

2022 Bill 4

Fourth Session, 30th Legislature, 1 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 4

ALBERTA HEALTH CARE INSURANCE AMENDMENT ACT, 2022

THE MINISTER OF HEALTH

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 4

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2022

ALBERTA HEALTH CARE INSURANCE AMENDMENT ACT, 2022

(Assented to _____, 2022)

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

Amends RSA 2000 cA-20

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

2 Section 22(4) is amended by striking out “Minister of Justice and Solicitor General, or a person designated by the Minister of Justice and Solicitor General,” **and substituting** “Minister of Justice or a person or persons designated by the Minister of Justice”.

3 Section 39.1(2) is amended by striking out “Minister of Justice and Solicitor General” **and substituting** “Minister of Justice”.

Explanatory Notes

1 Amends chapter A-20 of the Revised Statutes of Alberta 2000.

2 Section 22(4) presently reads:

(4) The Minister or a person employed in the administration of this Act and authorized by the Minister may, in connection with the administration of the Criminal Code (Canada), disclose to the Minister of Justice and Solicitor General, or a person designated by the Minister of Justice and Solicitor General, information pertaining to the date on which health services were provided, a description of those services, any diagnosis given by a person who provided the services, the name and address of the person who provided the services, the benefits paid for those services and the person to whom they were paid, the name and address of the person to whom the services were provided and any other information coming to the knowledge of any person employed in the administration of this Act in the course of that person's employment.

3 Section 39.1(2) presently reads:

(2) A custodian may disclose information about a health service referred to in subsection (3) without the consent of the person who provided the health service or of the person who received the health

4 Section 40.1(1) is amended by striking out “In this section and section 40.2” and substituting “In this section”.

5 Section 40.2 is repealed.

service to a police service or the Minister of Justice and Solicitor General where the custodian reasonably believes

- (a) that the information relates to the possible commission of an offence under a statute or regulation of Alberta or Canada by the person who provided the health service, and*
- (b) that the disclosure will detect or prevent fraud or limit abuse in the provision of health services.*

4 Section 40.1(1) presently reads:

40.1(1) In this section and section 40.2,

- (a) “AMA Agreement” means the agreement between Her Majesty the Queen in Right of Alberta, as represented by the Minister of Health, and the Alberta Medical Association (C.M.A. Alberta Division) made effective April 1, 2011, as amended from time to time;*
- (b) “compensation matters” means*
 - (i) the rates of benefits payable for the provision of insured services by a physician, and*
 - (ii) funding for the physician assistance programs and physician support programs referred to in the AMA Agreement, or any successors to those programs;*
- (c) “physician” means a physician referred to in section 1(t)(i) who provides insured services and is paid in accordance with this Act.*

5 Section 40.2 presently reads:

40.2(1) In this section, “regional health authority” means a regional health authority established under the Regional Health Authorities Act.

(2) The Lieutenant Governor in Council may, by order, terminate

- (a) an agreement referred to in section 40(1),*
- (b) the AMA Agreement, or*
- (c) any other agreement between the Crown in right of Alberta and the Alberta Medical Association, or any other person, respecting compensation matters.*

(2.1) For greater certainty, an agreement or arrangement referred to in section 20.1(1)(a) is not an agreement respecting compensation matters for the purposes of this section.

(3) An agreement that is the subject of an order made under subsection (2) is terminated and is of no force and effect on the date specified in the order.

(4) For greater certainty, on the termination of an agreement under subsection (2),

(a) any dispute resolution process that had commenced under the agreement and had not concluded is terminated, and

(b) all rights, privileges, obligations and interests arising out of the agreement, or out of any decision or award resulting from a dispute resolution process concluded under the agreement, cease to exist.

(5) No action or other proceeding that is based on or is in relation to an agreement referred to in subsection (2) or the termination of an agreement under subsection (2) lies or may be instituted against the Crown, any Minister of the Crown, a regional health authority or any employee or agent of the Crown or of a regional health authority for anything done or omitted to be done, or for anything purported to have been done or omitted to be done.

(6) For greater certainty, section 40.1(4) applies to the making of an order terminating an agreement under subsection (2).

RECORD OF DEBATE

Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
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