

2008 Bill 43

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 43

EMERGENCY HEALTH SERVICES ACT

MR. ANDERSON

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 43

2008

EMERGENCY HEALTH SERVICES ACT

(Assented to , 2008)

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

Part 1 Interpretation

Definitions

1 In this Act,

- (a) “ambulance” means a vehicle, including an aircraft, that is used or intended to be used for the provision of emergency health services to patients, but does not include a vehicle excluded by the regulations;
- (b) “ambulance attendant” means an individual who
 - (i) is a member of a class of individuals prescribed in the regulations or who meets the requirements established in the regulations for a category of ambulance attendants, and

- (ii) provides emergency health services to patients under this Act;
- (c) “ambulance operation” means a business or undertaking that provides emergency health services to patients by ambulance;
- (d) “ambulance operator” means a person, including a regional health authority, that owns or operates an ambulance operation;
- (e) “appeal panel” means an appeal panel appointed under section 34(1);
- (f) “assessment” means a determination of a patient’s physical or mental condition and of any steps to be taken to manage the patient’s condition;
- (g) “authorized person” means the Registrar and individuals designated by the Registrar under section 23;
- (h) “dispatch” means to direct a response to a request received by a dispatcher for emergency health services;
- (i) “dispatch centre” means a communications centre
 - (i) that receives requests for emergency health services and from which a dispatcher directs responses to those requests, and
 - (ii) that is approved by the Minister under section 14(1);
- (j) “dispatcher” means an individual who is a member of a category of ambulance attendants whose function it is to receive requests for emergency health services and to direct responses to the requests;
- (k) “emergency health services” means
 - (i) dispatch services, and
 - (ii) assessment, stabilization, treatment and transportation services dispatched in response to a request for emergency health services;
- (l) “emergency health services plan” means an emergency health services plan approved under section 4;

- (m) “health region” means, in respect of a regional health authority, the health region that the regional health authority administers under the *Regional Health Authorities Act*;
- (n) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (o) “operator’s licence” means an ambulance operator’s licence issued or renewed under section 10(1);
- (p) “patient” means an individual who receives emergency health services under this Act or in respect of whom a request for emergency health services is made;
- (q) “regional health authority” means a regional health authority established pursuant to the *Regional Health Authorities Act*;
- (r) “Registrar” means the Registrar appointed under section 8.

Part 2 Governance

Duty of regional health authority

2 A regional health authority shall provide emergency health services in the health region in accordance with

- (a) this Act and the regulations, and
- (b) an emergency health services plan for the health region.

Proposal for emergency health services plan

3(1) A regional health authority shall, on or before the date specified by the Minister, prepare and submit to the Minister a proposal for an emergency health services plan for the health region.

(2) In the course of preparing a proposal for an emergency health services plan, the regional health authority shall consult any persons or bodies that the Minister directs to be consulted.

(3) A proposal for an emergency health services plan must be submitted in the form and manner specified by the Minister and must include the information specified by the Minister.

Approval or amendment of plan

4(1) On considering a proposal for an emergency health services plan, the Minister may

- (a) approve the proposal in whole or in part,
- (b) amend the proposal and approve it as amended, or
- (c) refer the proposal back to the regional health authority with directions to take any further action the Minister considers appropriate.

(2) A proposal for an emergency health services plan that is referred back to a regional health authority under subsection (1)(c) must be resubmitted to the Minister as directed by the Minister, and when it is resubmitted subsection (1) applies.

(3) A regional health authority

- (a) may of its own motion submit to the Minister a proposal to amend an emergency health services plan, and
- (b) shall on the written request of the Minister submit to the Minister, within the time specified by the Minister, a proposal to amend an emergency health services plan in respect of matters specified by the Minister.

(4) Subsections (1) and (2) apply with respect to a proposal submitted under subsection (3).

Commencement of responsibility

5 A regional health authority becomes responsible for discharging its duty under section 2 on the date specified by the Minister.

Agreements to provide services

6 Subject to the emergency health services plan and the approval of the Minister, a regional health authority may enter into an agreement with any person respecting the provision by the regional

health authority of emergency health services within or outside its health region.

Required form or terms

7 An agreement referred to in section 6 must be in the form established by the Minister or, if no form is established, must contain any terms and conditions specified by the Minister.

Registrar

8(1) The Minister may appoint a Registrar for the purposes of this Act.

(2) The Registrar shall

- (a) issue and renew operator's licences in accordance with this Act and the regulations,
- (b) maintain a register of all ambulance operators licensed under this Act, and
- (c) perform any other functions and duties set out in the regulations.

Part 3 Licensing

Application for ambulance operator's licence

9 A person may, in accordance with the regulations, apply to the Registrar for an operator's licence or for the renewal of an operator's licence.

Issuance, renewal or refusal

10(1) The Registrar shall, within 60 days after receiving an application under section 9,

- (a) issue or renew an operator's licence, if the Registrar is satisfied that the applicant meets the requirements set out in the regulations, or
- (b) advise the applicant in writing that the application is refused and of the reasons for the refusal, if the Registrar

is not satisfied that the applicant meets the requirements set out in the regulations.

(2) The Registrar may impose any terms and conditions that the Registrar considers appropriate on an operator's licence that is issued or renewed under subsection (1)(a).

(3) If the Registrar fails to issue or renew an operator's licence or to advise of a refusal within 60 days after receiving an application under section 9, the application is deemed to have been refused.

Authority under licence

11(1) An operator's licence authorizes the ambulance operator to provide emergency health services in accordance with this Act, the regulations and any terms and conditions of the licence.

(2) Subject to section 12, an operator's licence is valid for the period specified in the licence, which period must not exceed 5 years.

(3) An operator's licence is not transferable.

(4) A licensed ambulance operator may charge fees for services in accordance with the regulations.

Revocation, suspension and conditions

12(1) The Registrar may revoke, suspend or impose terms and conditions on an operator's licence issued under this Act if

- (a) the Registrar is of the opinion that it is in the public interest to do so, or
- (b) the Registrar has reasonable grounds to believe that the ambulance operator is not operating the ambulance operation in accordance with the requirements of this Act, the regulations or the terms and conditions of the licence.

(2) The Registrar shall give the ambulance operator 60 days' notice of any intended action under subsection (1) and the reasons for it, and shall provide a copy of the notice to any regional health authority with which the ambulance operator has an agreement.

(3) Notwithstanding subsection (2), if the Registrar is of the opinion that action must be taken more quickly to protect the safety

of the public, the Registrar may give the ambulance operator less than 60 days' notice of an intention to revoke, suspend or impose terms and conditions on the operator's licence.

(4) A revocation, suspension or term or condition imposed under subsection (1) takes effect on the date specified by the Registrar.

(5) Where the Registrar has given notice of an intended action under subsection (2), the Registrar may, at any time during the notice period, rescind the notice or amend it to state a different intention and a different effective date.

(6) Where the Registrar takes an action under subsection (1), the Registrar shall notify the ambulance operator and any regional health authority with which the ambulance operator has an agreement of the action taken.

(7) The power to impose terms and conditions under subsection (1) includes the power to vary or rescind existing terms and conditions of the licence.

Stay of Registrar's action

13 An ambulance operator whose operator's licence is the subject of an action taken by the Registrar under section 12 may, on 2 days' notice to the Registrar, make an application to the Court of Queen's Bench for an order staying the Registrar's action for a period set by the Court.

Part 4 Provision of Emergency Health Services

Dispatch centres

14(1) The Minister may approve dispatch centres for the purposes of this Act.

(2) A regional health authority shall utilize one or more dispatch centres in accordance with the regulations and the emergency health services plan for the health region.

Duty of ambulance attendant

15(1) When dispatched, an ambulance attendant shall provide emergency health services unless the ambulance attendant reasonably believes

- (a) that providing the emergency health services would result in imminent danger to the ambulance attendant, or
- (b) that the ambulance attendant is not qualified to provide the emergency health services.

(2) If an ambulance attendant refuses to provide emergency health services under subsection (1), the ambulance attendant shall advise the dispatcher immediately.

Entry of premises

16(1) For the purposes of this section, “premises” includes a dwelling place.

(2) An ambulance attendant who is dispatched to premises in response to a request for emergency health services may enter the premises without a warrant if the ambulance attendant reasonably believes that a patient who is located in the premises requires emergency health services immediately.

(3) An ambulance attendant may use reasonable force to enter premises under subsection (2).

Prohibition — licence

17(1) No person shall operate an ambulance operation unless the person

- (a) holds a valid operator’s licence, or
- (b) is exempt under subsection (2).

(2) The Minister may by order exempt any person from the requirement to hold an operator’s licence.

Prohibition — agreement

18(1) Subject to subsection (2), and notwithstanding any licence, no person shall operate an ambulance operation in a health region except under an agreement with a regional health authority.

(2) The Minister may by order exempt any person or class of persons from the application of subsection (1).

Injunction

19 The Court of Queen’s Bench, on application by the Minister by way of originating notice, may grant an injunction enjoining any person from contravening section 17 or 18 notwithstanding any penalty that may be provided by this Act.

Prohibitions — ambulance attendants

20(1) No person shall employ or engage an individual to act as an ambulance attendant unless the individual meets the requirements for a category of ambulance attendants as set out in the regulations or is a member of a class of individuals prescribed as ambulance attendants.

(2) No person shall act as an ambulance attendant unless the person meets the requirements for ambulance attendants that are set out in the regulations.

Prohibition — emergency health services

21 Notwithstanding any other enactment, no ambulance attendant shall provide emergency health services except in accordance with this Act and the regulations.

Part 5 Inspections, Investigations and Enforcement

Definitions

22 In this Part,

- (a) “place” includes a vehicle;
- (b) “record” means a document associated with an ambulance operation, whether kept by or in the possession of the ambulance operator, an ambulance attendant or any other

person, and whether in written, photographic, magnetic, electronic or other form.

Authorized persons

23 The Registrar may, in writing, designate individuals as authorized persons for the purposes of this Act and the regulations.

Inspection

24 Subject to section 26, an authorized person may enter and inspect any place for the purpose of determining whether this Act and the regulations are being complied with, including, without limitation, a dispatch centre and any place that

- (a) is used or intended to be used to carry on the business of an ambulance operation,
- (b) is used or intended to be used for the purposes of, or in connection with, any aspect of an ambulance operation, including the provision of emergency health services or the storage of ambulances, equipment, records or other things, or
- (c) is used or intended to be used by ambulance attendants in the course of their duties.

Investigation

25(1) An authorized person may conduct an investigation

- (a) at the direction of the Registrar, or
- (b) if an authorized person has reasonable grounds to believe that a person has contravened this Act or the regulations.

(2) Subject to section 26, an authorized person may enter any place for the purposes of an investigation.

Dwelling place

26 An authorized person shall not enter a dwelling place without the consent of the owner or occupant except under the authority of an order made under section 32.

Powers of authorized person

27 In carrying out an inspection or an investigation, an authorized person may

- (a) at any reasonable hour, enter in or on the place that is the subject of the inspection or investigation;
- (b) demand the production for examination of any records and make copies of them or remove them temporarily for the purpose of making copies;
- (c) inspect any vehicle, equipment or other thing that is found at the place and remove it temporarily for the purpose of examining or testing it;
- (d) take samples of any substance or other thing found at the place;
- (e) perform tests, take photographs or make recordings in respect of the place or any thing found at the place;
- (f) require any person to answer any relevant question and direct the person to answer the question under oath.

Identification

28 When acting under the authority of this Part, an authorized person shall carry identification in a form approved by the Minister and shall present it on request to the occupant of the place being inspected.

Removal of items

29(1) If an authorized person removes any thing during an inspection or an investigation, the authorized person

- (a) shall give a receipt for the thing to the person from whom it was taken, and
- (b) shall, subject to subsections (3) and (4), return the thing within a reasonable time after it has served the purposes for which it was taken.

(2) On request, an authorized person shall provide a copy of any records removed during an inspection or an investigation to the person from whom they were taken.

(3) If in the course of an inspection or an investigation an authorized person finds any thing that the authorized person reasonably believes may present a danger to the public or to an ambulance attendant, the authorized person may seize the thing.

(4) A thing seized under subsection (3) is forfeited to the Crown.

Report to Registrar

30(1) On completing an inspection or an investigation an authorized person shall give a report to the Registrar and to the ambulance operator or the owner or occupant of the place that is the subject of the inspection or investigation, setting out the findings of the inspection or investigation.

(2) On receipt of a report referred to in subsection (1), the Registrar

- (a) may direct the authorized person to investigate the matter further and provide a further report, and
- (b) may revoke, suspend or impose terms and conditions on an operator's licence in accordance with section 12.

Duty to co-operate

31 An ambulance operator, an ambulance attendant employed or engaged by the ambulance operator and the owner or occupant of a place that is the subject of an inspection or investigation shall co-operate with the inspection or investigation.

Application to Court

32(1) If a person

- (a) refuses to allow an authorized person to conduct an inspection or an investigation, or
- (b) hinders or interferes with an authorized person who is conducting an inspection or an investigation,

the Registrar may apply to the Court of Queen's Bench for an order directing the person to do or refrain from doing anything as the Court considers necessary in order to enable an authorized person to conduct the inspection or investigation.

(2) An application under subsection (1) may be made ex parte if the Court considers it proper in the circumstances.

Part 6 Appeals

Right of appeal

33(1) An applicant or an ambulance operator, as the case may be, may appeal from a refusal or a deemed refusal to issue or renew an operator's licence or from the imposition of terms or conditions on an operator's licence by serving a notice of appeal on the Registrar

- (a) within 20 days after the day the Registrar advises the applicant of the refusal, if the appeal is from a refusal to issue an operator's licence to the applicant under section 10(1)(b),
- (b) within 20 days after the day the Registrar issues or renews the operator's licence, if the appeal is from the imposition of terms or conditions referred to in section 10(2),
- (c) within 20 days after the day that notice is served on the ambulance operator of an intended action under section 12, and
- (d) 60 days or more after the day the application for an operator's licence was made, if by that time the Registrar has neither issued nor advised the applicant of a refusal to issue an operator's licence to the applicant.

(2) A notice of appeal referred to in subsection (1) must set out the grounds for the appeal.

Appeal panel

34(1) On being served with a notice of appeal under section 33(1), the Registrar shall forward the notice to the Minister and the Minister shall appoint an appeal panel composed of one to 3 individuals to hear the appeal.

(2) The *Administrative Procedures Act* applies to proceedings of an appeal panel.

Hearing of appeal

35(1) An appeal panel shall fix a date, time and place providing for the appeal to be heard as soon as possible.

(2) An appeal panel shall, at least 10 days before the date set for a hearing, notify the Registrar and the appellant of the date, time and place at which the appeal panel will hold the hearing.

(3) The Registrar and the appellant may appear and be represented by counsel at a hearing before an appeal panel.

(4) Notwithstanding subsection (1), an appeal panel may, on application or on its own motion, adjourn a hearing from time to time.

(5) An appeal panel may order that the proceedings be held in private if it is of the opinion that it is necessary to do so to protect a person who is not a party to the proceedings.

(6) An appeal panel may substitute a different date for a date referred to in section 12(4), whether the application for the substituted date is made before, on or after the original date.

(7) An appeal panel may extend a period provided for in subsection (2) or section 33(1)(a), (b), (c) or (d), whether the application for the extension is made within or after that period.

Decision on appeal

36(1) On hearing an appeal, the appeal panel may make an order

- (a) confirming, quashing or varying the decision of the Registrar, or
- (b) referring the matter back to the Registrar for further consideration in accordance with any direction of the appeal panel.

(2) The decision of the appeal panel is final.

(3) On receiving a copy of the order of the appeal panel, the Registrar shall give written notice of the order to the appellant and to every regional health authority with which the appellant has an agreement.

Witnesses

37(1) Any person who may reasonably be expected to have information relevant to the matter being heard is a compellable witness in any proceedings before the appeal panel.

(2) A witness may be examined under oath on anything relevant to the proceedings and shall not be excused from answering any question on the ground that the answer might tend

- (a) to incriminate the witness, or
- (b) to establish the witness's liability
 - (i) to a civil proceeding at the instance of the Crown or of any other person, or
 - (ii) to prosecution under any Act,

but if the answer so given tends to incriminate the witness or establish the witness's liability, it shall not be used or received against the witness in any other proceedings except a prosecution for perjury or the giving of contradictory evidence.

(3) For the purpose of obtaining the testimony of a witness who is outside Alberta, a judge of the Court of Queen's Bench, on an ex parte application, may direct that a commission be issued for obtaining the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*.

(4) The attendance of witnesses before an appeal panel and the production of records may be enforced by a notice issued by the appeal panel requiring the witness to attend and stating the date, time and place at which the witness is to attend and the records, if any, that the witness is required to produce.

(5) On the written request of the appellant or of the appellant's counsel or agent, an appeal panel shall, without charge, issue and deliver to the appellant or the appellant's counsel or agent any notices that the appellant requires for the attendance of witnesses or the production of any record.

Civil contempt proceedings

38 Proceedings for civil contempt of court may be brought against a witness

- (a) who fails
 - (i) to attend before an appeal panel in compliance with a notice to attend, or
 - (ii) to produce records in compliance with a notice to produce them,
- or
- (b) who refuses to be sworn or to answer any question that the appeal panel directs the witness to answer.

Part 7 Offences

Offences

39(1) A person who contravenes a provision of this Act or the regulations is guilty of an offence and liable,

- (a) in the case of an individual, to a fine of not more than \$10 000, and
- (b) in the case of a corporation, to a fine of not more than \$100 000.

(2) A prosecution of an offence under this Act shall not be commenced more than 2 years after the date on which the alleged offence occurred.

Part 8 General

Information

40(1) On the written request of the Minister, an ambulance operator or a regional health authority shall provide the Minister with any information requested by the Minister.

(2) Information provided under subsection (1) must be provided in the form and manner and within the time specified by the Minister.

Report to regulatory body or peace officer

41 The Minister or an authorized person may report to any body that regulates a health profession or health discipline under an Act

or to a peace officer any concern that arises or any information that is received while carrying out a duty or function or exercising an authority under this Act.

Crown, regional health authority not liable

42(1) In this section, “first response operation” has the meaning provided in the regulations.

(2) The Crown in right of Alberta, the Crown’s agents and employees, a regional health authority, the members, agents and employees of a regional health authority and persons contracted by the Crown or a regional health authority are not liable for the acts or omissions of an ambulance operator, the operator of a first response operation or the agents or employees of an ambulance operator or the operator of a first response operation.

Protection from liability

43 No action for damages shall be commenced against the Minister, an employee under the administration of the Minister, an agent of the Minister, a regional health authority, a member, agent or employee of a regional health authority or a person contracted by the Minister or a regional health authority for anything done or omitted to be done by that person in good faith in the performance of the person’s duties or functions or the exercise of the person’s powers under this Act or the regulations.

Ministerial powers

44(1) Notwithstanding this Act, the Minister

- (a) may provide for or arrange for the provision of emergency health services in any area of Alberta, whether or not emergency health services are also being provided in that area by any other government, person or authority,
- (b) may impose service requirements, standards, protocols and guidelines for a regional health authority or an ambulance operator to follow in the provision of emergency health services,
- (c) may enter into agreements with any person for the purposes of this Act, and

(d) may do any other thing that the Minister considers necessary to promote, facilitate and ensure the provision of emergency health services in Alberta.

(2) An agreement referred to in subsection (1)(c) may provide that this Act or the regulations or any provision of this Act or the regulations does not apply to the extent that the agreement applies.

Exemptions

45(1) If the Minister considers it to be in the public interest to do so, the Minister may, by order, exempt any person from the operation of this Act, the regulations or any provision of this Act or the regulations.

(2) An order referred to in subsection (1) may contain any terms and conditions that the Minister considers appropriate.

Crown's right of recovery

46 The Crown in right of Alberta is entitled to recover the Crown's cost of emergency health services under Part 5 of the *Hospitals Act*.

Lieutenant Governor in Council regulations

47(1) The Lieutenant Governor in Council may make regulations

- (a) defining "first response operation" for the purposes of this Act and the regulations;
- (b) respecting the use of first response operations to respond to requests for emergency health services, including regulations requiring operators of first response operations
 - (i) to register with the Registrar, and
 - (ii) to comply with directions given by a dispatcher under this Act;
- (c) respecting the application of this Act to first response operations.

(2) The Lieutenant Governor in Council may, by regulation, declare to be in force a code, standard, guideline or body of rules that concerns a matter in respect of which a regulation may be

made under subsection (1) and that is established by the government of Alberta or another jurisdiction, a board or agency of such a government or any association, person or body of persons.

Ministerial regulations

48(1) The Minister may make regulations

- (a) respecting the remuneration and travelling, living and other expenses of members of an appeal panel;
- (b) respecting staffing, equipment, supplies, vehicles and other matters related to the provision of emergency health services;
- (c) respecting requirements for ambulance operators to carry liability insurance;
- (d) respecting records to be kept by regional health authorities for the purposes of this Act and respecting reports and returns to be submitted to the Minister by a regional health authority;
- (e) respecting records to be kept by ambulance operators and the manner in which they are to be kept;
- (f) respecting reports, returns and information required to be submitted to a regional health authority or the Minister by ambulance operators;
- (g) respecting the licensing of ambulance operators, including fees for licences and the renewal of licences;
- (h) establishing categories of ambulance attendants;
- (i) prescribing classes of individuals as ambulance attendants for the purposes of this Act and the regulations;
- (j) respecting requirements, qualifications and duties of ambulance attendants and categories and classes of ambulance attendants;
- (k) excluding a vehicle or a class of vehicles from the definition of ambulance for the purposes of this Act and the regulations;

- (l) respecting the authorization of vehicles or classes of vehicles for use as ambulances by an ambulance operator;
- (m) respecting the maintenance, repair and operation of ambulances and other vehicles used in the provision of emergency health services under this Act and of equipment used in ambulances and those other vehicles;
- (n) respecting the equipping, maintaining, operating and repairing of ambulance garages, stations and hangars;
- (o) respecting requirements and standards for communications systems or devices and other equipment used in the provision of emergency health services;
- (p) respecting the transportation of patients under this Act;
- (q) respecting dispatch centres, including
 - (i) requirements and standards for communications systems or devices and other equipment used in dispatch centres, and
 - (ii) the staffing and operation of dispatch centres;
- (r) respecting the powers and duties of regional health authorities for the purposes of this Act and the regulations, including regulations
 - (i) requiring regional health authorities to employ or engage medical directors to provide direction and establish medical protocols for the provision of emergency health services in the health region, and
 - (ii) respecting the powers, duties and functions of medical directors referred to in subclause (i);
- (s) respecting powers and duties of the Registrar;
- (t) respecting complaints to the Registrar and processes for making and responding to complaints;
- (u) respecting appeals and appointments to the appeal panel;
- (v) respecting fees that may be charged for services provided under this Act, and respecting liability for payment of fees;

- (w) respecting the appointment or designation of a Provincial Medical Director to provide direction and establish medical protocols for the provision of emergency health services in Alberta, and respecting the powers, duties and functions of the Provincial Medical Director;
- (x) respecting the giving of notices required to be given under this Act;
- (y) respecting the obligation of any person to provide an ambulance operator or an ambulance attendant with information about a patient and respecting the management and use of information received in the provision of emergency health services;
- (z) defining any word or expression used but not defined in this Act;
- (aa) providing for any other matter necessary for or incidental to the carrying out of the intent of this Act or for circumstances that arise for which no provision is made in this Act.

(2) The Minister may make regulations

- (a) that restrict or broaden the definitions of ambulance and emergency health services, and
- (b) respecting the application of a definition restricted or broadened under clause (a) to one or more provisions of this Act or the regulations.

(3) The Minister may, by regulation, declare to be in force a code, standard, guideline or body of rules that concerns a matter in respect of which a regulation may be made under subsection (1) and that is established by the government of Alberta or another jurisdiction or a board or agency of such a government or by any association, person or body of persons.

Codes and standards

49 A code, standard, guideline or body of rules may be declared in force under section 47(2) or 48(3)

- (a) in whole or in part and with or without modifications, and

- (b) as it reads on a specific date or as amended from time to time.

Part 9
Transitional Provisions,
Consequential Amendments,
Repeals and Coming
into Force

Transitional

50(1) In this section and in section 51,

- (a) “former Act” means the *Ambulance Services Act*, RSA 2000 cA-39;
- (b) “ambulance service” has the meaning provided in the former Act.

(2) Notwithstanding the repeal of the former Act, if immediately before this Act comes into force an operator is providing ambulance services under the former Act, the Minister may order the operator to continue providing those services for a period of time specified in the order, and during that period the former Act continues to apply in respect of those services.

(3) The Minister may order that a period of time referred to in subsection (2) be extended for a further period as the Minister considers necessary to ensure the uninterrupted provision of emergency health services in any area of Alberta.

(4) An order referred to in subsection (2) or (3) may contain any terms and conditions the Minister considers appropriate.

Transitional regulations

51(1) The Lieutenant Governor in Council may make regulations

- (a) notwithstanding any agreement, providing for the discontinuation of ambulance services that are, immediately prior to the coming into force of this Act, being provided under the former Act, and respecting compensation for the operator that is providing the ambulance services;

- (b) respecting the transition to this Act of anything provided for under the former Act and the interpretation of any transitional provision in this Act;
- (c) to deal with any confusion, difficulty, inconsistency or impossibility arising from this Act or the transition to this Act from the former Act.

(2) A regulation made under subsection (1) may be made retroactive to the extent set out in the regulation.

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

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

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

Amends RSA 2000 cH-5

52(1) The *Health Information Act* is amended in section 1(1)

- (a) by repealing clause (a)(iv);**
- (b) in clause (f) by adding the following after subclause (ii):**
 - (ii.1) an ambulance operator as defined in the *Emergency Health Services Act*;
- (c) in clause (m)(iii) by striking out “*Ambulance Services Act*” and substituting “*Emergency Health Services Act*”.**

Explanatory Notes

52 Amends chapter H-5 of the Revised Statutes of Alberta 2000.
Section 1(1)(a), (f) and (m) presently read in part:

1(1) In this Act,

(a) “affiliate”, in relation to a custodian, includes

(iii) a health services provider who has the right to admit and treat patients at a hospital as defined in the Hospitals Act,

but does not include

(iv) an operator as defined in the Ambulance Services Act, or

(f) “custodian” means

(ii) the operator of a nursing home as defined in the Nursing Homes Act other than a nursing home that is owned and

Amends RSA 2000 cH-12

53 The *Hospitals Act* is amended in section 61(h) by adding the following after subclause (iii):

- (iii.1) emergency health services as defined in the *Emergency Health Services Act*;

Amends RSA 2000 cL-1

54 The *Labour Relations Code* is amended

- (a) in section 35.1(1) by striking out “*Ambulance Services Act*” and substituting “*Emergency Health Services Act*”;
- (b) in section 96(1)(d) by striking out “operators as defined in the *Ambulance Services Act*” and substituting “ambulance operators as defined in the *Emergency Health Services Act*”.

operated by a regional health authority established under the Regional Health Authorities Act;

- (m) “health service” means a service that is provided to an individual*
- (iii) by an ambulance attendant as defined in the Ambulance Services Act,*

53 Amends chapter H-12 of the Revised Statutes of Alberta 2000. Section 61(h) presently reads:

61 In this Part,

- (h) “health services” means the following, whether provided inside or outside Alberta:*
 - (i) in-patient and out-patient services provided in a hospital or other facility;*
 - (ii) health services as defined in the Alberta Health Care Insurance Act;*
 - (iii) transportation services, including air and ground ambulance services;*
 - (iv) public health services;*
 - (v) mental health services;*
 - (vi) drug services;*
 - (vii) any good or service prescribed to be a health service by the regulations;*

54 Amends chapter L-1 of the Revised Statutes of Alberta 2000. Sections 35.1(1) and 96(1)(d) presently read:

35.1(1) Notwithstanding any certificate to the contrary, a bargaining unit that includes ambulance attendants as defined in the Ambulance Services Act who are represented by a bargaining agent shall not include any other employees, other than employees to whom Division 16 applies.

Amends RSA 2000 cM-26

55(1) The *Municipal Government Act* is amended by this section.

(2) Division 4 of Part 3 is repealed.

(3) Section 326(a) is amended by adding “or” at the end of subclause (iii) and repealing subclause (iv).

(4) Section 382(1)(g) is repealed.

Repeal

56 The *Ambulance Services Act*, RSA 2000 cA-39, is repealed.

Repeal

57 The *Edmonton Ambulance Authority Act*, SA 1981 c87, is repealed.

Coming into force

58 This Act comes into force on Proclamation.

96(1) This Division applies to the following:

- (d) operators as defined in the Ambulance Services Act and their employees who act as ambulance attendants as defined in that Act to whom neither clause (b) nor clause (c) applies.*

55 Amends chapter M-26 of the Revised Statutes of Alberta 2000. Repeals Part 3, Division 4 dealing with ambulance services. Sections 326(a)(iv) and 382(1)(g) presently read:

326 In this Part,

- (a) “requisition” means*

- (iv) the requisition of ambulance districts under the Ambulance Services Act, or*

382(1) Each council may pass a special tax bylaw to raise revenue to pay for a specific service or purpose by imposing one or more of the following special taxes:

- (g) an ambulance service tax;*

56 Repeals chapter A-39 of the Revised Statutes of Alberta 2000.

57 Repeals chapter 87 of the Statutes of Alberta, 1981.

58 Coming into force.

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