College under this Act until the registration or practice permit expires or is cancelled under this Act.

(6) A person who is registered under this section, in the case of an application with respect to section 22 of the Dental Profession Act, is deemed to be registered, subject to the same conditions, as a student member of, and is deemed to be issued a practice permit by the registrar of, The Alberta Dental Association and College under this Act until the registration expires or is cancelled under this Act.

(7) A corporation that is issued a permit under this section is deemed to be a professional corporation issued an annual permit under this Act until the annual permit expires or is cancelled under this Act.

9(1) On the coming into force of this Schedule, a review of a practice under section 11(1)(b) of the Dental Profession Act that has not been concluded must be dealt with in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Peer Review Committee under the Dental Profession Act are vested in and may be exercised by an investigator of The Alberta Dental Association and College under this Act, and any reference to the Peer Review Committee in the Dental Profession Act is deemed to be a reference to an investigator appointed under this Act;
- (b) of the Board of the Association under the Dental Profession Act are vested in and may be exercised by the council of The Alberta Dental Association and College, and any reference to the Board in the Dental Profession Act is deemed to be a reference to a council under this Act;
- (c) of the Registrar and the chairman of the Peer Review Committee under the Dental Profession Act are vested in and may be exercised by the complaints director of The Alberta Dental Association and College, and any reference to the Registrar or the chairman of the Peer Review Committee in the Dental Profession Act is deemed to be a reference to a complaints director under this Act;
- (d) of the president under the Dental Profession Act are vested in and may be exercised by the president of The Alberta Dental Association and College and any reference to president in the Dental Profession Act is deemed to be a reference to a president under this Act.

10(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made under the Dental Profession Act that have not been concluded before the coming into force of this Schedule must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the Registrar under the Dental Profession Act are vested in and may be exercised by the complaints director of The Alberta Dental Association and College, and any reference to the Registrar in the Dental Profession Act is deemed to be a reference to a complaints director under this Act;
- (b) of the chairman under section 50 of the Dental Profession Act are vested in and may be exercised by the complaints director of The Alberta Dental Association and College, and any reference to the chairman in section 50 of the Dental Profession Act is deemed to be a reference to a complaints director under this Act;
- (c) of the president of The Alberta Dental Association under the Dental Profession Act are vested in and may be exercised by the president of The Alberta Dental Association and College under this Act, and any reference to the president in the Dental Profession Act is deemed to be a reference to a president under this Act;
- (d) of the Discipline Committee under section 49 of the Dental Profession Act are vested in and may be exercised by the complaint review committee of The Alberta Dental Association and College under this Act, and any reference to the Discipline Committee in section 49 of the Dental Profession Act is deemed to be a reference to a complaint review committee under this Act;
- (e) of a person conducting a preliminary investigation under the Dental Profession Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to that person in the Dental Profession Act is deemed to be a reference to an investigator under this Act;
- (f) of the Discipline Committee under the Dental Profession Act except under section 49 are vested in and may be exercised by a hearing tribunal of The Alberta Dental Association and College under this Act, and any reference

to the Discipline Committee in the Dental Profession Act except in section 49 is deemed to be a reference to a hearing tribunal under this Act;

(g) of the Board of The Alberta Dental Association under the Dental Profession Act are vested in and may be exercised by the council of The Alberta Dental Association and College under this Act, and any reference to the Board of the Association in the Dental Profession Act is deemed to be a reference to a council under this Act.

(4) For the purposes of subsection (2) a reference in sections 60 and 61 of the Dental Profession Act to a license or registration is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 5

DENTAL ASSISTANTS PROFESSION

1 The corporation known as the Alberta Dental Assistants Association is continued under the name College of Dental Assistants of Alberta.

2(1) No person other than a practising member of the College of Dental Assistants of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) dental assistant;
- (b) registered dental assistant;
- (c) certified dental assistant;
- (d) D.A.;
- (e) R.D.A.

(2) No person other than a student member of the College of Dental Assistants of Alberta may use the title dental assistant student in connection with a professional service.

3 Dental assistants provide supportive dental care services to maintain and promote oral health and provide education on and carry on research into those matters and manage practising members who carry out those matters.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Dental Assistants of Alberta.

5 On the coming into force of this Schedule, a person who is registered as a dental assistant under the Dental Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Dental Assistants of Alberta under this Act until the registration expires or is cancelled under this Act.

6 On the coming into force of this Schedule,

- (a) the members of the Council of the Alberta Dental Assistants Association continue as members of the council of the College of Dental Assistants of Alberta until their terms of office under the Dental Disciplines Act expire or are terminated under this Act;
- (b) the Registrar and president of the Alberta Dental Assistants Association continue as the registrar and president of the College of Dental Assistants of Alberta until their terms of office under the Dental Disciplines Act expire or are terminated under this Act.

7(1) On the coming into force of this Schedule an application for registration or annual certificate as a member of the Alberta Dental Assistants Association that has not been concluded must be concluded in accordance with the Dental Disciplines Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Registrar under the Dental Disciplines Act are vested in and may be exercised by the registrar of the College of Dental Assistants of Alberta, and any reference to the Registrar in the Dental Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Council under the Dental Disciplines Act are vested in and may be exercised by the Council of the College of Dental Assistants of Alberta and any reference to the Council in the Dental Disciplines Act is deemed to be a reference to a council under this Act;
- (c) of the Universities Co-ordinating Council under section 14(1)(a) of the Dental Disciplines Act are vested in and may be exercised by the Universities Co-ordinating

Council, and any reference to the Universities Co-ordinating Council with respect to section 14(1)(a) of the Dental Disciplines Act is deemed to be a reference to the Universities Co-ordinating Council;

- (d) of the Universities Co-ordinating Council under section 14(1)(b) and (4)(a) of the Dental Disciplines Act are vested in and may be exercised by the registration committee of the College of Dental Assistants of Alberta, and any reference to the Universities Co-ordinating Council with respect to section 14(1)(b) and (4)(a) of the Dental Disciplines Act is deemed to be a reference to a registration committee under this Act.

(3) A person who is registered or issued an annual certificate under this section is deemed to be registered, subject to the same conditions, as a practising member of, and to be issued a practice permit by the registrar of, the College of Dental Assistants of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

8(1) Any complaint made after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a person who is registered as a dental assistant under the Dental Disciplines Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the Registrar of the Alberta Dental Assistants Association under the Dental Disciplines Act are vested in and may be exercised by the complaints director of the College of Dental Assistants of Alberta, and any reference to the Registrar in the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act;
- (b) of the Discipline Committee of the Alberta Dental Assistants Association under the Dental Disciplines Act, except under section 38, are vested in and may be exercised by a hearings tribunal of the College of Dental Assistants of Alberta, and any reference to the Disciplines Committee in the Dental Disciplines Act except in section 38 is deemed to be a reference to a hearings tribunal under this Act;

- (c) of the president of the Alberta Dental Assistants Association under the Dental Disciplines Act are vested in and may be exercised by the president of the College of Dental Assistants of Alberta, and any reference to the president in the Dental Disciplines Act is deemed to be a reference to a president under this Act;
 - (d) of the chairman of the Discipline Committee of the Alberta Dental Assistants Association under the Dental Disciplines Act are vested in and may be exercised by a complaints director of the College of Dental Assistants of Alberta, and any reference to the chairman of the Discipline Committee in the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act;
 - (e) of a person conducting a preliminary investigation under the Dental Disciplines Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to that person in the Dental Disciplines Act is deemed to be a reference to an investigator under this Act;
 - (f) of the Alberta Dental Assistants Association under the Dental Disciplines Act are vested in and may be exercised by the College of Dental Assistants of Alberta, and any reference to an Association in the Dental Disciplines Act is deemed to be a reference to a college under this Act;
 - (g) of a member of a Discipline Committee under sections 35 to 37 of the Dental Disciplines Act are vested in and may be exercised by the complaints director of the College of Dental Assistants of Alberta, and any reference to a member of a Discipline Committee in sections 35 to 37 of the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act;
 - (h) of the Discipline Committee under section 38 of the Dental Disciplines Act are vested in and may be exercised by the complaint review committee of the College of Dental Assistants of Alberta, and any reference to a Discipline Committee in section 38 of the Dental Disciplines Act is deemed to be a reference to a complaint review committee under this Act.
- (4) For the purposes of subsection (2), the references in section 49 of the Dental Disciplines Act to a certificate of registration and an annual certificate are deemed to be references to registration and a practice permit under this Act.

SCHEDULE 6

DENTAL HYGIENISTS PROFESSION

1 The corporation known as the Alberta Dental Hygienists' Association is continued under the name College of Dental Hygienists of Alberta.

2 No person other than a practising member of the College of Dental Hygienists of Alberta shall, as authorized by the regulations, use the following title and abbreviation in connection with a professional service:

(a) dental hygienist;

(b) D.H.

3 Dental hygienists assess and diagnose oral health conditions, provide treatment by educational, preventative and therapeutic oral health strategies, support the use of research and education to promote wellness, improve disease prevention and cure, and provide these services as clinicians, researchers, administrators, consultants, educators and health promoters.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Dental Hygienists of Alberta.

5 On the coming into force of this Schedule,

(a) the registrar and president of the Alberta Dental Hygienists' Association are deemed to be the registrar and president of the College of Dental Hygienists of Alberta until their terms of office expire or are terminated under this Act, and

(b) the members of the Council of the Alberta Dental Hygienists' Association are deemed to be members of the council of the College of Dental Hygienists of Alberta until their successors are elected or appointed in accordance with the by-laws.

6 On the coming into force of this Schedule, a person who is registered as a member of the Alberta Dental Hygienists' Association is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued

a practice permit by the registrar of, the College of Dental Hygienists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

7(1) On the coming into force of this Schedule, an application for registration or annual certificate as a member of the Alberta Dental Hygienists' Association that has not been concluded must be concluded in accordance with the Dental Disciplines Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Registrar under the Dental Disciplines Act are vested in and may be exercised by the registrar of the College of Dental Hygienists of Alberta, and any reference to the Registrar in the Dental Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Council under the Dental Disciplines Act are vested in and may be exercised by the Council of the College of Dental Hygienists of Alberta and any reference to the Council in the Dental Disciplines Act is deemed to be a reference to a council under this Act;
- (c) of the Universities Co-ordinating Council under section 14(1)(a) of the Dental Disciplines Act are vested in and may be exercised by the Universities Co-ordinating Council, and any reference to the Universities Co-ordinating Council with respect to section 14(1)(a) of the Dental Disciplines Act is deemed to be a reference to the Universities Co-ordinating Council;
- (d) of the Universities Co-ordinating Council under section 14(1)(b) of the Dental Disciplines Act are vested in and may be exercised by the registration committee of the College of Dental Hygienists of Alberta, and any reference to the Universities Co-ordinating Council with respect to section 14(1)(b) of the Dental Disciplines Act is deemed to be a reference to a registration committee under this Act.

(3) A person who is registered or issued an annual certificate under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Dental Hygienists of Alberta under this Act until the person's registration or practice permit expires or is cancelled under this Act.

8(1) On the coming into force of this Schedule, if a Practice Review Board has commenced a review of the practice of a

member but has not concluded the review, that review must be concluded in accordance with the Dental Disciplines Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Practice Review Board under the Dental Disciplines Act are vested in and may be exercised by the competence committee of the College of Dental Hygienists of Alberta under this Act and any reference to the Practice Review Board in the Dental Disciplines Act is deemed to be a reference to a competence committee under this Act;
- (b) of the Council of the Alberta Dental Hygienists' Association under the Dental Disciplines Act are vested in and may be exercised by the council of the College of Dental Hygienists of Alberta, and any reference to a Council in the Dental Disciplines Act is deemed to be a reference to a council under this Act;
- (c) of the president of the Alberta Dental Hygienists' Association under the Dental Disciplines Act are vested in and may be exercised by the president of the College of Dental Hygienists of Alberta and any reference to a president in the Dental Disciplines Act is deemed to be a reference to a president under this Act;
- (d) of the Registrar under the Dental Disciplines Act are vested in and may be exercised by the complaints director of the College of Dental Hygienists of Alberta, and any reference to a Registrar in the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act.

9(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated discipline of Dental Hygienists under the Dental Disciplines Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the Registrar of the Alberta Dental Hygienists' Association under the Dental Disciplines Act are vested in and may be exercised by the complaints director of the College of Dental Hygienists of Alberta, and any reference

to the Registrar in the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act;

- (b) of the Discipline Committee of the Alberta Dental Hygienists' Association under the Dental Disciplines Act, except under section 38, are vested in and may be exercised by a hearing tribunal of the College of Dental Hygienists of Alberta, and any reference to the Discipline Committee in the Dental Disciplines Act except in section 38 is deemed to be a reference to a hearings tribunal under this Act;
- (c) of the president of the Alberta Dental Hygienists' Association under the Dental Disciplines Act are vested in and may be exercised by the president of the College of Dental Hygienists of Alberta, and any reference to the president in the Dental Disciplines Act is deemed to be a reference to a president under this Act;
- (d) of the chairman of the Discipline Committee of the Alberta Dental Hygienists' Association under the Dental Disciplines Act are vested in and may be exercised by a complaints director of the College of Dental Hygienists of Alberta, and any reference to the chairman of the Discipline Committee in the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act;
- (e) of a person conducting a preliminary investigation under the Dental Disciplines Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to that person in the Dental Disciplines Act is deemed to be a reference to an investigator under this Act;
- (f) of the Alberta Dental Hygienists' Association under the Dental Disciplines Act are vested in and may be exercised by the College of Dental Hygienists of Alberta, and any reference to an Association in the Dental Disciplines Act is deemed to be a reference to a college under this Act;
- (g) of a member of a Discipline Committee under sections 35 to 37 of the Dental Disciplines Act are vested in and may be exercised by the complaints director of the College of Dental Hygienists of Alberta, and any reference to a member of a Discipline Committee in sections 35 to 37 of the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act;
- (h) of the Discipline Committee under section 38 of the Dental Disciplines Act are vested in and may be exercised by the

complaint review committee of the College of Dental Hygienists of Alberta, and any reference to a Discipline Committee in section 38 of the Dental Disciplines Act is deemed to be a reference to a complaint review committee under this Act.

(4) For the purposes of subsection (2), the references in section 49 of the Dental Disciplines Act to a certificate of registration and an annual certificate are deemed to be references to registration and a practice permit under this Act.

SCHEDULE 7

DENTAL TECHNOLOGISTS PROFESSION

1 The corporation known as the Alberta Association of Dental Technicians is continued under the name College of Dental Technologists of Alberta.

2 No person other than a practising member of the College of Dental Technologists of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) dental technologist;
- (b) registered dental technologist;
- (c) dental technician;
- (d) registered dental technician;
- (e) D.T.;
- (f) R.D.T.

3 Dental technologists fabricate, duplicate, alter and repair prosthetic and orthodontic devices and fit those devices when fitting is incidental to the fabrication, duplication, alteration or repair.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Dental Technologists of Alberta.

5 On the coming into force of this Schedule, a person who is registered or temporarily registered as a dental technician or who

is registered as a student dental technician under the Dental Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member or student member of, and is deemed to be issued a practice permit by the registrar of, the College of Dental Technologists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

6 On the coming into force of this Schedule,

- (a) the Registrar and President of the Alberta Association of Dental Technicians are deemed to be the registrar and president of the College of Dental Technologists of Alberta until their terms of office expire or are terminated under this Act, and
- (b) the members of the Council of the Alberta Association of Dental Technicians are deemed to be members of the council of the College of Dental Technologists of Alberta until their terms of office expire or are terminated under this Act.

7(1) On the coming into force of this Schedule, an application for registration or renewal of an annual certificate as a member of the Alberta Association of Dental Technicians that has not been concluded must be concluded in accordance with the Dental Disciplines Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Registrar of the Alberta Association of Dental Technicians under the Dental Disciplines Act are vested in and may be exercised by the registrar of the College of Dental Technologists of Alberta, and any reference to the Registrar in the Dental Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Council of the Alberta Association of Dental Technicians under the Dental Disciplines Act are vested in and may be exercised by the council of the College of Dental Technologists of Alberta, and any reference to the Council in the Dental Disciplines Act is deemed to be a reference to a council under this Act;
- (c) of the Universities Co-ordinating Council under section 14(1)(a) of the Dental Disciplines Act are vested in and may be exercised by the Universities Co-ordinating Council and any reference to the Universities Co-ordinating Council with respect to section 14(1)(a) of the Dental Disciplines

Act is deemed to be a reference to the Universities Co-ordinating Council under this Act;

- (d) of the Universities Co-ordinating Council under section 14(1)(b) of the Dental Disciplines Act are vested in and may be exercised by the registration committee of the College of Dental Technologists of Alberta, and any reference to the Universities Co-ordinating Council with respect to section 14(1)(b) of the Dental Disciplines Act is deemed to be a reference to a registration committee under this Act.

(3) A person who is registered or issued an annual certificate under this section is deemed to be registered, subject to the same conditions, as a practising member of, and to be issued a practice permit by the registrar of, the College of Dental Technologists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

8(1) On the coming into force of this Schedule, if a Practice Review Board has commenced a review of the practice of a member but has not concluded the review, that review must be concluded in accordance with the Dental Disciplines Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Practice Review Board under the Dental Disciplines Act are vested in and may be exercised by the competence committee of the College of Dental Technologists of Alberta, and any reference to the Practice Review Board in the Dental Disciplines Act is deemed to be a reference to a competence committee under this Act;
- (b) of the Council of the Alberta Association of Dental Technicians under the Dental Disciplines Act are vested in and may be exercised by the council of the College of Dental Technologists of Alberta, and any reference to a Council in the Dental Disciplines Act is deemed to be a reference to a council under this Act;
- (c) of the president of the Alberta Association of Dental Technicians under the Dental Disciplines Act are vested in and may be exercised by the president of the College of Dental Technologists of Alberta, and any reference to a president in the Dental Disciplines Act is deemed to be a reference to a president under this Act;
- (d) of the Registrar under the Dental Disciplines Act are vested in and may be exercised by the complaints director of the College of Dental Technologists of Alberta, and any

reference to the Registrar in the Dental Disciplines Act is deemed to be a reference to the complaints director under this Act.

9(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a person who is registered as a dental technician under the Dental Disciplines Act that are not concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the Registrar of the Alberta Association of Dental Technicians under the Dental Disciplines Act are vested in and may be exercised by the complaints director of the College of Dental Technologists of Alberta, and any reference to the Registrar in the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act;
- (b) of the Discipline Committee of the Alberta Association of Dental Technicians under the Dental Disciplines Act, except under section 38, are vested in and may be exercised by a hearing tribunal of the College of Dental Technologists of Alberta, and any reference to the Disciplines Committee in the Dental Disciplines Act except in section 38 is deemed to be a reference to a hearings tribunal under this Act;
- (c) of the president of the Alberta Association of Dental Technicians under the Dental Disciplines Act are vested in and may be exercised by the president of the College of Dental Technologists of Alberta, and any reference to the president in the Dental Disciplines Act is deemed to be a reference to a president under this Act;
- (d) of the chairman of the Discipline Committee of the Alberta Association of Dental Technicians under the Dental Disciplines Act are vested in and may be exercised by the complaints director of the College of Dental Technologists of Alberta, and any reference to the chairman of the Discipline Committee in the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act;

- (e) of a person conducting a preliminary investigation under the Dental Disciplines Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to that person in the Dental Disciplines Act is deemed to be a reference to an investigator under this Act;
 - (f) of the Alberta Association of Dental Technicians under the Dental Disciplines Act are vested in and may be exercised by the College of Dental Technologists of Alberta, and any reference to an Association in the Dental Disciplines Act is deemed to be a reference to a college under this Act;
 - (g) of a member of a Discipline Committee under sections 35 to 37 of the Dental Disciplines Act are vested in and may be exercised by the complaints director of the College of Dental Technologists of Alberta, and any reference to a member of a Discipline Committee in sections 35 to 37 of the Dental Disciplines Act is deemed to be a reference to a complaints director under this Act;
 - (h) of the Discipline Committee under section 38 of the Dental Disciplines Act are vested in and may be exercised by the complaint review committee of the College of Dental Technologists of Alberta, and any reference to a Discipline Committee in section 38 of the Dental Disciplines Act is deemed to be a reference to a complaint review committee under this Act.
- (4) For the purposes of subsection (2), the references in section 49 of the Dental Disciplines Act to a certificate of registration and an annual certificate are deemed to be references to registration and a practice permit under this Act.

SCHEDULE 8

DENTURISTS PROFESSION

- 1(1) The corporation known as the Alberta Denturists Society is continued under the name College of Alberta Denturists.
- (2) The corporation known as the Alberta Certified Dental Mechanics Society is dissolved and all its assets and liabilities are vested in the College of Alberta Denturists, and all rights of action and actions by or against the Alberta Certified Dental Mechanics Society may be continued by or maintained against the College of Alberta Denturists.

2(1) No person other than a practising member of the College of Alberta Denturists shall use the title dentist in connection with a professional service.

(2) No person other than a student member of the College of Alberta Denturists shall use the title student dentist in connection with a professional service.

3 Denturists assess and diagnose persons missing some or all of their natural teeth and design, construct, repair, alter and fit any complete or partial dentures for the purpose of restoring and maintaining function and appearance.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 of the College of Alberta Denturists.

5(1) On the coming into force of this Schedule, a person who is registered as a certified dental mechanic under the Dental Mechanics Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Alberta Denturists under this Act until the registration or practice permit expires or is cancelled under this Act.

(2) On the coming into force of this Schedule, a person who is registered as a student dental mechanic under the Dental Mechanics Act is deemed to be registered, subject to the same conditions, as a student member of, and is deemed to be issued a practice permit by the registrar of, the College of Alberta Denturists under this Act until the registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule, an application for registration as a certified dental mechanic or as a student dental mechanic made under the Dental Mechanics Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Board of Examiners for certified dental mechanics under the Dental Mechanics Act are vested in and may be exercised by the council of the College of Alberta Denturists, and any reference to the Board of Examiners in the Dental Mechanics Act is deemed to be a reference to a council under this Act;

- (b) of the Minister under section 17.1 of the Dental Mechanics Act are vested in and may be exercised by the council of the College of Alberta Denturists by a by-law of the council, and any reference to the Minister in section 17.1 of the Dental Mechanics Act is deemed to be a reference to a council under this Act.
- (3) A person who is registered under this section is deemed to be registered, subject to the same conditions, as a practising member or student member of, and is deemed to be issued a practice permit by the registrar of, the College of Alberta Denturists under this Act until the registration or practice permit expires or is cancelled under this Act.
- 7(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule shall be dealt with under this Act.
- (2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule about the conduct of a certified dental mechanic that have not been concluded before the coming into force of this Schedule must be dealt with in accordance with that Act.
- (3) For the purposes of subsection (2), the powers and duties
 - (a) of the chairman of the Board of Examiners for certified dental mechanics under the Dental Mechanics Act are vested in and may be exercised by the complaints director of the College of Alberta Denturists, and any reference to the chairman of the Board of Examiners in the Dental Mechanics Act or in the regulations under that Act is deemed to be a reference to a complaints director under this Act;
 - (b) of the Board of Examiners for certified dental mechanics under the Dental Mechanics Act are vested in and may be exercised by a hearing tribunal of the College of Alberta Denturists, and any reference to the Board of Examiners in the Dental Mechanics Act is deemed to be a reference to a hearing tribunal under this Act.
- (4) For the purposes of subsection (2) a reference to registration in section 18 of the Regulations under the Certified Dental Mechanics Act (AR 315/69) to a certificate of proficiency is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 9

DIETITIANS AND NUTRITIONISTS PROFESSION

1 The corporation known as The Alberta Registered Dietitians Association is continued under the name The College of Dietitians and Nutritionists of Alberta.

2 No person other than a practising member of The College of Dietitians and Nutritionists of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) registered dietitian;
- (b) dietitian;
- (c) registered nutritionist;
- (d) nutritionist;
- (e) R.D.

3 Dietitians and nutritionists promote health, prevent, treat and manage disease through food and nutrition strategies and assess, develop, implement, evaluate and communicate nutritional interventions, programs and food service systems.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in The College of Dietitians and Nutritionists of Alberta.

5 On the coming into force of this Schedule, a person who is registered as a registered dietitian and holds an annual certificate under the Registered Dietitians Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The College of Dietitians and Nutritionists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

6 On the coming into force of this Schedule,

- (a) the Registrar of The Alberta Registered Dietitians Association continues as the registrar of The College of

Dietitians and Nutritionists of Alberta until the term of office expires or is terminated under this Act;

- (b) the president of The Alberta Registered Dietitians Association continues as the president of The College of Dietitians and Nutritionists of Alberta until the term of office expires or is terminated under this Act;
- (c) the members of the Board of Directors of The Alberta Registered Dietitians Association continue as members of the council of The College of Dietitians and Nutritionists of Alberta until their terms of office expire or are terminated under this Act.

7(1) On the coming into force of this Schedule, an application for registration or for reinstatement as a registered dietitian made under the Registered Dietitians Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Registrar of The Alberta Registered Dietitians Association under the Registered Dietitians Act are vested in and may be exercised by the registrar of The College of Dietitians and Nutritionists of Alberta, and any reference to the Registrar in the Registered Dietitians Act is deemed to be a reference to a registrar under this Act;
- (b) of the Registration Committee of The Alberta Registered Dietitians Association and of the Universities Co-ordinating Council under the Registered Dietitians Act are vested in and may be exercised by the registration committee of The College of Dietitians and Nutritionists of Alberta, and any reference to the Registration Committee or the Universities Co-ordinating Council in the Registered Dietitians Act and the regulations under that Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Board of Directors of The Alberta Registered Dietitians Association under the Registered Dietitians Act are vested in and may be exercised by the council of The College of Dietitians and Nutritionists of Alberta, and any reference to the Board of Directors in the Registered Dietitians Act is deemed to be a reference to a council under this Act;
- (d) of the Universities Co-ordinating Council under the regulations under the Registered Dietitians Act are vested in and may be exercised by the registration committee of The College of Dietitians and Nutritionists of Alberta, and

any reference to the Universities Co-ordinating Council under the regulations under the Registered Dietitians Act is deemed to be a reference to a registration committee under this Act.

(3) A person who is registered or reinstated under this section is deemed to be registered as a practising member of, subject to the same conditions, and is deemed to be issued a practice permit by the registrar of, The College of Dietitians and Nutritionists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

8(1) On the coming into force of this Schedule, an inquiry by the Practice Review Committee under the Registered Dietitians Act that is not concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Practice Review Committee under the Registered Dietitians Act are vested in and may be exercised by the competence committee of The College of Dietitians and Nutritionists of Alberta, and any reference to the Practice Review Committee in the Registered Dietitians Act is deemed to be a reference to a competence committee under this Act;
- (b) of the Discipline Committee under the Registered Dietitians Act are vested in and may be exercised by the complaints director of The College of Dietitians and Nutritionists of Alberta, and any reference to the Discipline Committee in the Registered Dietitians Act is deemed to be a reference to a complaints director under this Act;
- (c) of the Board of Directors of The Alberta Registered Dietitians Association under the Registered Dietitians Act are vested in and may be exercised by the council of The College of Dietitians and Nutritionists of Alberta, and any reference to the Board of The Alberta Registered Dietitians Association in the Registered Dietitians Act is deemed to be a reference to a council under this Act.

9(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings, with respect to a complaint about the conduct of a registered dietitian made before the coming into force of this Schedule that

have not been concluded before the coming into force of this Schedule must be concluded in accordance with the Registered Dietitians Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the Registrar of The Alberta Registered Dietitians Association under the Registered Dietitians Act are vested in and may be exercised by the complaints director of The College of Dietitians and Nutritionists of Alberta, and any reference to the Registrar in the Registered Dietitians Act is deemed to be a reference to a complaints director under this Act;
- (b) of the chairman of the Discipline Committee under the Registered Dietitians Act, except under section 30, are vested in and may be exercised by the complaints director of The College of Dietitians and Nutritionists of Alberta, and any reference to the chairman of the Discipline Committee in the Registered Dietitians Act except in section 30 is deemed to be a reference to a complaints director under this Act;
- (c) of the chairman of the Discipline Committee under section 30 of the Registered Dietitians Act are vested in and may be exercised by the president of The College of Dietitians and Nutritionists of Alberta, and any reference to the chairman of the Discipline Committee in section 30 of the Registered Dietitians Act is deemed to be a reference to a president under this Act;
- (d) of the Board of Directors under the Registered Dietitians Act, except under section 28, are vested in and may be exercised by the council of The College of Dietitians and Nutritionists of Alberta, and any reference to the Board of Directors in the Registered Dietitians Act except in section 28 is deemed to be a reference to a council under this Act;
- (e) of the Board of Directors under section 28 of the Registered Dietitians Act are vested in and may be exercised by the complaints review committee of The College of Dietitians and Nutritionists of Alberta, and any reference to the Board of Directors in section 28 of the Registered Dietitians Act is deemed to be a reference to a complaints review committee under this Act;
- (f) of the Discipline Committee under the Registered Dietitians Act are vested in and may be exercised by a hearing tribunal of The College of Dietitians and Nutritionists of Alberta, and any reference to the Discipline Committee in

the Registered Dietitians Act is deemed to be a reference to a hearing tribunal under this Act;

(g) of the Registered Dietitians Association under the Registered Dietitians Act are vested in and may be exercised by The College of Dietitians and Nutritionists of Alberta, and any reference to the Registered Dietitians Association in the Registered Dietitians Act is deemed to be a reference to The College of Dietitians and Nutritionists of Alberta under this Act.

(4) For the purpose of subsection (2) a reference in section 38 of the Registered Dietitians Act to registration is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 10

EMERGENCY MEDICAL TECHNICIANS, EMERGENCY MEDICAL TECHNOLOGISTS AND EMERGENCY MEDICAL RESPONDERS PROFESSION

1 The corporation known as the Alberta Prehospital Professions Association is continued under the name College of Paramedics of Alberta.

2 No person other than a practising member of the College of Paramedics of Alberta shall, as authorized by the regulations, use the following titles and abbreviations in connection with a professional service:

- (a) emergency medical responder;
- (b) emergency medical technician;
- (c) emergency medical technologist-paramedic;
- (d) E.M.R.;
- (e) E.M.T.;
- (f) E.M.T.-P.

3 Emergency medical technicians, emergency medical technologists and emergency medical responders assess an individual's health status to determine the need, priority and method of treatment and transportation in order to provide a range of emergency services.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Paramedics of Alberta.

5 On the coming into force of this Schedule, a person who is registered or temporarily registered, subject to the same conditions, as a member of the designated health discipline of Emergency Medical Technicians under the Health Disciplines Act is deemed to be registered as a practising member of, and deemed to be issued a practice permit by the registrar of, the College of Paramedics of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule an application for registration, temporary registration or renewal of registration as a member of the designated discipline of Emergency Medical Technicians under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the registrar of the designated health discipline of Emergency Medical Technicians under the Health Disciplines Act are vested in and may be exercised by the registrar of the College of Paramedics of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Registration Committee of the Alberta Prehospital Professions Association under the Health Disciplines Act are vested in and may be exercised by the registration committee of the College of Paramedics of Alberta, and any reference to a committee in the Health Disciplines Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Health Disciplines Board to review a decision of the Registration Committee of the Alberta Prehospital Professions Association under the Health Disciplines Act are vested in and may be exercised by the council of the College of Paramedics of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(3) For the purposes of subsection (1), a reference to a form in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.

(4) A person who is registered or whose registration is renewed under this section is deemed to be registered, subject to the same

conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Paramedics of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

7(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated discipline of Emergency Medical Technicians under the Health Disciplines Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the registrar under the Health Disciplines Act are vested in and may be exercised by the complaints director of the College of Paramedics of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;
- (b) of the chair under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of the College of Paramedics of Alberta, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;
- (c) of the chair of the Conduct and Competency Committee of the Alberta Prehospital Professions Association under the Health Disciplines Act, except under section 15(1), are vested in and may be exercised by the chair of the hearing tribunal of the College of Paramedics of Alberta, and any reference to the chair in the Health Disciplines Act except in section 15(1) is deemed to be a reference to the chair of a hearing tribunal under this Act;
- (d) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the hearings director of the College of Paramedics of Alberta, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to a hearings director under this Act;
- (e) of the Conduct and Competency Committee of the Alberta Prehospital Professions Association under section 14.1 of the Health Disciplines Act are vested in and may be

exercised by the complaint review committee of the College of Paramedics of Alberta, and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to the complaint review committee under this Act;

(f) of the Conduct and Competency Committee of the Alberta Prehospital Professions Association under the Health Disciplines Act, except under section 14.1, are vested in and may be exercised by a hearing tribunal of the College of Paramedics of Alberta, and any reference to a committee in the Health Disciplines Act except in section 14.1 is deemed to be a reference to a hearing tribunal under this Act;

(g) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Paramedics of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(4) For the purposes of subsection (2), a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under this Act.

8 On the coming into force of this Schedule,

(a) the registrar of the designated health discipline of Emergency Medical Technicians under the Health Disciplines Act continues as the registrar of the College of Paramedics of Alberta,

(b) the chair of the Board of Governors of the Alberta Prehospital Professions Association continues as the president of the College of Paramedics of Alberta, and

(c) the members of the Board of Governors of the Alberta Prehospital Professions Association continue as members of the council of the College of Paramedics of Alberta,

until their terms of office expire or are terminated under this Act.

SCHEDULE 11

HEARING AID PRACTITIONERS PROFESSION

1 The corporation known as the Alberta Hearing Aid Practitioners Association is continued under the name College of Hearing Aid Practitioners of Alberta.

2(1) No person other than a practising member of the College of Hearing Aid Practitioners of Alberta shall use the title hearing aid practitioner in connection with a professional service.

(2) No person other than a student member of the College of Hearing Aid Practitioners of Alberta shall use the title hearing aid student in connection with a professional service.

3 Hearing aid practitioners

- (a) examine and evaluate human hearing as it relates to hearing acuity, sensitivity and communication, and
- (b) select and fit the appropriate hearing instruments.

4 Column 1 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Hearing Aid Practitioners of Alberta.

5(1) On the coming into force of this Schedule, a person who is registered as a registered member of the designated health discipline of Hearing Aid Practitioners under the Health Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member of, and deemed to be issued a practice permit by the registrar of, the College of Hearing Aid Practitioners of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

(2) On the coming into force of this Schedule, a person who is registered as a hearing aid practitioner student of the designated health discipline of Hearing Aid Practitioners under the Health Disciplines Act is deemed to be registered, subject to the same conditions, as a student member of, and is deemed to be issued a practice permit by the registrar of, the College of Hearing Aid Practitioners of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule, an application for registration, temporary registration or renewal of registration as a member of the designated discipline of Hearing Aid Practitioners under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Director of Health Disciplines and the registrar of the designated health discipline of Hearing Aid Practitioners under the Health Disciplines Act are vested in and may be exercised by the registrar of the College of Hearing Aid Practitioners of Alberta, and any reference to the Director of Health Disciplines and the registrar in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the registration committee of the Alberta Hearing Aid Practitioners Association under the Health Disciplines Act are vested in and may be exercised by the registration committee of the College of Hearing Aid Practitioners of Alberta, and any reference to a committee in the Health Disciplines Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Hearing Aid Practitioners of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(3) For the purposes of subsection (1), a reference to a form in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.

(4) A person who is registered or whose registration is renewed under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Hearing Aid Practitioners of Alberta until the registration or practice permit expires or is cancelled under this Act.

7(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint that relates to a registered member or

student member of the designated discipline of Hearing Aid Practitioners under the Health Disciplines Act made before the coming into force of this Schedule that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the registrar under the Health Disciplines Act are vested in and may be exercised by the complaints director of the College of Hearing Aid Practitioners of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;
- (b) of the chair under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of the College of Hearing Aid Practitioners of Alberta, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;
- (c) of the chair of the registration committee of the Alberta Hearing Aid Practitioners Association under the Health Disciplines Act, except under section 15(1), are vested in and may be exercised by the chair of the hearing tribunal of the College of Hearing Aid Practitioners of Alberta, and any reference to the chair in the Health Disciplines Act except in section 15(1) is deemed to be a reference to the chair of the hearing tribunal under this Act;
- (d) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the hearings director of the College of Hearing Aid Practitioners of Alberta, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to the hearings director under this Act;
- (e) of the registration committee of the Alberta Hearing Aid Practitioners Association under section 14.1 of the Health Disciplines Act are vested in and may be exercised by the complaint review committee of the College of Hearing Aid Practitioners of Alberta, and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to a complaint review committee under this Act;
- (f) of the registration committee of the Alberta Hearing Aid Practitioners Association under the Health Disciplines Act, except under section 14.1, are vested in and may be exercised by a competence committee of the College of

Hearing Aid Practitioners of Alberta, and any reference to a committee of the Health Disciplines Act except in section 14.1 is deemed to be a reference to a competence committee under this Act;

- (g) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Hearing Aid Practitioners of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(4) For the purposes of subsection (2), a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under this Act.

8 On the coming into force of this Schedule,

- (a) the members of the board of directors of the Alberta Hearing Aid Practitioners Association continue as members of the council of the College of Hearing Aid Practitioners of Alberta until their terms of office expire or are terminated under this Act;
- (b) the Registrar of the Alberta Hearing Aid Practitioners Association continues as the registrar of the College of Hearing Aid Practitioners of Alberta until the term of office expires or is terminated under this Act.

SCHEDULE 12

LICENSED PRACTICAL NURSES PROFESSION

1 The corporation known as the Professional Council of Licensed Practical Nurses is continued under the name College of Licensed Practical Nurses of Alberta.

2(1) No person other than a practising member of the College of Licensed Practical Nurses of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) licensed practical nurse;
- (b) practical nurse;
- (c) nursing assistant;

(d) L.P.N.;

(e) R.N.A.

(2) No person other than a student member of the College of Licensed Practical Nurses of Alberta shall use the title student practical nurse in connection with a professional service.

3 Licensed practical nurses apply nursing knowledge and skills to assess patients' needs and provide nursing care for patients and families.

4 Column 1 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Licensed Practical Nurses of Alberta.

5 On the coming into force of this Schedule, a person who is registered or temporarily registered as a member of the designated health discipline of Licensed Practical Nurses under the Health Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Licensed Practical Nurses of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule, an application for registration, temporary registration or renewal of registration as a member of the designated discipline of Licensed Practical Nurses under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Director of Health Disciplines and the Registrar of the designated health discipline of Licensed Practical Nurses under the Health Disciplines Act are vested in and may be exercised by the registrar of the College of Licensed Practical Nurses of Alberta, and any reference to the Director of Health Disciplines or the registrar in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Registration Committee of the Professional Council of Licensed Practical Nurses under the Health Disciplines Act are vested in and may be exercised by the registration committee of the College of Licensed Practical Nurses of Alberta, and any reference to a committee in the Health

Disciplines Act is deemed to be a reference to a registration committee under this Act;

- (c) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Licensed Practical Nurses of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(3) For the purposes of subsection (1), a reference to a form in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.

(4) A person who is registered or whose registration is renewed under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by, the College of Licensed Practical Nurses of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

7(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated discipline of Licensed Practical Nurses under the Health Disciplines Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the registrar under the Health Disciplines Act are vested in and may be exercised by the complaints director of the College of Licensed Practical Nurses of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;
- (b) of the chair under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of the College of Licensed Practical Nurses of Alberta, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;

- (c) of the chair of the Registration Committee of the Professional Council of Licensed Practical Nurses under the Health Disciplines Act, except under section 15(1), are vested in and may be exercised by the chair of a hearing tribunal of the College of Licensed Practical Nurses of Alberta, and any reference to the chair in the Health Disciplines Act except in section 15(1) is deemed to be a reference to the chair of the hearing tribunal under this Act;
 - (d) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the hearings director of the College of Licensed Practical Nurses of Alberta, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to the hearings director under this Act;
 - (e) of the Conduct and Competency Committee of the Professional Council of Licensed Practical Nurses under section 14.1 of the Health Disciplines Act are vested in and may be exercised by the complaint review committee of the College of Licensed Practical Nurses of Alberta, and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to the complaint review committee under this Act;
 - (f) of the Conduct and Competency Committee of the Professional Council of Licensed Practical Nurses under the Health Disciplines Act, except under section 14.1, are vested in and may be exercised by a hearing tribunal of the College of Licensed Practical Nurses of Alberta, and any reference to a committee in the Health Disciplines Act except in section 14.1 is deemed to be a reference to a hearing tribunal under this Act;
 - (g) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Licensed Practical Nurses of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.
- (4) For the purposes of subsection (2), a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 13

MEDICAL LABORATORY TECHNOLOGISTS PROFESSION

1 The corporation known as the Alberta Society of Medical Laboratory Technologists is continued as the College of Medical Laboratory Technologists of Alberta.

2 No person other than a practising member of the College of Medical Laboratory Technologists of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with providing a professional service:

- (a) medical laboratory technologist;
- (b) M.L.T.;
- (c) R.M.L.T.

3 Medical laboratory technologists collect and analyse biological samples and communicate results that have been critically evaluated to ensure accuracy and reliability.

4 Column 1 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Medical Laboratory Technologists of Alberta.

5 On the coming into force of this Schedule, a person who is a registered member or a temporary registered member of the designated health discipline of Medical Laboratory Technologists under the Health Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Medical Laboratory Technologists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

6 On the coming into force of this Schedule,

- (a) the members of the council of the Alberta Society of Medical Laboratory Technologists continue as members of the council of the College of Medical Laboratory Technologists of Alberta for the same terms of office unless their terms are terminated earlier under this Act;

- (b) the registrar and president of the Alberta Society of Medical Laboratory Technologists continue as the registrar and president of the College of Medical Laboratory Technologists of Alberta for the same terms of office unless their terms are terminated earlier under this Act.

7(1) On the coming into force of this Schedule, an application for registration, temporary registration or renewal of registration as a member of the designated discipline of Medical Laboratory Technologists under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Director of Health Disciplines and registrar of the designated health discipline of Medical Laboratory Technologists under the Health Disciplines Act are vested in and may be exercised by the registrar of the College of Medical Laboratory Technologists of Alberta, and any reference to the Director of Health Disciplines and the registrar in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Registration Committee of the Alberta Society of Medical Laboratory Technologists under the Health Disciplines Act are vested in and may be exercised by the registration committee of the College of Medical Laboratory Technologists of Alberta, and any reference to a committee in the Health Disciplines Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Medical Laboratory Technologists of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(3) For the purposes of subsection (1), a reference to a form in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.

(4) A person who is registered or whose registration is renewed under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Medical Laboratory Technologists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

8(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated discipline of Medical Laboratory Technologists under the Health Disciplines Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the registrar under the Health Disciplines Act are vested in and may be exercised by the complaints director of the College of Medical Laboratory Technologists of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;
- (b) of the chair under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of the College of Medical Laboratory Technologists of Alberta, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;
- (c) of the chair of the Conduct and Competency Committee of the Alberta Society of Medical Laboratory Technologists of the Health Disciplines Act, except under section 15(1), are vested in and may be exercised by the chair of the hearing tribunal of the College of Medical Laboratory Technologists of Alberta, and any reference to the chair in the Health Disciplines Act except in section 15(1) is deemed to be a reference to the chair of a hearing tribunal under this Act;
- (d) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the hearings director of the College of Medical Laboratory Technologists of Alberta, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to the hearings director under this Act;
- (e) of the Conduct and Competency Committee of the Alberta Society of Medical Laboratory Technologists under section 14.1 of the Health Disciplines Act are vested in and may be exercised by the complaint review committee of the College of Medical Laboratory Technologists of Alberta,

and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to the complaint review committee under this Act;

- (f) of the Conduct and Competency Committee of the Alberta Society of Medical Laboratory Technologists under the Health Disciplines Act, except under section 14.1, are vested in and may be exercised by a hearing tribunal of the College of Medical Laboratory Technologists of Alberta, and any reference to a committee in the Health Disciplines Act except in section 14.1 is deemed to be a reference to a hearing tribunal under this Act;
- (g) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Medical Laboratory Technologists of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(4) For the purposes of subsection (2), a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 14

MEDICAL RADIATION TECHNOLOGISTS AND ELECTRONEUROPHYSIOLOGISTS PROFESSION

1 The corporation known as the Alberta Association of Medical Radiation Technologists is continued under the name Alberta College of Medical Radiation Technologists.

2 No person other than a practising member of the Alberta College of Medical Radiation Technologists shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) registered technologist radiography;
- (b) registered technologist nuclear medicine;
- (c) registered technologist therapy;
- (d) registered technologist magnetic resonance;
- (e) electroneurophysiology technician;
- (f) registered electroneurophysiology technician;

- (g) electrocephalography technologist;
- (h) registered electrocephalography technologist;
- (i) evoked potential technologists;
- (j) registered evoked potential technologists;
- (k) electromyography technologist;
- (l) registered electromyography technologist;
- (m) R.T.R.;
- (n) R.T.N.M.;
- (o) R.T.T.;
- (p) R.T.M.R.;
- (q) R.E.T.;
- (r) R.E.P.T.;
- (s) R.E.M.G.T.

3(1) Medical radiation technologists apply ionizing radiation and other forms of energy to produce diagnostic images, evaluate the technical sufficiency of the images and use ionizing radiation and other forms of energy for treatment purposes.

(2) Electroneurophysiologists use sensitive electronic equipment to record and evaluate the electrical activity of patients' central and peripheral nervous systems to assist physicians, surgeons and osteopaths in diagnosing diseases, injuries and abnormalities.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the Alberta College of Medical Radiation Technology.

5 On the coming into force of this Schedule, the members of the council of the Alberta Association of Medical Radiation Technologists under the Health Disciplines Act are deemed to be members of the council of the Alberta College of Medical Radiation Technologists for the same terms of office unless the terms are terminated under this Act.

6 On the coming into force of this Schedule, a person who is registered or temporarily registered as a member of the designated health discipline of Medical Radiation Technologists under the Health Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member of, and to be issued a practice permit by the registrar of, the Alberta College of Medical Radiation Technologists under this Act until the registration or practice permit expires or is cancelled under this Act.

7(1) On the coming into force of this Schedule, an application for registration, temporary registration or renewal of registration as a member of the designated discipline of Medical Radiation Technologists under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Director of Health Disciplines and the Registrar of the designated health discipline of Medical Radiation Technologists under the Health Disciplines Act are vested in and may be exercised by the registrar of the Alberta College of Medical Radiation Technologists, and any reference to the Director of Health Disciplines or the registrar in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Registration Committee of the Alberta Association of Medical Radiation Technologists under the Health Disciplines Act are vested in and may be exercised by the registration committee of the Alberta College of Medical Radiation Technologists, and any reference to a committee in the Health Disciplines Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the Alberta College of Medical Radiation Technologists, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(3) For the purposes of subsection (1), a reference to a form in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.

(4) A person who is registered or whose registration is renewed under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the Alberta College of Medical

Radiation Technologists under this Act until the registration or practice permit expires or is cancelled under this Act.

8(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated discipline of Medical Radiation Technologists under the Health Disciplines Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the registrar under the Health Disciplines Act are vested in and may be exercised by the complaints director of the Alberta College of Medical Radiation Technologists, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;
- (b) of the chair under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of the Alberta College of Medical Radiation Technologists, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;
- (c) of the chair of the Conduct and Competency Committee of the Alberta Association of Medical Radiation Technologists under the Health Disciplines Act, except under section 15(1), are vested in and may be exercised by the chair of the hearing tribunal of the Alberta College of Medical Radiation Technologists, and any reference to the chair in the Health Disciplines Act except in section 15(1) is deemed to be a reference to the chair of the hearing tribunal under this Act;
- (d) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the hearings director of the Alberta College of Medical Radiation Technologists, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to a hearings director under this Act;

- (e) of the Registration Committee of the Alberta Association of Medical Radiation Technologists under section 14.1 of the Health Disciplines Act are vested in and may be exercised by the complaint review committee of the Alberta College of Medical Radiation Technologists, and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to the complaint review committee under this Act;
 - (f) of the Registration Committee of the Alberta Association of Medical Radiation Technologists under the Health Disciplines Act, except for section 14.1, are vested in and may be exercised by a hearing tribunal of the Alberta College of Medical Radiation Technologists, and any reference to a committee in the Health Disciplines Act except in section 14.1 is deemed to be a reference to a hearing tribunal under this Act;
 - (g) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the Alberta College of Medical Radiation Technologists, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.
- (4) For the purposes of subsection (2), a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 15

MIDWIVES PROFESSION

1(1) On the coming into force of this Schedule, a society under the Societies Act designated by the Lieutenant Governor in Council is continued as the College of Midwives of Alberta.

(2) The Lieutenant Governor in Council may by order designate a society incorporated under the Societies Act as the society that, on the coming into force of this Schedule, continues as the College of Midwives of Alberta under this Act.

2(1) No person other than a practising member of the College of Midwives of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) midwife;

(b) registered midwife;

(c) R.M.

(2) No person other than a student member of the College of Midwives of Alberta shall use the title registered midwife student in connection with a professional service.

3 Midwives provide comprehensive prenatal, labour, birth and postpartum care to clients experiencing normal pregnancy, as well as counselling, education and emotional support related to the clients' physical, psychological and social needs.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Midwives of Alberta.

5 On the coming into force of this Schedule, a person who is registered or temporarily registered as a member of the designated health discipline of Midwives under the Health Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member of, and deemed to be issued a practice permit by the Registrar of, the College of Midwives of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule, an application for registration, temporary registration or renewal of registration as a member of the designated discipline of Midwives under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

(a) of the Director of Health Disciplines and of the registrar of the designated health discipline of midwives under the Health Disciplines Act are vested in and may be exercised by the registrar of the College of Midwives of Alberta, and any reference to the Director of Health Disciplines or the registrar in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;

(b) of the Midwifery Health Discipline Committee under the Health Disciplines Act are vested in and may be exercised by the registration committee of the College of Midwives of Alberta, and any reference to a committee in the Health Disciplines Act is deemed to be a reference to a registration committee under this Act;

- (c) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Midwives of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.
- (3) For the purposes of subsection (1), a reference to a form in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.
- (4) A person who is registered under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by, the College of Midwives of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.
- 7(1) On the coming into force of this Schedule, a review of a practice of a midwife by the Practice Review Committee that has not been concluded must be concluded in accordance with the Health Disciplines Act.
- (2) For the purposes of subsection (1), the powers and duties of the Practice Review Committee are vested in and may be exercised by the competence committee of the College of Midwives of Alberta, and any reference to the Practice Review Committee in the Health Disciplines Act or in the Midwifery Regulation (AR 328/94) is deemed to be a reference to a competence committee under this Act.
- 8(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.
- (2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated discipline of Midwives under the Health Disciplines Act that have not been concluded must be concluded in accordance with that Act.
- (3) For the purposes of subsection (2), the powers and duties
- (a) of the registrar under the Health Disciplines Act are vested in and may be exercised by the complaints director of the College of Midwives of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;

- (b) of the chair under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of the College of Midwives of Alberta, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;
 - (c) of the chair of the Midwifery Health Discipline Committee under the Health Disciplines Act, except under section 15(1), are vested in and may be exercised by the chair of the hearing tribunal of the College of Midwives of Alberta, and any reference to the chair in the Health Disciplines Act except in section 15(1) is deemed to be a reference to the chair of a hearing tribunal under this Act;
 - (d) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the hearings director of the College of Midwives of Alberta, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to the hearings director under this Act;
 - (e) of the Midwifery Health Discipline Committee under section 14.1 of the Health Disciplines Act are vested in and may be exercised by the complaint review committee of the College of Midwives of Alberta, and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to a complaint review committee under this Act;
 - (f) of the Midwifery Health Discipline Committee under the Health Disciplines Act, except under section 14.1, are vested in and may be exercised by a hearing tribunal of the College of Midwives of Alberta, and any reference to a committee in Part 4 of the Health Disciplines Act except in section 14.1 is deemed to be a reference to a hearing tribunal under this Act;
 - (g) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Midwives of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.
- (4) For the purposes of subsection (2), a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 16

NATUROPATHS PROFESSION

1 The society incorporated under the Societies Act known as the Alberta Association of Naturopathic Practitioners is continued as the College of Naturopathic Doctors of Alberta.

2 No person other than a practising member of the College of Naturopathic Doctors of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) naturopathic doctor;
- (b) naturopathic practitioner;
- (c) naturopath;
- (d) N.D.;
- (e) R.N.D.

3 Naturopathic practitioners

- (a) promote health, prevent illness and treat disease by using natural therapies and substances that promote the body's ability to heal, and
- (b) focus on the overall health of the individual on the basis of naturopathic assessment and common diagnostic procedures.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Naturopathic Doctors of Alberta.

5 On the coming into force of this Schedule, a person who is a registered member of the Alberta Association of Naturopathic Practitioners is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Naturopathic Doctors of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

SCHEDULE 17

OCCUPATIONAL THERAPY PROFESSION

1 The corporation known as The Alberta Association of Registered Occupational Therapists is continued under the name The Alberta College of Occupational Therapists.

2 No person other than a practising member of The Alberta College of Occupational Therapists shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) registered occupational therapist;
- (b) occupational therapist;
- (c) O.T.

3 Occupational therapists assess, analyze, modify and adapt the activities in which individuals or groups engage to optimize health and functional independence and to facilitate the setting of client goals, identification of services and development of programs to meet everyday needs in self-care, leisure and productivity.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in The Alberta College of Occupational Therapists.

5 On the coming into force of this Schedule, a person

- (a) who is registered as an occupational therapist and holds an annual certificate under the Occupational Therapy Profession Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The Alberta College of Occupational Therapists under this Act until the registration or practice permit expires or is cancelled under this Act;
- (b) who is registered as a restricted practitioner or temporary registrant under the Occupational Therapy Profession Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The Alberta College of Occupational Therapists under this Act until the registration or practice permit expires or is cancelled under this Act;

- (c) who is registered on the student register provided for in the by-laws under the Occupational Therapy Profession Act is deemed to be registered, subject to the same conditions, as a student member of, and is deemed to be issued a practice permit by the registrar of, The Alberta College of Occupational Therapists under this Act until the registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule, the members of the Council of The Alberta Association of Registered Occupational Therapists continue as members of the council of The Alberta College of Occupational Therapists with the same terms of office unless their terms are terminated earlier under this Act.

(2) On the coming into force of this Schedule, the Registrar and president of The Alberta Association of Registered Occupational Therapists continue as the registrar and president of The Alberta College of Occupational Therapists until their successors are elected or appointed.

7(1) On the coming into force of this Schedule, an application for registration as an occupational therapist or a restricted practitioner under the Occupational Therapy Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Registrar of The Alberta Association of Registered Occupational Therapists under the Occupational Therapy Profession Act are vested in and may be exercised by the registrar of The Alberta College of Occupational Therapists, and any reference to the Registrar in the Occupational Therapy Profession Act is deemed to be a reference to a registrar under this Act;
- (b) of the Council of The Alberta Association of Registered Occupational Therapists under the Occupational Therapy Profession Act are vested in and may be exercised by the council of The Alberta College of Occupational Therapists, and any reference to the Council in the Occupational Therapy Profession Act is deemed to be a reference to a council under this Act;
- (c) of the Universities Co-ordinating Council under the Occupational Therapy Profession Act are vested in and may be exercised by the registration committee of The Alberta College of Occupational Therapists, and any reference to the Universities Co-ordinating Council in the

Occupational Therapy Profession Act is deemed to be a reference to a registration committee under this Act.

(3) On the coming into force of this Schedule, a program that is designated as an approved occupational therapy education program under section 11 of the Occupational Therapy Profession Act continues to be an approved occupational therapy education program for the purposes of subsection (1).

(4) A person who is registered under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The Alberta College of Occupational Therapists under this Act until the registration or practice permit expires or is cancelled under this Act.

8(1) On the coming into force of this Schedule, a review of a practice under the Occupational Therapy Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

(a) of the Practice Review Board under the Occupational Therapy Profession Act, except under sections 24(1)(b) and 25, are vested in and may be exercised by the competence committee of The Alberta College of Occupational Therapists, and any reference to the Practice Review Board in the Occupational Therapy Profession Act, except in sections 24(1)(b) and 25, is deemed to be a reference to a competence committee under this Act;

(b) of the Council under the Occupational Therapy Profession Act are vested in and may be exercised by the council of The Alberta College of Occupational Therapists, and any reference to the Council in the Occupational Therapy Profession Act is deemed to be a reference to a council under this Act;

(c) of the Registrar under the Occupational Therapy Profession Act are vested in and may be exercised by the complaints director of The Alberta College of Occupational Therapists, and any reference to the Registrar in the Occupational Therapy Profession Act is deemed to be a reference to a complaints director under this Act;

(d) of the president of The Association of Registered Occupational Therapists are vested in and may be exercised by the president of The Alberta College of Occupational Therapists, and any reference to the president in the

Occupational Therapy Profession Act is deemed to be a reference to a president under this Act;

- (e) of the chair of the Practice Review Board are vested in and may be exercised by the registrar of The Alberta College of Occupational Therapists, and any reference to the chair of the Practice Review Committee in the Occupational Therapy Profession Act is deemed to be a reference to a registrar under this Act.

9(1) On the coming into force of this Schedule, an application for reinstatement under the Occupational Therapy Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Council under the Occupational Therapy Profession Act are vested in and may be exercised by the council of The Alberta College of Occupational Therapists, and any reference to the Council in the Occupational Therapy Profession Act is deemed to be a reference to a council under this Act;
- (b) of a Committee of Inquiry under the Occupational Therapy Profession Act are vested in and may be exercised by the reinstatement committee of The Alberta College of Occupational Therapists and any reference to the Committee of Inquiry in the regulations under the Occupational Therapy Profession Act is deemed to be a reference to a reinstatement committee established by regulations made by a council under this Act.

10(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to an occupational therapist or a restricted practitioner under the Occupational Therapy Profession Act that have not been concluded before the coming into force of this Schedule must be concluded in accordance with that Act.

(3) For the purposes of subsection (1), the powers and duties

- (a) of the chairman of the Discipline Committee under the Occupational Therapy Profession Act are vested in and

may be exercised by the complaints director of The Alberta College of Occupational Therapists, and any reference to the chairman of the Discipline Committee in the Occupational Therapy Profession Act is deemed to be a reference to a complaints director under this Act;

- (b) of the Discipline Committee under the Occupational Therapy Profession Act are vested in and may be exercised by a hearing tribunal of The Alberta College of Occupational Therapists, and any reference to the Discipline Committee in the Occupational Therapy Profession Act is deemed to be a reference to a hearing tribunal under this Act;
- (c) of a person conducting a preliminary investigation under the Occupational Therapy Profession Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to a person conducting a preliminary investigation in the Occupational Therapy Profession Act is deemed to be a reference to an investigator under this Act;
- (d) of the Registrar under the Occupational Therapy Profession Act are vested in and may be exercised by the complaints director of The Alberta College of Occupational Therapists, and any reference to the Registrar in the Occupational Therapy Profession Act is deemed to be a reference to a complaints director under this Act;
- (e) of a member of the Discipline Committee under sections 31 to 33 of the Occupational Therapy Profession Act are vested in and may be exercised by the complaints director of The Alberta College of Occupational Therapists, and any reference to a member of the Discipline Committee in sections 31 to 33 of the Occupational Therapy Profession Act is deemed to be a reference to a complaints director under this Act;
- (f) of the president under the Occupational Therapy Profession Act are vested in and may be exercised by the president of The Alberta College of Occupational Therapists, and any reference to the president in the Occupational Therapy Profession Act is deemed to be a reference to a president under this Act;
- (g) of the Council under the Occupational Therapy Profession Act are vested in and may be exercised by the council of The Alberta College of Occupational Therapists, and any reference to the Council in the Occupational Therapy Profession Act is deemed to be a reference to a council under this Act.

(4) For the purposes of subsection (1), a reference to a certificate of registration or an annual certificate in section 45 of the Occupational Therapy Profession Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 18

OPTICIANS PROFESSION

1 The corporation known as the Alberta Opticians Association is continued as a corporation under the name College of Opticians of Alberta.

2 No person other than a practising member of the College of Opticians of Alberta, as authorized by the regulations, shall use any of the following titles in connection with a professional service:

- (a) registered optician;
- (b) optician;
- (c) ophthalmic dispenser;
- (d) registered ophthalmic dispenser;
- (e) optical dispenser;
- (f) registered optical dispenser;
- (g) contact lens fitter;
- (h) contact lens practitioner;
- (i) contact lens dispenser;
- (j) registered contact lens fitter;
- (k) registered contact lens practitioner;
- (l) registered contact lens dispenser;
- (m) R.O.;
- (o) R.C.L.P.

3 Opticians

- (a) prepare, supply and dispense optical goods for the relief of visual irregularities,
- (b) plan and implement educational and maintenance programs to preserve or improve the functions of optical goods and services, and
- (c) carry out ophthalmic education, management and research.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Opticians of Alberta.

5(1) On the coming into force of this Schedule, a person who is registered as a member or temporary member under the Opticians Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Opticians of Alberta until the registration or practice permit expires or is terminated under this Act.

(2) On the coming into force of this Schedule, a person who is a registered student member under the Opticians Act is deemed to be registered, subject to the same conditions, as a student member of, and is deemed to be issued a practice permit by the registrar of, the College of Opticians under this Act until the registration or practice permit expires or is terminated under this Act.

6 On the coming into force of this Schedule,

- (a) the registrar of the Alberta Opticians Association continues as the registrar of the College of Opticians of Alberta under this Act until a successor is appointed or elected as registrar;
- (b) the president of the Alberta Opticians Association continues as the president of the College of Opticians of Alberta under this Act until a successor is appointed or elected as president;
- (c) the members of the council of the Alberta Opticians Association continue as members of the council of the College of Opticians of Alberta for the same terms of office unless their terms are terminated earlier under this Act.

7(1) On the coming into force of this Schedule, an application for registration or temporary registration under the Opticians Act that

has not been concluded before the coming into force of this Schedule must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the registrar are vested in and may be exercised by the registrar of the College of Opticians of Alberta, and any reference to the Registrar in the Opticians Act is deemed to be a reference to a registrar under this Act;
- (b) of the Registration Committee are vested in and may be exercised by the registration committee of the College of Opticians of Alberta, and any reference to the Registration Committee in the Opticians Act is deemed to be a reference to the registration committee under this Act;
- (c) of the Universities Co-ordinating Council are vested in and may be exercised by the registration committee of the College of Opticians of Alberta, and any reference to the Universities Co-ordinating Council in the Opticians Act is deemed to be a reference to a registration committee under this Act.

(3) A person who is registered under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Opticians of Alberta until the registration or practice permit expires or is cancelled under this Act.

8(1) On the coming into force of this Schedule, a review of a practice that has not been concluded under the Opticians Act must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties of the practice review board are vested in and may be exercised by the competence committee of the College of Opticians of Alberta under this Act, and any reference to the practice review board in the Opticians Act is deemed to be a reference to a competence committee under this Act.

9(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made under the Opticians Act before the coming into force of this Schedule that have not been concluded must be concluded in accordance with that Act.

- (3) For the purposes of subsection (1), the powers and duties
- (a) of the chair of the discipline committee under the Opticians Act are vested in and may be exercised by the complaints director of the College of Opticians of Alberta, and any reference to the chair of the Discipline Committee in the Opticians Act is deemed to be a reference to a complaints director under this Act;
 - (b) of Discipline Committee under the Opticians Act, except under section 22.1, are vested in and may be exercised by a hearing tribunal of the College of Opticians of Alberta, and any reference to the discipline committee in the Opticians Act except in section 22.1 is deemed to be a reference to a hearing tribunal under this Act;
 - (c) of a preliminary investigator under the Opticians Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to a preliminary investigator in the Opticians Act is deemed to be a reference to an investigator under this Act;
 - (d) of the registrar under the Opticians Act are vested in and may be exercised by the complaints director of the College of Opticians of Alberta, and any reference to the registrar in the Opticians Act is deemed to be a reference to a complaints director under this Act;
 - (e) of the discipline committee under section 22.1 of the Opticians Act are vested in and may be exercised by the complaints review committee of the College of Opticians of Alberta, and any reference to the discipline committee in section 22.1 of the Opticians Act is deemed to be a reference to a complaints review committee under this Act;
 - (f) of the Association under the Opticians Act are vested in and may be exercised by the College of Opticians of Alberta, and any reference to the Association in the Opticians Act is deemed to be a reference to a college under this Act.
- (4) For the purposes of subsection (1), a reference to a membership in section 25.2 of the Opticians Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 19

OPTOMETRISTS PROFESSION

1(1) The corporation known as The Alberta College of Optometrists continues as a corporation under this Act.

(2) On the coming into force of this Schedule, the corporation known as the Alberta Association of Optometrists established under section 8.1 of the Optometry Profession Act is dissolved and all its assets and liabilities are vested in a society incorporated under the Societies Act that is designated in an order of the Lieutenant Governor in Council, and all rights of action and actions by and against the Alberta Association of Optometrists may be continued or maintained by and against that society.

(3) The Lieutenant Governor in Council may by order designate a society incorporated under the Societies Act as the society in which, on the coming into force of this Schedule, all the assets and liabilities of and all rights of action by and against the Alberta Association of Optometrists are vested.

2 No person other than a practising member of The Alberta College of Optometrists shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) registered optometrist;
- (b) optometrist;
- (c) O.D.

3 Optometrists examine, assess, measure and diagnose disorders and diseases of the human visual system, the eye and its associated structures and provide and prescribe treatment, management and correction.

4 Column 3 of the unprofessional conduct fines table applies to proceedings under Part 4 in The Alberta College of Optometrists.

5(1) In this section, “optical prescription” means a written record of the refractive error of the eye including, if appropriate, reading add, prisms and back vertex distance.

(2) A practising member who prescribes an ophthalmic appliance or other visual aid must offer the patient a written copy of the optical prescription.

(3) After completing all the services required to dispense contact lenses, a practising member must offer the patient a written copy of the specifications of the contact lenses.

6(1) On the coming into force of this Schedule,

- (a) a person who holds a certificate of registration under the Optometry Profession Act,
- (b) a person who is registered as a visiting project optometrist under the Optometry Profession Act, and
- (c) a person who holds a certificate of designation under the regulations under the Optometry Profession Act,

are deemed to be registered, subject to the same conditions, as practising members of, and are deemed to be issued practice permits by the registrar of, The Alberta College of Optometrists under this Act until the registrations or practice permits expire or are cancelled under this Act.

(2) On the coming into force of this Schedule, a person who is registered as a student is deemed to be registered, subject to the same conditions, as a student member of, and is deemed to be issued a practice permit by the registrar of, The Alberta College of Optometrists under this Act until the registration or practice permit expires or is cancelled under this Act.

(3) On the coming into force of this Schedule, a permit issued to a professional corporation or company under the Optometry Profession Act is deemed to be an annual permit issued to a professional corporation under this Act until the annual permit expires or is cancelled under this Act.

(4) Notwithstanding section 107, a corporation that has been continually engaged in the practice of optometry since before the coming into force of the Optometry Profession Act (SA 1983 cO-10) and this Schedule, may apply for and receive an annual permit under section 107 if

- (a) the corporation complies with this Act except for section 107(2)(b) and
- (b) there has been no change in the issued share capital of the corporation or in the ownership of the share capital after March 1, 1998, other than the purchase of previously issued shares by a registered optometrist under the Optometry Profession Act or by a practising member of the Alberta College of Optometrists under this Act from a shareholder who is not a registered optometrist under the

Optometry Profession Act nor a practising member of the Alberta College of Optometrists under this Act.

- 7 On the coming into force of this Schedule,
- (a) the members of the Council of The Alberta College of Optometrists under the Optometry Profession Act continue as members of the council of The Alberta College of Optometrists under this Act for the same terms of office unless the terms are terminated earlier under this Act;
 - (b) the Registrar and president of The Alberta College of Optometrists under the Optometry Profession Act are deemed to be the registrar and president of The Alberta College of Optometrists under this Act until their terms of office expire or are terminated under this Act;
 - (c) the members of the Practice Review Board under the Optometry Profession Act are deemed to be members of the competence committee of The Alberta College of Optometrists under this Act for the same terms of office unless the terms are terminated earlier under this Act.
- 8(1) On the coming into force of this Schedule, an application for registration as a registered optometrist, visiting project optometrist or professional corporation that has not been concluded must be concluded in accordance with that Act.
- (2) For the purposes of subsection (1), the powers and duties
- (a) of the Registrar under the Optometry Profession Act are vested in and may be exercised by the registrar of The Alberta College of Optometrists under this Act, and any reference to the Registrar in the Optometry Profession Act is deemed to be a reference to a registrar under this Act;
 - (b) of the Registration Committee under the Optometry Profession Act are vested in and may be exercised by the registration committee of The Alberta College of Optometrists under this Act, and any reference to the Registration Committee in the Optometry Profession Act is deemed to be a reference to a registration committee under this Act;
 - (c) of the Universities Co-ordinating Council under the Optometry Profession Act are vested in and may be exercised by the registration committee of The Alberta College of Optometrists under this Act, and any reference to the Universities Co-ordinating Council in the Optometry

Profession Act is deemed to be a reference to a registration committee under this Act.

(3) An individual who is registered under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The Alberta College of Optometrists under this Act until the registration or practice permit expires or is cancelled under this Act.

(4) A corporation that is registered under this section is deemed to be registered as a professional corporation and is deemed to be issued an annual permit by the registrar of The Alberta College of Optometrists under this Act until the annual permit expires or is cancelled under this Act.

9(1) On the coming into force of this Schedule, an inquiry by the Practice Review Board under the Optometry Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

(a) of the Practice Review Board under the Optometry Profession Act are vested in and may be exercised by the competence committee of The Alberta College of Optometrists, and any reference to the Practice Review Board in the Optometry Profession Act is deemed to be a reference to a competence committee under this Act;

(b) of the Council under the Optometry Profession Act are vested in and may be exercised by the council of The Alberta College of Optometrists under this Act, and any reference to the Council in the Optometry Profession Act is deemed to be a reference to a council under this Act;

(c) of the Discipline Committee under the Optometry Profession Act are vested in and may be exercised by a hearing tribunal of The Alberta College of Optometrists under this Act, and any reference to the Discipline Committee in the Optometry Profession Act is deemed to be a reference to a hearing tribunal under this Act.

10(1) On the coming into force of this Schedule, an application for reinstatement under the Optometry Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Council under the Optometry Profession Act are vested in and may be exercised by the council of The Alberta College of Optometrists under this Act, and any reference to the Council in the Optometry Profession Act is deemed to be a reference to a council under this Act;
- (b) of a Committee of Inquiry under the Optometry Profession Act are vested in and may be exercised by the registration committee of The Alberta College of Optometrists and any reference to the Committee of Inquiry in the Optometry Profession Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Registrar under the Optometry Profession Act are vested in and may be exercised by the registrar of The Alberta College of Optometrists under this Act, and any reference to the Registrar in the Optometry Profession Act is deemed to be a reference to a registrar under this Act.

11(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered optometrist, registered member or student under the Optometry Profession Act that have not been concluded before the coming into force of this Schedule must be concluded in accordance with that Act.

(3) For the purposes of subsection (1), the powers and duties

- (a) of the Council under section 35 of the Optometry Profession Act are vested in and may be exercised by the complaint review committee of The Alberta College of Optometrists under this Act, and any reference to the Council in section 35 of the Optometry Profession Act is deemed to be a reference to a complaint review committee under this Act;
- (b) of the Council under section 37 of the Optometry Profession Act are vested in and may be exercised by the president of The Alberta College of Optometrists under this Act, and any reference to the Council in section 37 of the Optometry Profession Act is deemed to be a reference to a president under this Act;
- (c) of the Council under the Optometry Profession Act, except under sections 35 and 37, are vested in and may be

exercised by the council of The Alberta College of Optometrists under this Act, and any reference to the Council in the Optometry Profession Act except in sections 35 and 37 is deemed to be a reference to a council under this Act;

- (d) of the Discipline Committee under the Optometry Profession Act are vested in and may be exercised by a hearing tribunal of The Alberta College of Optometrists under this Act, and any reference to the Discipline Committee in the Optometry Profession Act is deemed to be a reference to a hearing tribunal under this Act;
 - (e) of the Registrar under the Optometry Profession Act are vested in and may be exercised by the complaints director of The Alberta College of Optometrists under this Act, and any reference to the Registrar in the Optometry Profession Act is deemed to be a reference to a complaints director under this Act;
 - (f) of The Alberta College of Optometrists under the Optometry Profession Act are vested in and may be exercised by The Alberta College of Optometrists under this Act, and any reference to The Alberta College of Optometrists in the Optometry Profession Act is deemed to be a reference to a college under this Act;
 - (g) of a person carrying out a preliminary investigation under the Optometry Profession Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to a person carrying out a preliminary investigation in the Optometry Profession Act is deemed to be a reference to an investigator under this Act.
- (4) For the purposes of subsection (2), a reference to registration in section 46 of the Optometry Profession Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 20

PHARMACISTS PROFESSION

1 The corporation known as the Alberta Pharmaceutical Association is continued under the name Alberta College of Pharmacists.

2(1) No person other than a practising member of the Alberta College of Pharmacists shall, as authorized by the regulations, use

any of the following titles and abbreviations in connection with a professional service:

- (a) pharmacist;
- (b) pharmaceutical chemist;
- (c) druggist;
- (d) apothecary.

(2) No person other than a student member of the Alberta College of Pharmacists shall, as authorized by the regulations, use any of the following titles in connection with a professional service:

- (a) pharmacy intern;
- (b) pharmacist student;
- (c) pharmacist intern;
- (d) pharmacy student.

3 Pharmacists

- (a) promote health and prevent and treat diseases, dysfunction and disorders through proper drug therapy decisions;
- (b) assist and advise clients and other health care providers by contributing unique drug therapy knowledge on drug selection and use;
- (c) monitor responses and outcomes to drug therapy;
- (d) compound, prepare and dispense drugs;
- (e) provide non-prescription drugs, health care aids and devices;
- (f) supervise and manage drug distribution systems to maintain public safety and drug system security;
- (g) educate patients, practising members of other colleges and pharmacy students as well as students of other regulated professions;
- (h) conduct or collaborate in drug-related research;
- (i) administer drug and other health-related programs.

4 Column 3 of the unprofessional conduct fines table applies to proceedings under Part 4 in the Alberta College of Pharmacists.

5 In addition to any order under section 78, one or more of the following orders may be made by the hearing tribunal or by the council of the Alberta College of Pharmacists:

- (a) an order to suspend a pharmacy licence under the Drug and Pharmacy Act;
- (b) an order to cancel a licence under the Drug and Pharmacy Act.

6(1) If a prescription refers to a drug or drug combination by a brand name or a name other than its generic name, the practising member who dispenses the prescription may dispense a drug or drug combination that is the generic or brand name equivalent of that named in the prescription, unless the prescriber indicates otherwise

- (a) by designating the name of the manufacturer on the prescription, or
- (b) by specifying in his own original handwriting that no generic or brand name equivalent may be dispensed.

(2) No action may be commenced against a practising member for dispensing a drug that is the generic or brand name equivalent of the drug named in the prescription unless the prescriber has indicated in accordance with subsection (1) that no drug other than the drug specified in the prescription may be dispensed.

7(1) On the coming into force of this Schedule, a pharmacist or a restricted practitioner under the Pharmaceutical Profession Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the Alberta College of Pharmacists under this Act until the registration or practice permit expires or is cancelled under this Act.

(2) On the coming into force of this Schedule, a person registered as a pharmacy intern under the regulations under the Pharmaceutical Profession Act is deemed to be registered, subject to the same conditions, as a student member of, and is deemed to be issued a practice permit by the registrar of, the Alberta College of Pharmacists under this Act until the registration or practice permit expires or is cancelled under this Act.

8 On the coming into force of this Schedule,

- (a) the Registrar and President of the Alberta Pharmaceutical Association continue as the registrar and president of the Alberta College of Pharmacists for the same terms of office unless their terms are terminated earlier under this Act;
- (b) the members of the Council except the members under section 8(1)(c) of the Pharmaceutical Profession Act are continued as members of the council of the Alberta College of Pharmacists for the same terms of office unless their terms are terminated earlier under this Act;
- (c) the members of the Registration Committee are continued as members of the registration committee of the Alberta College of Pharmacists for the same term of office unless their terms are terminated earlier under this Act.

9(1) On the coming into force of this Schedule, an application for registration or annual certificate of registration as a pharmacist or a restricted practitioner under the Pharmaceutical Profession Act or as a pharmacy intern that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Universities Co-ordinating Council under the Pharmaceutical Profession Act are vested in and may be exercised by the registrar of the Alberta College of Pharmacists, and any reference to the Universities Co-ordinating Council in the Pharmaceutical Profession Act is deemed to be a reference to a registrar under this Act;
- (b) of the Registrar under the Pharmaceutical Profession Act are vested in and may be exercised by the registrar of the Alberta College of Pharmacists, and any reference to the Registrar in the Pharmaceutical Profession Act is deemed to be a reference to a registrar under this Act;
- (c) of the Registration Committee under the Pharmaceutical Profession Act are vested in and may be exercised by the registration committee of the Alberta College of Pharmacists, and any reference to the Registration Committee in the Pharmaceutical Profession Act is deemed to be a reference to a registration committee under this Act;
- (d) of the Internship Committee of Council under the Pharmaceutical Profession Act are vested in and may be exercised by the registration committee of the Alberta College of Pharmacists, and any reference to the Internship

Committee of Council in the regulations under the Pharmaceutical Profession Act is deemed to be a reference to a registration committee under this Act;

- (e) of the Council under the Pharmaceutical Profession Act are vested in and may be exercised by the council of the Alberta College of Pharmacists, and any reference to the Council in the Pharmaceutical Profession Act is deemed to be a reference to a council under this Act.

(3) A person who is registered or whose application for an annual certificate is approved under this section is deemed to be registered, subject to the same conditions, as a practising member or student member of, and is deemed to be issued a practice permit by the registrar of, the Alberta College of Pharmacists under this Act until the registration or practice permit expires or is cancelled under this Act.

10(1) On the coming into force of this Schedule, a review of a practice of a pharmacist or a restricted practitioner under Part 6 of the Pharmaceutical Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Practice Review Committee under the Pharmaceutical Profession Act are vested in and may be exercised by the competence committee of the Alberta College of Pharmacists, and any reference to the Practice Review Committee in the Pharmaceutical Profession Act is deemed to be a reference to a competence committee under this Act;
- (b) of the Registrar under the Pharmaceutical Profession Act are vested in and may be exercised by the registrar of the Alberta College of Pharmacists, and any reference to the Registrar in the Pharmaceutical Profession Act is deemed to be a reference to a registrar under this Act;
- (c) of the Council under the Pharmaceutical Profession Act are vested in and may be exercised by the council of the Alberta College of Pharmacists, and any reference to the Council in the Pharmaceutical Profession Act is deemed to be a reference to a council under this Act.

11(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a pharmacist or restricted practitioner under the Pharmaceutical Profession Act that have not been concluded before the coming into force of this Schedule must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the Infringement Committee under the Pharmaceutical Profession Act are vested in and may be exercised by the complaints director of the Alberta College of Pharmacists, and any reference to the Infringement Committee in the Pharmaceutical Profession Act is deemed to be a reference to a complaints director under this Act;
- (b) of the Appeal Committee under the Pharmaceutical Profession Act are vested in and may be exercised by the complaint review committee of the Alberta College of Pharmacists, and any reference to the Appeal Committee in the Pharmaceutical Profession Act is deemed to be a reference to a complaint review committee under this Act;
- (c) of the Investigating Committee under the Pharmaceutical Profession Act are vested in and may be exercised by a hearing tribunal of the Alberta College of Pharmacists, and any reference to the Investigating Committee in the Pharmaceutical Profession Act is deemed to be a reference to a hearing tribunal under this Act;
- (d) of the Registrar under the Pharmaceutical Profession Act are vested in and may be exercised by the complaints director of the Alberta College of Pharmacists, and any reference to the Registrar in the Pharmaceutical Profession Act is deemed to be a reference to a complaints director under this Act;
- (e) of the Council under the Pharmaceutical Profession Act are vested in and may be exercised by the council of the Alberta College of Pharmacists, and any reference to the Council in the Pharmaceutical Profession Act is deemed to be a reference to a council under this Act.

(4) For the purposes of subsection (2), references to a certificate of registration and annual certificate are deemed to be references to registration and a practice permit under this Act.

12(1) Any complaint made before the coming into force of the Pharmaceutical Profession Act that relates to conduct governed by the Pharmaceutical Association Act (RSA 1980 cP-7) that occurred

before the coming into force of the Pharmaceutical Profession Act must be dealt with in accordance with the Pharmaceutical Association Act, as provided for in section 99 of the Pharmaceutical Profession Act.

(2) Notwithstanding subsection (1), for the purposes of subsection (1), the powers and duties of the Council and Registrar under the Pharmaceutical Association Act may be exercised and performed by the council and registrar of the Alberta College of Pharmacists under this Act, and any reference in the Pharmaceutical Association Act to the Council or Registrar is deemed to be a reference to a council or registrar under this Act.

SCHEDULE 21

PHYSICAL THERAPISTS PROFESSION

1 The corporation known as The College of Physical Therapists of Alberta is continued under the name College of Physical Therapists of Alberta.

2(1) No person other than a practising member of the College of Physical Therapists of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) physical therapist;
- (b) physiotherapist;
- (c) P.T.

(2) No person other than a student member of the College of Physical Therapists of Alberta shall, as authorized by the regulations, use any of the following titles in connection with a professional service:

- (a) physiotherapy student;
- (b) physical therapy student;
- (c) physical therapy intern.

3 Physical therapists

- (a) assess physical function, and

- (b) diagnose and treat dysfunction caused by a pain, injury, disease or condition in order to develop, maintain and maximize independence and prevent dysfunction.

4 Column 3 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Physical Therapists of Alberta.

5(1) On the coming into force of this Schedule, a person who is a physical therapist or a registered practitioner under the Physical Therapy Profession Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The College of Physical Therapists of Alberta until the registration or practice permit expires or is cancelled under this Act.

(2) On the coming into force of this Schedule, a corporation that is issued a permit under the Physical Therapy Profession Act is deemed to be a physical therapy corporation under this Act and to be issued an annual permit by the registrar of the College of Physical Therapists of Alberta under this Act until the annual permit expires or is terminated under this Act.

6(1) A practising member of the College of Physical Therapists of Alberta shall not provide a professional service

- (a) for or on behalf of a person, other than a physical therapy corporation described in clause (c), who is not a practising member of the College of Physical Therapists of Alberta,
- (b) for or on behalf of a partnership unless legal and beneficial ownership of not less than 75% of the partnership assets is vested in practising members of the College of Physical Therapists of Alberta or in physical therapy corporations described in clause (c), or
- (c) for or on behalf of a physical therapy corporation unless
 - (i) the legal and beneficial ownership of
 - (A) 75% of the issued and outstanding shares of the corporation, and
 - (B) 75% of the issued voting shares of the corporationis vested in practising members of the College of Physical Therapists of Alberta, and

- (ii) at least 75% of the directors of the corporation are practising members of the College of Physical Therapists of Alberta.

(2) Subsection (1) does not apply to a practising member of the College of Physical Therapists of Alberta, or a corporation that provides physical therapy services, employed by

- (a) an institution owned, operated or controlled by a government or an agency or department of a government,
- (b) a nursing home, whether or not it is owned, operated or controlled by a government or an agency or department of a government,
- (c) an approved hospital as defined in the *Hospitals Act*, or
- (d) other employers approved by the council of the College of Physical Therapists of Alberta.

7 On the coming into force of this Schedule,

- (a) the Registrar and president of the College of Physical Therapists of Alberta continue under this Act as the registrar and president of The College of Physical Therapists of Alberta for the same terms of office unless the terms are terminated earlier under this Act;
- (b) the members of the Council of the College of Physical Therapists of Alberta continue under this Act as members of the council of the College of Physical Therapists of Alberta for the same terms of office unless their terms are terminated earlier under this Act.

8(1) On the coming into force of this Schedule, an application for registration or for renewal of an annual certificate made under the Physical Therapy Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Universities Co-ordinating Council under the Physical Therapy Profession Act are vested in and may be exercised by the Universities Co-ordinating Council;
- (b) of the Registrar under the Physical Therapy Profession Act are vested in and may be exercised by the registrar of the College of Physical Therapists of Alberta under this Act, and any reference to the Registrar in the Physical Therapy

Profession Act is deemed to be a reference to a registrar under this Act;

- (c) of the Council under the Physical Therapy Profession Act are vested in and may be exercised by the council of the College of Physical Therapists of Alberta under this Act, and any reference to the Council in the Physical Therapy Profession Act is deemed to be a reference to a council under this Act;
- (d) of the Registration Committee under the Physical Therapy Profession Act are vested in and may be exercised by the registration committee of the College of Physical Therapists of Alberta under this Act, and any reference to the Registration Committee in the Physical Therapy Profession Act is deemed to be a reference to a registration committee under this Act.

(3) A person who is registered or whose annual certificate is renewed under this section is deemed to be registered, subject the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, The College of Physical Therapists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

9(1) On the coming into force of this Schedule, a review of a practice under the Physical Therapy Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Practice Review Board under the Physical Therapy Profession Act are vested in and may be exercised by the competence committee of the College of Physical Therapists of Alberta under this Act, and any reference to the Practice Review Board in the Physical Therapy Profession Act is deemed to be a reference to a competence committee under this Act;
- (b) of the Council under the Physical Therapy Profession Act are vested in and may be exercised by the council of the College of Physical Therapists of Alberta under this Act, and any reference to the Council in the Physical Therapy Profession Act is deemed to be a reference to a council under this Act;
- (c) of the Registrar under the Physical Therapy Profession Act are vested in and may be exercised by the complaints director of the College of Physical Therapists of Alberta under this Act, and any reference to the Registrar in the

Physical Therapy Profession Act is deemed to be a reference to a complaints director under this Act;

- (d) of the president under the Physical Therapy Profession Act are vested in and may be exercised by the president of the College of Physical Therapists of Alberta under this Act, and any reference to the president in the Physical Therapy Profession Act is deemed to be a reference to a president under this Act.

10(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a physical therapist or a registered member under the Physical Therapy Profession Act that have not been concluded before the coming into force of this Schedule must be concluded in accordance with that Act.

(3) For the purposes of subsection (1), the powers and duties

- (a) of the chairman of the Discipline Committee under the Physical Therapy Profession Act are vested in and may be exercised by the complaints director of the College of Physical Therapists of Alberta under this Act, and any reference to the chairman of the Discipline Committee in the Physical Therapy Profession Act is deemed to be a reference to a complaints director under this Act;
- (b) of the Discipline Committee under the Physical Therapy Profession Act, except under section 43, are vested in and may be exercised by a hearing tribunal of the College of Physical Therapists of Alberta, and any reference to the Discipline Committee in the Physical Therapy Profession Act except in section 43 is deemed to be a reference to a hearing tribunal under this Act;
- (c) of the Registrar under the Physical Therapy Profession Act are vested in and may be exercised by the complaints director of the College of Physical Therapists of Alberta, and any reference to the Registrar in the Physical Therapy Profession Act is deemed to be a reference to a complaints director under this Act;
- (d) a member of the Discipline Committee under sections 40(4)(b), 41 and 42 of the Physical Therapy Profession Act are vested in and may be exercised by the complaints

director of the College of Physical Therapists of Alberta, and any reference to a member of the Discipline Committee in sections 40(4)(b), 41 and 42 of the Physical Therapy Profession Act is deemed to be a reference to a complaints director under this Act;

- (e) of the Discipline Committee under section 43 of the Physical Therapy Profession Act are vested in and may be exercised by the complaints review committee of the College of Physical Therapists of Alberta, and any reference to the Discipline Committee in section 43 of the Physical Therapy Profession Act is deemed to be a reference to a complaints review committee under this Act;
- (f) of the College under the Physical Therapy Profession Act are vested in and may be exercised by the College of Physical Therapists of Alberta under this Act, and any reference to the College in the Physical Therapy Profession Act is deemed to be a reference to a college under this Act;
- (g) of the president under the Physical Therapy Profession Act are vested in and may be exercised by the president of the College of Physical Therapists of Alberta under this Act, and any reference to the president in the Physical Therapy Profession Act is deemed to be a reference to a president under this Act;
- (h) of the Council under the Physical Therapy Profession Act are vested in and may be exercised by the council of the College of Physical Therapists of Alberta under this Act, and any reference to the council in the Physical Therapy Profession Act is deemed to be a reference to a council under this Act.

(4) For the purposes of subsection (1), references to a certificate of registration or annual certificate in sections 54 and 55 of the Physical Therapy Profession Act are deemed to be references to registration and a practice permit under this Act.

SCHEDULE 22

PHYSICIANS, SURGEONS, OSTEOPATHS AND PODIATRISTS PROFESSION

1(1) The corporation known as the College of Physicians and Surgeons of the Province of Alberta is continued as a corporation under the same name.

(2) On the coming into force of this Schedule, the corporation known as the Alberta Podiatry Association is dissolved and all its

assets and liabilities are vested in a society incorporated under the Societies Act that is designated in an order of the Lieutenant Governor in Council, and all rights of action and actions by and against the Alberta Podiatry Association may be continued or maintained by and against that society.

(3) The Lieutenant Governor in Council may by order designate a society incorporated under the Societies Act as the society in which, on the coming into force of this Schedule, all the assets and liabilities of and all rights of action by and against the Alberta Podiatry Association are vested.

2 No person other than a practising member of the College of Physicians and Surgeons of the Province of Alberta shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) physician;
- (b) medical surgeon;
- (c) general practitioner;
- (d) family physician;
- (e) osteopath;
- (f) osteopathic practitioner;
- (g) podiatrist;
- (h) podiatric medical practitioner;
- (i) podiatric surgeon;
- (j) registered podiatric surgeon;
- (k) podiatric orthopedist;
- (l) registered podiatric orthopedist;
- (m) doctor of podiatric medicine;
- (n) D.P.M.

3(1) Physicians, surgeons and osteopaths

- (a) assess an individual's physical, mental and psychosocial condition to establish a diagnosis;

- (b) incorporate evidence-based decision-making;
- (c) use their best professional judgment to assist individuals to make informed choices about medical and surgical treatment, including implementing and monitoring those initiatives;
- (d) as leaders of a large and diverse health care team, provide support and advocacy for patients;
- (e) support the use of research and education to promote wellness, improved disease prevention, and cure;
- (f) provide other health services as researchers, educators and administrators.

(2) Podiatrists

- (a) diagnose and treat ailments, diseases, deformities and injuries of the human foot including the articulation of the tibia and fibula and those muscles and tendons directly affecting foot function, including the employment of preventive measures and the use of medical, physical or surgical methods but not including treatment of systemic disease, except in local manifestations in the foot, and
- (b) provide health services as educators, researchers and administrators.

4 Column 3 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Physicians and Surgeons of the Province of Alberta.

5 A practising member and a student member are not guilty, despite Part 4, of unprofessional conduct and do not lack competence, notwithstanding Parts 2 and 3, solely on the basis that the practising member or student member employs a therapy that is non-traditional or departs from the prevailing medical or podiatric practices, unless it can be demonstrated that the therapy has a safety risk for that patient unreasonably greater than the prevailing treatment.

6(1) On the coming into force of this Schedule, a person who is registered under the Medical Profession Act on the Alberta Medical Registrar, Special Register, Courtesy Register or temporary register or who holds a certificate of registration under the Podiatry Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit

by the registrar of, the College of Physicians and Surgeons of the Province of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

(2) On the coming into force of this Schedule, a person who is registered on the Educational Register under the Medical Profession Act is deemed to be registered, subject to the same conditions, as a student member of, and is to be issued an annual certificate by the registrar of, the College of Physicians and Surgeons of the Province of Alberta under this Act until the registration expires or is cancelled under this Act.

(3) On the coming into force of this Schedule, a person who holds a certificate as a specialist under section 79 of the Medical Profession Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Physicians and Surgeons of the Province of Alberta under this Act until the practice permit expires or is cancelled under this Act.

(4) On the coming into force of this Schedule, a permit issued to a corporation under the Medical Profession Act is deemed to be an annual permit issued to the professional corporation under this Act until the annual permit expires or is cancelled under this Act.

7 On the coming into force of this Schedule,

- (a) the members of the Council of the College of Physicians and Surgeons of the Province of Alberta under the Medical Profession Act continue as members of the council of the College of Physicians and Surgeons of the Province of Alberta under this Act until their terms of office expire or are terminated under this Act;
- (b) the registrar and president under the Medical Profession Act are deemed to be the registrar and president of the College of Physicians and Surgeons of the Province of Alberta under this Act until their terms of office expire or are terminated under this Act.

8(1) On the coming into force of this Schedule, an application made for registration in the Alberta Medical Register, Special Register, Courtesy Register or temporary register under the Medical Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the registrar under the Medical Profession Act are vested in and may be exercised by the registrar of the College of Physicians and Surgeons of the Province of Alberta, and any reference to the registrar in the Medical Profession Act is deemed to be a reference to a registrar under this Act;
 - (b) of the Universities Co-ordinating Council under the Medical Profession Act are vested in and may be exercised by the registrar of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the Universities Co-ordinating Council in the Medical Profession Act is deemed to be a reference to a registrar under this Act;
 - (c) of the council under Part 2 of the Medical Profession Act, except under sections 30 to 32, are vested in and may be exercised by the registration committee under this Act, of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the council in Part 2 of the Medical Profession Act except in sections 30 to 32 is deemed to be a reference to a registration committee under this Act;
 - (d) of a review panel under section 29 of the Medical Profession Act are vested in and may be exercised by the council of the College of Physicians and Surgeons of the Province of Alberta under this Act, and the council is deemed to be a panel appointed by the Minister under section 29 of the Medical Profession Act, and any reference to a review panel in section 29 of the Medical Profession Act is deemed to be a reference to a council under this Act.
- (3) On the coming into force of this Schedule, an application for registration under the Podiatry Act that is not concluded must be concluded in accordance with that Act.
- (4) For the purposes of subsection (3), the powers and duties
- (a) of the Council of Management and of the Board of Examiners in Podiatry under the Podiatry Act are vested in and may be exercised by the registrar of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the Council of Management or the Board of Examiners in the Podiatry Act is deemed to be a reference to a registrar under this Act;
 - (b) of the registrar under the Podiatry Act are vested in and may be exercised by the registrar of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the registrar in the Podiatry

Act is deemed to be a reference to a registrar under this Act;

- (c) of the Minister under section 8(5) of the Podiatry Act are vested in and may be exercised by the council of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the Minister in section 8(5) of the Podiatry Act is deemed to be a reference to a council under this Act.

(5) A person who is registered under this section is deemed to be registered, subject to the same conditions, as a practising member of, and deemed to be issued a practice permit by the registrar of, the College of Physicians and Surgeons of the Province of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

9(1) On the coming into force of this Schedule, an application made for registration in the Educational Register under the Medical Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties of the council under the Medical Profession Act are vested in and may be exercised by the council of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the council in the Medical Profession Act is deemed to be a reference to a council under this Act.

(3) A person who is registered under this section is deemed to be registered, subject to the same conditions, as a student member of, and is deemed to be issued a practice permit by the registrar of, the College of Physicians and Surgeons of the Province of Alberta under this Act until the practice permit expires or is cancelled under this Act.

10(1) On the coming into force of this Schedule, an application for a permit under section 65 of the Medical Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties of the registrar under the Medical Profession Act are vested in and may be exercised by the registrar of the College of Physicians and Surgeons of the Province of Alberta, under this Act, and any reference to the registrar in the Medical Profession Act is deemed to be a reference to a registrar under this Act.

(3) A corporation that is issued a permit under this section is deemed to be a professional corporation issued an annual permit

under this Act until the annual permit expires or is cancelled under this Act.

11(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule of a person subject to disciplinary proceedings under the Medical Profession Act or the Podiatry Act must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule under the Medical Profession Act, or with respect to any matter under review referred to in section 30 of the Medical Profession Act, that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the investigation chairman under the Medical Profession Act are vested in and may be exercised by the complaints director of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the investigation chairman in the Medical Profession Act is deemed to be a reference to a complaints director under this Act;
- (b) of the registrar under the Medical Profession Act are vested in and may be exercised by the registrar of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the registrar in the Medical Profession Act is deemed to be a reference to a registrar under this Act;
- (c) of a person making a preliminary investigation under the Medical Profession Act are vested in and may be exercised by an investigator of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to that person in the Medical Profession Act is deemed to be a reference to an investigator under this Act;
- (d) of the Complaints Committee under the Medical Profession Act are vested in and may be exercised by the complaints review committee of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the Complaints Committee in the Medical Profession Act is deemed to be a reference to a complaints review committee under this Act;

- (e) of the investigating committee under the Medical Profession Act are vested in and may be exercised by a hearing tribunal of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the investigating committee in the Medical Profession Act is deemed to be a reference to a hearing tribunal under this Act;
 - (f) of the council and the executive committee under the Medical Profession Act are vested in and may be exercised by the council of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the council or the executive committee in the Medical Profession Act is deemed to be a reference to a council under this Act.
- (4) For the purposes of subsection (2), a reference to registered practitioner in sections 50, 56 and 58 of the Medical Profession Act is deemed to be a reference to a practising member under this Act and a reference to registration in section 51 of the Medical Profession Act is deemed to be a reference to registration and a practice permit under this Act.
- (5) On the coming into force of this Schedule, any proceedings with respect to a complaint under the Podiatry Act made before the coming into force of this Schedule that have not been concluded must be concluded in accordance with that Act.
- (6) For the purposes of subsection (5), the powers and duties
- (a) of the registrar under the Podiatry Act are vested in and may be exercised by the complaints director of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the registrar in the Podiatry Act is deemed to be a reference to a complaints director under this Act;
 - (b) of the council under the Podiatry Act are vested in and may be exercised by a hearing tribunal of the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the council in the Podiatry Act is deemed to be a reference to a hearing tribunal under this Act;
 - (c) of the Association under the Podiatry Act are vested in and may be exercised by the College of Physicians and Surgeons of the Province of Alberta under this Act, and any reference to the Association in the Podiatry Act is deemed to be a reference to a college under this Act.

(7) For the purposes of subsection (5), a reference in section 12.5 of the Podiatry Act to the registration of an investigated member is deemed to be a reference to the registration and a practice permit of a practising member under this Act.

12(1) This section applies with respect to all diagnostic and treatment facilities in which services are performed in Alberta by practising members of the College of Physicians and Surgeons of the Province of Alberta except those that are operated by the federal, provincial or municipal government and those facilities that are approved hospitals under the Hospitals Act.

(2) The council may appoint a Medical Facility Assessment Committee, which may, on behalf of the council, investigate and inspect the ownership and operation of diagnostic and treatment facilities and the financial arrangements pertaining to those facilities.

(3) The council may make regulations as to all matters pertaining to the establishment and operation of diagnostic and treatment facilities to ensure that the procedures and standards of care set by the council for the protection of the public are carried out in the diagnostic and treatment facilities.

(4) A regulation made under this section does not come into force unless it has been approved by the Lieutenant Governor in Council.

(5) If the Medical Facility Assessment Committee reports to the council that a diagnostic and treatment facility does not appear to meet the required standards, the council must consider the report.

(6) If the council determines that the diagnostic and treatment facility does not meet the required standards, the council may order that the diagnostic and treatment facility forthwith cease operation until the standards are met.

(7) For the purposes of Part 4 it is unprofessional conduct for a practising member of the College of Physicians and Surgeons of the Province of Alberta to continue to see or treat patients in a diagnostic and treatment facility that does not have the approval of the council.

SCHEDULE 23

PSYCHOLOGISTS PROFESSION

1 On the coming into force of this Schedule, the corporation known as the College of Alberta Psychologists is continued under the same name.

2 No person other than a practising member of the College of Alberta Psychologists shall, as authorized by the regulations, use either of the following titles in connection with a professional service:

- (a) psychologist;
- (b) psychological assistant.

3 Psychologists assess, diagnose and treat mental, emotional, cognitive, behavioural and interpersonal difficulties of persons or groups of persons in order to prevent, remediate or ameliorate the difficulties and in order to enhance human effectiveness and quality of life.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Alberta Psychologists.

5 On the coming into force of this Schedule,

- (a) the Registrar and president of the College of Alberta Psychologists continue as the registrar and president of the College of Alberta Psychologists under this Act for the same terms of office unless their terms are terminated earlier under this Act;
- (b) the members of the Council of the College of Alberta Psychologists continue as members of the council of the College of Alberta Psychologists under this Act for the same term of office unless the term is terminated earlier under this Act.

6 On the coming into force of this Schedule, a person who is a chartered psychologist, registrant, courtesy practitioner or psychological assistant under the Psychology Profession Act is deemed to be registered as a practising member, subject to the same conditions, of and deemed to be issued a practice permit by, the

College of Alberta Psychologists under this Act until the registration or practice permit expires or is cancelled under this Act.

7(1) On the coming into force of this Schedule, an application for registration or for renewal of an annual certificate or a reinstatement made under the Psychology Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Registration Committee under the Psychology Profession Act are vested in and may be exercised by the registration committee of the College of Alberta Psychologists under this Act, and any reference to the Registration Committee in the Psychology Profession Act is deemed to be a reference to a registration committee under this Act;
- (b) of the Registrar under the Psychology Profession Act are vested in and may be exercised by the registrar of the College of Alberta Psychologists under this Act, and any reference to the Registrar in the Psychology Profession Act is deemed to be a reference to a registrar under this Act;
- (c) of the Council under the Psychology Profession Act are vested in and may be exercised by the council of the College of Alberta Psychologists under this Act, and any reference to the Council in the Psychology Profession Act is deemed to be a reference to a council under this Act.

(3) A person who is registered or reinstated or whose application for an annual certificate is approved under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Alberta Psychologists under this Act until the registration or practice permit expires or is cancelled under this Act.

8(1) On the coming into force of this Schedule, an inquiry commenced but not concluded under section 25 of the Psychology Profession Act must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Practice Review Committee under the Psychology Profession Act are vested in and may be exercised by the competence committee of the College of Alberta Psychologists under this Act, and any reference to the Practice Review Committee in the Psychology Profession

Act is deemed to be a reference to a competency committee under this Act;

- (b) of the Council under the Psychology Profession Act are vested in and may be exercised by the council of the College of Alberta Psychologists under this Act, and any reference to the Council in the Psychology Profession Act is deemed to be a reference to a council under this Act;
- (c) of the Discipline Committee under the Psychology Profession Act are vested in and may be exercised by a hearing tribunal of the College of Alberta Psychologists, and any reference to the Discipline Committee in the Psychology Profession Act is deemed to be a reference to a hearing tribunal under this Act.

9(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relate to a chartered psychologist or registrant under the Psychology Profession Act that have not been concluded before the coming into force of this Schedule must be concluded in accordance with this Act.

(3) For the purposes of subsection (1), the powers and duties

- (a) of the chairman of the Discipline Committee under the Psychology Profession Act are vested in and may be exercised by the complaints director of the College of Alberta Psychologists, and any reference to the chairman of the Discipline Committee in the Psychology Profession Act is deemed to be a reference to a complaints director under this Act;
- (b) of the Discipline Committee under the Psychology Profession Act, except under section 34, are vested in and may be exercised by a hearing tribunal of the College of Alberta Psychologists, and any reference to the Discipline Committee in the Psychology Profession Act, except in section 34, is deemed to be a reference to a hearing tribunal under this Act;
- (c) of the Discipline Committee under section 34 of the Psychology Profession Act are vested in and may be exercised by the complaint review committee, and any reference to the Discipline Committee in section 34 of the

Psychology Profession Act is deemed to be a reference to a complaint review committee under this Act;

- (d) of a member of the Discipline Committee under sections 31 to 33 of the Psychology Profession Act and the Registrar are vested in and may be exercised by the complaints director of the College of Alberta Psychologists, and any reference to a member of the Discipline Committee in sections 31 to 33 of the Psychology Profession Act and any reference to the Registrar in the Psychology Profession Act are deemed to be references to a complaints director under this Act;
 - (e) of a person conducting a preliminary investigation under the Psychology Profession Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to a person conducting a preliminary investigation in the Psychology Profession Act is deemed to be a reference to an investigator under this Act;
 - (f) of the president under the Psychology Profession Act are vested in and may be exercised by the president of the College of Alberta Psychologists under this Act, and any reference to the president in the Psychology Profession Act is deemed to be a reference to a president under this Act;
 - (g) of the College of Alberta Psychologists under the Psychology Profession Act are vested in and may be exercised by the College of Alberta Psychologists under this Act, and any reference to the College in the Psychology Profession Act is deemed to be a reference to a college under this Act.
- (4) For the purposes of subsection (1), a reference to registration in section 45 of the Psychology Profession Act is deemed to be a reference to registration as a practising member and a practice permit under this Act.

SCHEDULE 24

PSYCHIATRIC AND MENTAL DEFICIENCY NURSES PROFESSION

1 The corporation known as the Psychiatric Nurses Association of Alberta is continued under the name College of Registered Psychiatric Nurses of Alberta.

2(1) No person other than a practising member of the College of Registered Psychiatric Nurses of Alberta shall, as authorized by the

regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) registered psychiatric nurse;
- (b) psychiatric nurse;
- (c) mental deficiency nurse;
- (d) R.P.N.;
- (e) P.N.;
- (f) MDN.

(2) No person other than a student member of the College of Registered Psychiatric Nurses of Alberta shall use the title psychiatric nursing student in connection with a professional service.

3(1) Psychiatric nurses apply nursing knowledge and skills to work with individuals of all ages, families, groups and communities to assess physical and mental health needs, develop diagnoses, and plan, implement and evaluate nursing care.

(2) Mental deficiency nurses may, in accordance with the policy of their employer and in accordance with any conditions imposed on their registration or practice permits, provide the following services:

- (a) assessment;
- (b) determination of treatment needs and provision of input to treatment plans;
- (c) assessment and evaluation of patient progress;
- (d) monitoring and evaluation of physical limitations, symptoms and reactions, behavioural changes and mental and emotional status;
- (e) nursing treatments including, without limitation, the administration of medication, dressing changes, wound care, suture removal, drain removal, oxygen therapy, nasogastric drainage, suction, cardiopulmonary resuscitation, intravenous monitoring, catheterization and monitoring vital and neurovital signs;
- (f) behaviour therapy and counselling;

- (g) liaison with other members of the health care team and with others who have a direct interest in the care of a client to facilitate co-ordination and continuity of individualized care;
- (h) assisting clients with identification of treatment and support resources;
- (i) health services that are preventive in nature;
- (j) education, research and administration related to matters described in clauses (a) to (i).

4 Column 1 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College of Registered Psychiatric Nurses of Alberta.

5 On the coming into force of this Schedule, a person who is registered as a member of the designated health discipline of Psychiatric Nurses or Mental Deficiency Nurses under the Health Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member of, and deemed to be issued a practice permit by the registrar of, the College of Registered Psychiatric Nurses of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule, an application for registration, temporary registration or renewal of registration, as a member of the designated discipline of Psychiatric Nurses or Mental Deficiency Nurses under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the registrar of the College of Registered Psychiatric Nurses of Alberta, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Registration Committee of the Psychiatric Nurses Association of Alberta under the Health Disciplines Act are vested in and may be exercised by the registration committee of the College of Registered Psychiatric Nurses of Alberta, and any reference to a committee in the Health Disciplines Act is deemed to be a reference to a registration committee under this Act;

- (c) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Registered Psychiatric Nurses of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act;
 - (d) of the registrar of the designated health discipline of Psychiatric Nurses or Mental Deficiency Nurses under the Health Disciplines Act are vested in and may be exercised by the registrar of the College of Registered Psychiatric Nurses of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act.
- (3) For the purposes of subsection (1), a reference to a form in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.
- (4) A person who is registered or whose registration is renewed under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College of Registered Psychiatric Nurses of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.
- 7(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.
- (2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated discipline of Psychiatric Nurses or Mental Deficiency Nurses under the Health Disciplines Act that have not been concluded must be concluded in accordance with that Act.
- (3) For the purposes of subsection (2), the powers and duties
- (a) of the registrar under the Health Disciplines Act are vested in and may be exercised by the complaints director of the College of Registered Psychiatric Nurses of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;
 - (b) of the chair under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of

the College of Registered Psychiatric Nurses of Alberta, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;

- (c) of the chair under the Health Disciplines Act, except under section 15(1), are vested in and may be exercised by the chair of the hearing tribunal of the College of Registered Psychiatric Nurses of Alberta, and any reference to the chair in the Health Disciplines Act except in section 15(1) is deemed to be a reference to the chair of a hearing tribunal under this Act;
 - (d) of the Director of Health Disciplines under the Health Disciplines Act are vested in and may be exercised by the hearings director of the College of Registered Psychiatric Nurses of Alberta, and any reference to the Director of Health Disciplines in the Health Disciplines Act is deemed to be a reference to a hearings director under this Act;
 - (e) of the Registration Committee of the Psychiatric Nurses Association of Alberta and of the Mental Deficiency Nurse Committee under section 14.1 of the Health Disciplines Act are vested in and may be exercised by the complaint review committee of the College of Registered Psychiatric Nurses of Alberta, and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to a complaint review committee under this Act;
 - (f) of the Registration Committee of the Psychiatric Nurses Association of Alberta and of the Mental Deficiency Nurse Committee under the Health Disciplines Act, except under section 14.1, are vested in and may be exercised by a hearing tribunal of the College of Psychiatric Nurses of Alberta, and any reference to a committee in the Health Disciplines Act except in section 14.1 is deemed to be a reference to a hearing tribunal under this Act;
 - (g) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College of Registered Psychiatric Nurses of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.
- (4) For the purposes of subsection (2), a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under this Act.

SCHEDULE 25

REGISTERED NURSES PROFESSION

1 The corporation known as the Alberta Association of Registered Nurses is continued as a corporation under the name Alberta Association and College of Registered Nurses.

2 No person other than a practising member of the Alberta Association and College of Registered Nurses shall, as authorized by the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) registered nurse;
- (b) certified graduate nurse;
- (c) R.N.;
- (d) C.G.N.

3 Registered nurses

- (a) apply nursing knowledge, skill and judgment to assist individuals, families, groups and communities to achieve their optimal physical, emotional, mental and spiritual health and well being;
- (b) based on an ethic of caring and the goals and circumstances of those receiving nursing services,
 - (i) assess, diagnose, direct treatment interventions and make referrals,
 - (ii) prevent or treat injury and illness,
 - (iii) teach, counsel and advocate to enhance health and well-being,
 - (iv) co-ordinate, supervise, monitor and evaluate the provision of health services,
 - (v) teach nursing theory and practice,
 - (vi) manage, administer and allocate resources related to health services, and
 - (vii) engage in research related to health and the practice of nursing.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the Alberta Association and College of Registered Nurses.

5 On the coming into force of this Schedule, a person

- (a) who is registered in the Register of Registered Nurses,
- (b) who holds a special permit or temporary permit, or
- (c) who is registered in the Certified Graduate Nurses Roster

is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the Alberta Association and College of Registered Nurses under this Act until the registration or practice permit expires or is cancelled under this Act.

6 On the coming into force of this Schedule,

- (a) members of the Council of the Alberta Association of Registered Nurses continue as members of the council of the Alberta Association and College of Registered Nurses under this Act for the same term of office unless their terms are terminated earlier under this Act;
- (b) the Registrar of the Alberta Association of Registered Nurses continues as the registrar of the Alberta Association and College of Registered Nurses under this Act for the same term of office unless the term is terminated earlier under this Act;
- (c) the President of the Alberta Association of Registered Nurses continues as the president of the Alberta Association and College of Registered Nurses for the same term of office unless the term is terminated earlier under this Act.

7(1) On the coming into force of this Schedule, an application for registration as a registered nurse or for a registered nurse's annual certificate that has not been concluded must be concluded in accordance with the Nursing Profession Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Universities Co-ordinating Council under the Nursing Profession Act are vested in and may be exercised by the Nursing Education Program Approval Board,

established by regulations under this Act, of the Alberta Association and College of Registered Nurses, and any reference to the Universities Co-ordinating Council in the Nursing Profession Act is deemed to be a reference to the Nursing Education Program Approval Board under this Act;

- (b) of the Registration Committee under the Nursing Profession Act are vested in and may be exercised by the registration committee of the Alberta Association and College of Registered Nurses under this Act, and any reference to the Registration Committee in the Nursing Profession Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Registrar under the Nursing Profession Act are vested in and may be exercised by the registrar of the Alberta Association and College of Registered Nurses under this Act, and any reference to the Registrar in the Nursing Profession Act is deemed to be a reference to a registrar under this Act;
- (d) of the Registration Review Committee under the Nursing Profession Act are vested in and may be exercised by the council of the Alberta Association and College of Registered Nurses under this Act, and any reference to the Registration Review Committee in the Nursing Profession Act is deemed to be a reference to a council under this Act.

(3) On the coming into force of this Schedule, an application for a special permit or for a temporary permit that has not been concluded under the Nursing Profession Act must be concluded in accordance with that Act.

(4) For the purposes of subsection (3), the powers and duties of the Registrar and the Registration Review Committee under the Nursing Profession Act are vested in and may be exercised by the registrar and council of the Alberta Association and College of Registered Nurses under this Act.

(5) On the coming into force of this Schedule, an application for an annual permit under section 46 of the Nursing Profession Act that is not concluded must be concluded in accordance with that Act.

(6) For the purposes of subsection (5), the powers and duties

- (a) of the Registrar under the Nursing Profession Act are vested in and may be exercised by the registrar of the Alberta Association and College of Registered Nurses under this Act, and any reference to the Registrar in the

Nursing Profession Act is deemed to be a reference to a registrar under this Act;

(b) of the Registration Committee under the Nursing Profession Act are vested in and may be exercised by the registration committee of the Alberta Association and College of Registered Nurses under this Act, and any reference to the Registration Committee in the Nursing Profession Act is deemed to be a reference to a registration committee under this Act;

(c) of the Graduate Nurses Appeal Board under the Nursing Profession Act are vested in and may be exercised by the registration committee of the Alberta Association and College of Registered Nurses under this Act, and any reference to the Graduate Nurses Appeal Board in the Nursing Profession Act is deemed to be a reference to a registration committee under this Act.

(7) On the coming into force of this Schedule, an application for reinstatement of registration or an annual certificate under the Nursing Profession Act that is not concluded must be concluded in accordance with that Act.

(8) A person whose application is approved under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the Alberta Association and College of Registered Nurses under this Act until the registration or practice permit expires or is cancelled under this Act.

8(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Schedule that relates to a registered nurse, the holder of a special or temporary permit or a person whose name is entered in the Certified Graduate Nurses Roster under the Nursing Profession Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

(a) of the chairman of the Professional Conduct Committee of the Nursing Profession Act, except under section 65, are vested in and may be exercised by the complaints director of the Alberta Association and College of Registered

Nurses, and any reference to the chairman of the Professional Conduct Committee in the Nursing Profession Act except in section 65 is deemed to be a reference to a complaints director under this Act;

- (b) of an investigator under the Nursing Profession Act are vested in and may be exercised by an investigator appointed under this Act, and any reference to an investigator in the Nursing Profession Act is deemed to be a reference to an investigator under this Act;
- (c) of the Professional Conduct Committee under section 64 of the Nursing Profession Act are vested in and may be exercised by the complaint review committee of the Alberta Association and College of Registered Nurses, and any reference to the Professional Conduct Committee in section 64 of the Nursing Profession Act is deemed to be a reference to a complaint review committee under this Act;
- (d) of the Executive Director under the Nursing Profession Act are vested in and may be exercised by the complaints director of the Alberta Association and College of Registered Nurses under this Act, and any reference to the Executive Director in the Nursing Profession Act is deemed to be a reference to a complaints director under this Act;
- (e) of a mediator under the Nursing Profession Act are vested in and may be exercised by a person authorized to conduct a complaint resolution process under this Act, and any reference to a mediator in the Nursing Profession Act is deemed to be a reference to a person authorized to conduct a complaint resolution process under this Act;
- (f) of the Professional Conduct Committee under the Nursing Profession Act, except under section 64, are vested in and may be exercised by the complaint review committee of the Alberta Association and College of Registered Nurses under this Act, and any reference to the Professional Conduct Committee in the Nursing Profession Act, except in section 64, is deemed to be a reference to a complaint review committee under this Act;
- (g) of the chairman of the Professional Conduct Committee under section 65 of the Nursing Profession Act are vested in and may be exercised by the president of the Alberta Association and College of Registered Nurses, and any reference to the chairman of the Professional Conduct

Committee in section 65 of the Nursing Profession Act is deemed to be a reference to a president under this Act;

- (h) of the Appeals Committee under the Nursing Profession Act are vested in and may be exercised by the council of the Alberta Association and College of Registered Nurses, and any reference to the Appeals Committee in the Nursing Profession Act is deemed to be a reference to a council under this Act.

(4) For the purposes of subsection (2), a reference to registration or permit in section 76 of the Nursing Profession Act is deemed to be a reference to registration as a practising member and a practice permit under this Act.

9 In sections 10 to 16,

- (a) “Board” means the Board of Directors of the Trust;
- (b) “College” means the Alberta Association and College of Registered Nurses;
- (c) “Trust” means the Alberta Registered Nurses Educational Trust continued by this Schedule.

10(1) The corporation known as the “Alberta Registered Nurses Educational Trust” is continued as a corporation under the same name and is composed of those persons who are the members of the Trust.

(2) A member of the Board is a member of the Trust.

11 In addition to the powers it has under section 16 of the Interpretation Act, the Trust may

- (a) solicit, receive and hold any gift or devise on any trusts or conditions that seem appropriate to the Board, and administer the gift or devise in accordance with those trusts or conditions;
- (b) invest its funds in such investments as are considered appropriate by the Board;
- (c) borrow money for the purposes of the Trust and mortgage or charge real or personal property of the Trust, or its sources of funds, as security;

- (d) guarantee the repayment of loans in accordance with the by-laws of the Trust.

12 The objects of the Trust are as follows:

- (a) to provide grants, bursaries, scholarships and fellowships and to make loans to persons enrolled in educational institutions for the purpose of obtaining a baccalaureate, master's or doctoral degree in a subject-matter in or related to nursing;
- (b) to provide grants and bursaries and make loans to persons enrolled in educational, administrative or clinical educational programs in or related to nursing;
- (c) to do those things that the Board considers necessary to promote the advancement and application of the knowledge of nursing.

13(1) The governing body of the Trust called the "Board of Directors" is continued and is composed of the number of persons prescribed by the by-laws of the Trust.

(2) The Board must manage and conduct the business and affairs of the Trust and exercise the powers of the Trust in the name of and on behalf of the Trust.

14(1) The Board may make by-laws

- (a) establishing the head office of the Trust and governing the internal operation and management of the Trust;
- (b) prescribing a seal for the use of the Trust;
- (c) governing the number of persons on the Board and the categories of person that must be represented;
- (d) providing for the appointment and terms and conditions of employment of employees of the Trust or entering into an agreement with the council for the use of employees of the College;
- (e) respecting the calling, quorum and conduct of meetings of the Board and the members of the Trust;
- (f) governing the use and management of funds and of the real and personal property of the Trust;

- (g) governing the purposes for which loans, grants, bursaries, scholarships, fellowships or guarantees of loans may be granted;
 - (h) prescribing applications for and conditions that may be attached to loans, grants, bursaries, scholarships, fellowships or guarantees of loans;
 - (i) providing for the appointment of committees of the Board and delegating any power or duty of the Board to a person or committee, subject to such terms and conditions as may be prescribed;
 - (j) respecting the honoraria and travelling and living expenses of directors or members of committees and employees of the Trust;
 - (k) governing the appointment of patrons of the Trust and establishing categories of membership in the Trust and the fees, duties and privileges attached to each category and the manner in which membership may be terminated;
 - (l) establishing and operating one or more funds for the purpose of carrying out the objects of the Trust.
- (2) A by-law under subsection (1) does not come into force until it is approved by the council of the College.
- (3) The Regulations Act does not apply to the by-laws of the Trust.

15(1) The accounts of the Trust must be audited annually by a chartered accountant appointed for that purpose by the Board.

(2) The fiscal year of the Trust is the calendar year unless the Board, by by-law, establishes another period as the fiscal year.

16(1) The Trust shall not be voluntarily wound up unless a special resolution to do so is passed by the members of the Trust.

(2) In the event that the Trust is wound up, the liquidator must transfer the remaining property of the Trust to the College to be used for the same or similar objects for which the Trust would have used the property if it had not been wound up.

SCHEDULE 26

RESPIRATORY THERAPISTS PROFESSION

1 The corporation known as the Alberta College and Association of Respiratory Therapy is continued under the name College and Association of Respiratory Therapists of Alberta.

2 No person other than a practising member of the College and Association of Respiratory Therapists of Alberta shall, in accordance with the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) registered respiratory technologist;
- (b) registered respiratory therapist;
- (c) respiratory technologist;
- (d) registered respiratory technologist;
- (e) R.R.T.

3 Respiratory therapists provide basic and advanced cardio-respiratory support services to assist in the diagnosis, treatment and care of persons with cardio-respiratory and related disorders.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the College and Association of Respiratory Technologists of Alberta.

5 On the coming into force of this Schedule,

- (a) the members of the executive of the Alberta College and Association of Respiratory Therapy continue as members of the council of the College and Association of Respiratory Therapists of Alberta with the same terms of office unless the terms are terminated earlier under this Act, and
- (b) the registrar and president of the Alberta College and Association of Respiratory Therapy continue as the registrar and president of the College and Association of Respiratory Therapists of Alberta for the same terms of office unless the terms are terminated earlier under this Act.

6 On the coming into force of this Schedule, a person who is registered or temporarily registered as a member of the designated health discipline of Respiratory Therapists under the Health Disciplines Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College and Association of Respiratory Therapists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

7(1) On the coming into force of this Schedule, an application for registration, temporary registration or renewal of registration as a member of the designated discipline of Respiratory Therapists under the Health Disciplines Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the registrar of the Alberta College and Association of Respiratory Therapists under the Health Disciplines Act are vested in and may be exercised by the registrar of the College and Association of Respiratory Therapists of Alberta, and any reference to the Director of Health Disciplines or the registrar in the Health Disciplines Act is deemed to be a reference to a registrar under this Act;
- (b) of the Registration Committee of the Alberta College and Association of Respiratory Therapy under the Health Disciplines Act are vested in and may be exercised by the registration committee of the College and Association of Respiratory Therapists of Alberta, and any reference to a committee in the Health Disciplines Act is deemed to be a reference to a registration committee under this Act;
- (c) of the Health Disciplines Board under the Health Disciplines Act are vested in and may be exercised by the council of the College and Association of Respiratory Therapists of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.

(3) For the purposes of subsection (1), a reference to a form in section 10.1(1) of the Health Disciplines Act is deemed to be a reference to a form satisfactory to the registrar.

(4) A person who is registered or whose registration is renewed under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the College and Association of

Respiratory Therapists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act

8(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceeding with respect to a complaint made before the coming into force of this Schedule that relates to a registered or temporarily registered member of the designated discipline of Respiratory Therapists under the Health Disciplines Act that have not been concluded must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the registrar under the Health Disciplines Act are vested in and may be exercised by the complaints director of the College and Association of Respiratory Therapists of Alberta, and any reference to the registrar in the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;
- (b) of the chair under section 15(1) of the Health Disciplines Act are vested in and may be exercised by the president of the College and Association of Respiratory Therapists of Alberta, and any reference to the chair in section 15(1) of the Health Disciplines Act is deemed to be a reference to a president under this Act;
- (c) of the chair of the Registration Committee of the Alberta College and Association of Respiratory Therapy under the Health Disciplines Act, except under section 15(1), are vested in and may be exercised by the chair of the hearing tribunal of the College and Association of Respiratory Therapists of Alberta, and any reference to the chair in the Health Disciplines Act except in section 15(1) is deemed to be a reference to the chair of the hearing tribunal under this Act;
- (d) of the registrar under section 14(1)(a) of the Health Disciplines Act are vested in and may be exercised by the complaints director of the College and Association of Respiratory Therapists of Alberta, and any reference to the registrar in section 14(1)(a) of the Health Disciplines Act is deemed to be a reference to the complaints director under this Act;

- (e) of the Registration Committee of the Alberta College and Association of Respiratory Therapy under section 14.1 of the Health Disciplines Act are vested in and may be exercised by the complaint review committee of the College and Association of Respiratory Therapy of Alberta, and any reference to a committee in section 14.1 of the Health Disciplines Act is deemed to be a reference to the complaint review committee under this Act;
 - (f) of the Registration Committee of the Alberta College and Association of Respiratory Therapy under the Health Disciplines Act, except under section 14.1, are vested in and may be exercised by a hearing tribunal of the College and Association of Respiratory Therapists of Alberta, and any reference to a committee in the Health Disciplines Act, except in section 14.1, is deemed to be a reference to a hearing tribunal under this Act;
 - (g) of the Health Disciplines Board are vested in and may be exercised by the council of the College and Association of Respiratory Therapists of Alberta, and any reference to the Health Disciplines Board in the Health Disciplines Act is deemed to be a reference to a council under this Act.
- (4) For the purposes of subsection (2), a reference to registration in section 20 of the Health Disciplines Act is deemed to be a reference to registration and a practice permit under the Health Professions Act.

SCHEDULE 27

SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

1 On the coming into force of this Schedule, the society known as the Speech, Language and Hearing Association of Alberta is continued as the College of Speech-Language Pathologists and Audiologists of Alberta.

2(1) No person other than a practising member of the College of Speech-Language Pathologists and Audiologists of Alberta shall, in accordance with the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) speech-language pathologist;
- (b) speech therapist;
- (c) speech pathologist;

- (d) audiologist;
- (e) S.L.P.;
- (f) R.S.L.P.;
- (g) Aud;
- (h) R. Aud.

(2) No person other than a student member of the College of Speech-Language Pathologists and Audiologists of Alberta shall, in accordance with the regulations, use either of the following titles in connection with a professional service:

- (a) speech-language pathology student;
- (b) audiology student.

3(1) Speech-language pathologists

- (a) assess speech, language and communication function, and
- (b) diagnose, rehabilitate and prevent communication and oral motor dysfunctions and disorders.

(2) Audiologists assess auditory function and diagnose, rehabilitate and prevent auditory dysfunction.

4 Column 2 of the professional conduct fines table applies to proceedings under Part 4 in the College of Speech-Language Pathologists and Audiologists of Alberta.

5(1) On the coming into force of this Schedule, a person who is registered as a full member of the Speech, Language and Hearing Association of Alberta is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of the College of Speech-Language Pathologists and Audiologists of Alberta under this Act until the registration or practice permit expires or is cancelled under this Act.

(2) On the coming into force of this Schedule, a person who is registered as a student member of the Speech, Language and Hearing Association of Alberta is deemed to be registered as a student member, subject to the same conditions, of and is deemed to be issued a practice permit by the registrar of the College of Speech-Language Pathologists and Audiologists of Alberta under

this Act until the registration or practice permit expires or is cancelled under this Act.

SCHEDULE 28

SOCIAL WORKER PROFESSION

1 On the coming into force of this Schedule, the corporation known as the Alberta Association of Registered Social Workers is continued under the name Alberta College of Social Workers.

2 No person other than a practising member of the Alberta College of Social Workers shall, in accordance with the regulations, use any of the following titles and abbreviations in connection with a professional service:

- (a) social worker;
- (b) registered social worker;
- (c) S.W.;
- (d) R.S.W.

3 Social workers

- (a) enhance or restore the social functioning of individuals, families, groups, organizations and communities by improving developmental, problem-solving and coping capacities of people and systems;
- (b) promote effective and humane systems that provide resources, opportunities and services to people and link people to these systems;
- (c) contribute to the development and improvement of social policy.

4 Column 2 of the unprofessional conduct fines table applies to proceedings under Part 4 in the Alberta College of Social Workers.

5 On the coming into force of this Schedule,

- (a) the Registrar and president of the Alberta Association of Registered Social Workers continue as the registrar and president of the Alberta College of Social Workers for the

same terms of office unless their terms are terminated earlier under this Act;

- (b) the members of the council of the Alberta Association of Registered Social Workers continue as members of the council of the Alberta College of Social Workers for the same terms of office unless their terms are terminated earlier under this Act;
- (c) a person who is registered as a social worker and holds an annual certificate under the Social Work Profession Act is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the Alberta College of Social Workers under this Act until the registration or practice permit expires or is cancelled under this Act.

6(1) On the coming into force of this Schedule, an application for registration or for renewal of an annual certificate made under the Social Work Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Registrar of the Alberta Association of Registered Social Workers under the Social Work Profession Act are vested in and may be exercised by the registrar of the Alberta College of Social Workers, and any reference to the Registrar in the Social Work Profession Act is deemed to be a reference to a registrar under this Act;
- (b) of the Council of the Alberta Association of Registered Social Workers under the Social Work Profession Act are vested in and may be exercised by the registrar of the Alberta College of Social Workers, and any reference to the Council in the Social Work Profession Act is deemed to be a reference to a council under this Act;
- (c) of the Universities Co-ordinating Council under section 11(4) of the Social Work Profession Act are vested in and may be exercised by the registration committee of the Alberta College of Social Workers, and any reference to the Universities Coordinating Council in section 11(4) of the Social Work Profession Act is deemed to be a reference to a registration committee under this Act.

(3) On the coming into force of this Schedule, an approved social work program under section 11 of the Social Work Profession Act continues to be an approved program for the purposes of subsection (1).

(4) A person who is registered or whose annual certificate is renewed under this section is deemed to be registered, subject to the same conditions, as a practising member of, and is deemed to be issued a practice permit by the registrar of, the Alberta College of Social Workers under this Act until the registration or practice permit expires or is cancelled under this Act.

7(1) On the coming into force of this Schedule, a review of a practice under Part 5 of the Social Work Profession Act that has not been concluded must be concluded in accordance with that Act.

(2) For the purposes of subsection (1), the powers and duties

- (a) of the Practice Review Committee of the Alberta Association of Registered Social Workers under the Social Work Profession Act are vested in and may be exercised by the competence committee of the Alberta College of Social Workers, and any reference to the Practice Review Board in the Social Work Profession Act is deemed to be a reference to a competence committee under this Act;
- (b) of the Council of the Alberta Association of Registered Social Workers under the Social Work Profession Act are vested in and may be exercised by the competence committee of the Alberta College of Social Workers, and any reference to the Council in the Social Work Profession Act is deemed to be a reference to a council under this Act;
- (c) of the Registrar of the Alberta Association of Registered Social Workers under the Social Work Profession Act are vested in and may be exercised by the complaints director of the Alberta College of Social Workers, and any reference to the Registrar in the Social Work Profession Act is deemed to be a reference to a complaints director under this Act;
- (d) of the president of the Alberta Association of Registered Social Workers under the Social Work Profession Act are vested in and may be exercised by the president of the Alberta College of Social Workers, and any reference to the president in the Social Work Profession Act is deemed to be a reference to a president under this Act.

8(1) Any complaint made on or after the coming into force of this Schedule that relates to conduct occurring all or partly before the coming into force of this Schedule must be dealt with under this Act.

(2) On the coming into force of this Schedule, any proceedings with respect to a complaint made before the coming into force of this Act that relates to a registered social worker under the Social Work Profession Act that have not been concluded before the coming into force of this Schedule must be concluded in accordance with that Act.

(3) For the purposes of subsection (2), the powers and duties

- (a) of the chairman of the Discipline Committee of the Alberta Association of Registered Social Workers under the Social Work Profession Act are vested in and may be exercised by the complaints director of the Alberta College of Social Workers, and any reference to the chairman of the Discipline Committee in the Social Work Profession Act is deemed to be a reference to a complaints director under this Act;
- (b) of the Discipline Committee of the Alberta Association of Registered Social Workers under the Social Work Profession Act, except under section 33, are vested in and may be exercised by a hearing tribunal of the Alberta College of Social Workers, and any reference to the Discipline Committee in the Social Work Profession Act except in section 33 is deemed to be a reference to a hearing tribunal under this Act;
- (c) of the Registrar of the Alberta Association of Registered Social Workers under the Social Work Profession Act are vested in and may be exercised by the complaints director of the Alberta College of Social Workers, and any reference to the Registrar in the Social Work Profession Act is deemed to be a reference to a complaints director under this Act;
- (d) of the president of the Alberta Association of Registered Social Workers under the Social Work Profession Act are vested in and may be exercised by the president of the Alberta College of Social Workers, and any reference to the president in the Social Work Profession Act is deemed to be a reference to a president under this Act;
- (e) of a member of the Discipline Committee under sections 31 and 32 of the Social Work Profession Act are vested in and may be exercised by the complaints director of the Alberta College of Social Workers, and any reference to a member of the Discipline Committee in sections 31 and 32 of the Social Work Profession Act is deemed to be a reference to a complaints director under this Act;

- (f) of the Discipline Committee under section 33 of the Social Work Profession Act are vested in the complaints review committee of the Alberta College of Social Workers and any reference to the Discipline Committee in section 33 of the Social Work Profession Act is deemed to be a reference to a complaints review committee under this Act;
 - (g) of the Alberta Association of Registered Social Workers under section 35 of the Social Work Profession Act are vested in and may be exercised by the Alberta College of Social Workers, and any reference to the Association in section 35 of the Social Work Profession Act is deemed to be a reference to a college under this Act.
- (4) For the purposes of subsection (1), references to a certificate of registration or annual certificate in section 44 of the Social Work Profession Act are deemed to be references to a certificate of registration and practice permit under this Act.