

Bill 52

BILL 52

2003

HEALTH PROFESSIONS AMENDMENT ACT, 2003

(Assented to , 2003)

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

Amends RSA 2000 cH-7

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

2 Section 33(4)(b) is amended by striking out “status” and substituting “status, education, training and experience”.

3 Section 120 is amended by repealing subsection (3) and substituting the following:

(3) If a document or notice is required to be given under Part 4 by a complaints director, complaint review committee, hearings director, hearing tribunal or college to any person other than a complaints director, complaint review committee, hearings director, hearing tribunal or college, the document or notice is sufficiently given if it is given by personal service to the person or sent to the person by certified or registered mail at that person’s address as shown on the register or record of the registrar.

(4) A notice to attend and a notice to produce under section 73 is sufficiently given if the investigated person gives it by

personal service to, or sends it to, the person to be called as a witness by certified or registered mail.

4 Section 122(1) is repealed and the following is substituted:

Additional information

122(1) For the purposes of health planning, policy development, health workforce planning and health service planning and delivery, a registrar must

- (a) on the request of the Minister compile information referred to in section 33(4)(b), in the form and manner requested by the Minister, and
- (b) on the request of the Minister disclose any or all of that information to the Minister and to other persons authorized by regulation under section 134 to receive such information.

(1.1) The Minister may impose conditions on the use, retention and disclosure of information disclosed to persons pursuant to subsection (1).

(1.2) A person who receives information pursuant to subsection (1) may use, retain and disclose it but must comply with any conditions imposed by the Minister on its use, retention and disclosure.

5 Section 132(1) is amended by adding the following after clause (o):

- (o.1) subject to section 120(3) and (4), respecting the giving of documents and notices;

6 Section 134(c) is repealed and the following is substituted:

- (c) authorizing the Minister to use, retain and disclose information that is disclosed to the Minister in accordance with this Act;
- (c.1) authorizing persons to receive information disclosed on the request of the Minister pursuant to section 122(1);

7 Section 146(8)(b)(ii) is repealed and the following is substituted:

- (ii) in subclause (i) by striking out “College or” and substituting “College of Physicians and Surgeons of the Province of Alberta or”.**

8 Section 147 is amended

- (a) in subsection (2) in the new section 22(20)(i) of the *Alberta Health Care Insurance Act* by striking out “Alberta Association and College of Registered Nurses” and substituting “College and Association of Registered Nurses of Alberta”;**

- (b) by repealing subsection (5) and substituting the following:**

(5) The *Mental Health Act* is amended in section 17(7)(m)

- (a) by striking out “Professional Conduct Committee or the Appeals Committee under the *Nursing Profession Act*” and substituting “council of the College and Association of Registered Nurses of Alberta”;**
- (b) in subclause (i) by striking out “the Alberta Association of Registered Nurses” and substituting “of the College and Association of Registered Nurses of Alberta”.**

9 Schedule 12 is amended

- (a) in the heading to the Schedule by striking out “Medical Radiation Technologists” and substituting “Medical Diagnostic and Therapeutic Technologists”;**
- (b) by repealing section 2 and substituting the following:**

Use of titles, etc.

2 A regulated member of the Alberta College of Medical Diagnostic and Therapeutic Technologists may, as authorized by the regulations, use any of the following titles, abbreviations and initials:

- (a) registered technologist in radiology;
- (b) radiological technologist;
- (c) radiation therapist;
- (d) registered technologist in nuclear medicine;
- (e) nuclear medicine technologist;
- (f) registered technologist in therapy;
- (g) registered technologist in magnetic resonance;
- (h) magnetic resonance technologist;
- (i) registered electroneurophysiology technologist;
- (j) registered electroencephalography technologist;
- (k) registered evoked potential technologist;
- (l) registered electromyography technologist;
- (m) RTR;
- (n) RTNM;
- (o) RTT;
- (p) RTMR;
- (q) RET;
- (r) REPT;
- (s) RTEMG;
- (t) RENPT.

- (c) **in section 3(1) by striking out** “medical radiation technologists” **and substituting** “medical diagnostic and therapeutic technologists”;
- (d) **in the following provisions by striking out** “Alberta College of Medical Radiation Technologists” **wherever it occurs and substituting** “Alberta College of Medical Diagnostic and Therapeutic Technologists”:

- section 1(1), (2), (3) and (4);
- section 4;
- section 5(a), (b) and (c);
- section 6;
- section 7(2)(a), (b) and (c) and (5);
- section 8(3)(a) to (i).

10 Schedule 15 is amended in section 2 by adding the following after clause (b):

- (b.1) provisional occupational therapist;

11 Schedule 22 is amended

- (a) **by repealing section 2(b);**
- (b) **by repealing section 3 and substituting the following:**

Practice

3 In their practice, psychologists do one or more of the following:

- (a) assess, diagnose, treat, guide and support persons or groups of persons in order to enhance development, effective living and quality of life or to prevent, remedy or ameliorate mental, emotional, cognitive, behavioural and interpersonal difficulties;
- (b) teach, supervise or consult in the practice of psychology;
- (c) provide restricted activities authorized by the regulations.

- (c) **in section 5 by striking out “ “Dr.” or “Ph.D” ” and substituting “ “Dr.”, “Ph.D.”, “Ed.D” or “Psy.D.” ”;**
- (d) **in section 7 by striking out “, courtesy registrant or psychological assistant” and substituting “or courtesy registrant”.**

12 Schedule 24 is amended in the following provisions by striking out “Alberta Association and College of Registered Nurses” and substituting “College and Association of Registered Nurses of Alberta”:

section 1;
section 2;
section 4;
section 5(a), (b) and (c);
section 8(3)(a), (c), (d), (e), (g), (h) and (i);
section 9(b).

13 Schedule 25 is amended in section 3(1)

- (a) **in clause (b) by adding “and help address” after “assess”;**
- (b) **in clause (c) by adding “and make referrals” after “nursing care”;**
- (c) **by striking out “and” at the end of clause (c) and by adding the following after clause (c):**
 - (c.1) teach, counsel and advocate to enhance health and well-being,
 - (c.2) co-ordinate, supervise, monitor and evaluate the provision of health services,
 - (c.3) teach nursing theory and practice,
 - (c.4) manage, administer and allocate resources related to health services,

- (c.5) engage in research related to health and the practice of nursing, and

Explanatory Notes

1 Amends chapter H-7 of the Revised Statutes of Alberta 2000.

2 Section 33(4) presently reads:

(4) The registrar

(a) may, in accordance with the regulations,

(i) enter in a register described in subsection (1)(a) information in addition to that required by subsection (3), and

(ii) remove information from a register,

and

(b) must require regulated members and applicants for registration as regulated members to provide information related to their demographic status and their practice of the regulated profession in accordance with regulations under sections 131 and 134.

3 Section 120(3) presently reads:

(3) When this Act or the bylaws require that a document or notice be given to any person, the document or notice is sufficiently given if it is given by personal service to that person or sent to that person by certified or 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 or notice 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.

4 Section 122 presently reads:

122(1) A registrar must on the request of the Minister

- (a) compile the information referred to in section 33(4)(b) and release it in the form and to the persons directed by the Minister, and*
- (b) compile and release the information for the purpose of health workforce planning, policy development and related research, but that information may not include*
 - (i) the name of any regulated member to whom the information relates;*
 - (ii) any information that would enable a person to identify the name of a regulated member to whom the information relates.*

(2) A regulated member must provide the registrar with information referred to in section 33(4)(b).

5 Section 132 presently reads in part:

132(1) A council may make bylaws

- (o) respecting forms and notices;*

6 Section 134 presently reads:

134 The Lieutenant Governor in Council may make regulations

- (a) respecting the expenses for the purposes of sections 82(1)(j) and 89(6);*

- (b) *respecting information to be provided by regulated members under section 33(4)(b);*
- (c) *authorizing the Minister to use and disclose information that is collected by the Minister in accordance with this Act;*
- (d) *respecting fees under sections 31(6) and 41(8);*
- (e) *specifying organizations for the purposes of section 119(2).*

7 Section 146(8)(b) presently reads:

(8) The Mental Health Act is amended

- (b) *in section 17(7)(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”.*

8 Consequential to name change. Sections 147(2) and (5) presently read as follows:

(2) The Alberta Health Care Insurance Act is amended by repealing section 22(20)(i) and substituting the following:

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

(5) The Mental Health Act is amended in section 17(7)(m)

- (a) *by striking out “the Professional Conduct Committee or the 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”.*

9 Schedule 12 presently reads in part:

*Profession of Medical Radiation Technologists
and Electroneurophysiologists*

2 A regulated member of the Alberta College of Medical Radiation Technologists may, as authorized by the regulations, use any of the following titles, abbreviations and initials:

- (a) *registered technologist radiological;*
- (b) *registered technologist nuclear medicine;*
- (c) *registered technologist therapy;*
- (d) *registered technologist magnetic resonance;*
- (e) *registered electroneurophysiology technologist;*
- (f) *registered electroencephalography technologist;*
- (g) *registered evoked potential technologists;*
- (h) *registered electromyography technologist;*
- (i) *R.T.R.;*
- (j) *R.T.N.M.;*
- (k) *R.T.T.;*
- (l) *R.T.M.R.;*

- (m) *R.E.T.;*
- (n) *R.E.P.T.;*
- (o) *R.T.EMG.*

3(1) In their practice, medical radiation technologists do one or more of the following:

- (a) apply ionizing radiation and other forms of energy to produce diagnostic images,*
- (b) evaluate the technical sufficiency of the images,*
- (c) use ionizing radiation and other forms of energy for treatment purposes,*
- (d) take part in patient care through interdisciplinary, peer and public education, patient counselling, radiation protection, management and research related to matters described in this subsection, and*
- (e) provide restricted activities authorized by the regulations.*

10 Schedule 15, section 2 presently reads:

2 A regulated member of The Alberta College of Occupational Therapists may, as authorized by the regulations, use any of the following titles, abbreviations and initials:

- (a) registered occupational therapist;*
- (b) occupational therapist;*
- (c) O.T.*

11 Schedule 22 presently reads in part:

2 A regulated member of The College of Alberta Psychologists may, as authorized by the regulations, use any of the following titles:

- (a) psychologist;*
- (b) psychological assistant;*
- (c) provisional psychologist;*
- (d) associate psychologist.*

3 In their practice, psychologists do one or more of the following:

- (a) assess, diagnose and treat mental, emotional, cognitive, behavioural and interpersonal difficulties of persons or groups of persons in order to prevent, remedy or ameliorate the difficulties and to enhance human effectiveness and quality of life, and*
- (b) provide restricted activities authorized by the regulations.*

5 No regulated member except a regulated member who has obtained an earned doctoral degree in a program in psychology approved by the Credentials Evaluation Committee of The College of Alberta Psychologists shall use the title "Doctor" or the abbreviation "Dr." or "Ph.D." in connection with the practice of psychology without identifying the program or discipline in which the regulated member earned or received the doctoral degree.

7 On the coming into force of this Schedule, a person who is a chartered psychologist, provisional chartered psychologist, courtesy registrant or psychological assistant under the Psychology Profession Act is deemed to be registered as a regulated member of, and to have been issued a practice permit by the registrar of, The College of Alberta Psychologists under this Act subject to the same conditions as under the former Act until the practice permit expires or is cancelled under this Act.

12 Change in name of College.

13 Section 3(1) of Schedule 25 presently reads:

3(1) In their practice, psychiatric nurses apply nursing knowledge and skills and judgment and do one or more of the following:

- (a) work with individuals of all ages, families, groups and communities,*
- (b) assess physical, mental, emotional and spiritual health needs,*
- (c) develop diagnoses and plan, implement and evaluate nursing care, and*
- (d) provide restricted activities authorized by the regulations.*