

2024 Bill 26

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First Session, 31st Legislature, 3 Charles III

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 26

**HEALTH STATUTES  
AMENDMENT ACT, 2024  
(NO. 2)**

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THE MINISTER OF HEALTH

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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*Bill 26*

## **BILL 26**

2024

### **HEALTH STATUTES AMENDMENT ACT, 2024 (NO. 2)**

*(Assented to \_\_\_\_\_, 2024)*

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

#### **Alberta Health Act**

**Amends SA 2010 cA-19.5**

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

**(2) Section 1(i) is repealed and the following is substituted:**

- (i) “provincial health corporation” means a provincial health corporation under the *Provincial Health Agencies Act*;

**(3) Sections 2(1) and 7(2) are amended by striking out “provincial health boards” and substituting “provincial health corporations”.**

## Explanatory Notes

### Alberta Health Act

1(1) Amends chapter A-19.5 of the Statutes of Alberta, 2010.

(2) Section 1(i) presently reads:

*1 In this Act,*

*(i) “provincial health board” means a provincial health board under the Provincial Health Agencies Act;*

(3) Sections 2(1) and 7(2) presently read:

*2(1) The Minister shall establish a Health Charter to guide the actions of provincial health agencies, regional health authorities, provincial health boards, operators, health providers, professional colleges, Albertans, and any other persons specified in the regulations.*

*7(2) Subject to and in accordance with applicable enactments, provincial health boards are responsible for carrying out their duties and functions in accordance with the enactment that established them.*

### **Auditor General Act**

**Amends RSA 2000 cA-46**

**2(1) The *Auditor General Act* is amended by this section.**

**(2) Section 16(1) is amended by striking out** “subsidiary health corporation, community health council or provincial health board” **and substituting** “provincial health corporation, subsidiary health corporation or community health council”.

### **Conflicts of Interest Act**

**Amends RSA 2000 cC-23**

**3(1) The *Conflicts of Interest Act* is amended by this section.**

**(2) The Schedule is amended in Part 3 by striking out** “Provincial Health Board” **and substituting** “Provincial Health Corporation”.

### **Financial Administration Act**

**Amends RSA 2000 cF-12**

**4(1) The *Financial Administration Act* is amended by this section.**

**(2) Section 2(5)(h) is amended by striking out** “provincial health board” **and substituting** “provincial health corporation”.

### **Freedom of Information and Protection of Privacy Act**

**Amends RSA 2000 cF-25**

**5(1) The *Freedom of Information and Protection of Privacy Act* is amended by this section.**

### **Auditor General Act**

**2(1)** Amends chapter A-46 of the Revised Statutes of Alberta 2000.

(2) Section 16(1) presently reads:

*16(1) In this section, “regional authority” means a board under the Education Act or a provincial health agency, regional health authority, subsidiary health corporation, community health council or provincial health board under the Provincial Health Agencies Act.*

### **Conflicts of Interest Act**

**3(1)** Amends chapter C-23 of the Revised Statutes of Alberta 2000.

(2) Updates Schedule list.

### **Financial Administration Act**

**4(1)** Amends chapter F-12 of the Revised Statutes of Alberta 2000.

(2) Section 2(5)(h) presently reads:

*(5) This Act, except this section and sections 1, 5, 6, 7, 13(3), 57.1, 77, 80 and 81, does not apply to the following:*

*(h) a provincial health board under the Provincial Health Agencies Act,*

### **Freedom of Information and Protection of Privacy Act**

**5(1)** Amends chapter F-25 of the Revised Statutes of Alberta 2000.

**(2) Section 1(g)(iii) is amended by striking out “provincial health board established” and substituting “provincial health corporation”.**

### **Government Organization Act**

**Amends RSA 2000 cG-10**

**6(1) The *Government Organization Act* is amended by this section.**

**(2) Schedule 7 is amended in section 1(1)(b)(vi) by striking out “provincial health board” and substituting “provincial health corporation”.**

**(3) Schedule 11 is amended in section 6 by striking out “provincial health board” and substituting “provincial health corporation”.**

### **Health Facilities Act**

**Amends RSA 2000 cH-2.7**

**7(1) The *Health Facilities Act* is amended by this section.**

**(2) Section 0.1(g) is repealed and the following is substituted:**

(g) “health authority” means a regional health authority or provincial health agency under the *Provincial Health Agencies Act*;

(2) Section 1(g)(iii) presently reads:

*1 In this Act,*

(g) “health care body” means

(iii) a provincial health board established under the Provincial Health Agencies Act,

### **Government Organization Act**

**6(1)** Amends chapter G-10 of the Revised Statutes of Alberta 2000.

(2) Schedule 7 presently reads in part:

*1(1) In this section,*

(b) “health board” means

(vi) a provincial health board under the Provincial Health Agencies Act.

(3) Schedule 11 presently reads in part:

*6 The Minister may enter into and carry out an agreement with a hospital board or a provincial health agency, regional health authority or provincial health board under the Provincial Health Agencies Act respecting the provision of services relating to the design, construction, alteration, extension, repair or demolition of a health care facility.*

### **Health Facilities Act**

**7(1)** Amends chapter H-2.7 of the Revised Statutes of Alberta 2000.

(2) Section 0.1(g) presently reads:

*0.1 In this Act,*

(g) “health authority” means a regional health authority;

## **Health Information Act**

**Amends RSA 2000 cH-5**

**8(1) The *Health Information Act* is amended by this section.**

**(2) Section 1(1)(f) is amended**

**(a) by repealing subclause (iii) and substituting the following:**

(iii) a provincial health corporation as defined in the *Provincial Health Agencies Act*;

**(b) by adding the following after subclause (xii.1):**

(xii.2) the Department of Seniors, Community and Social Services;

**(c) by adding the following after subclause (xiii.1):**

(xiii.2) the Minister of Seniors, Community and Social Services;

## **Health Professions Act**

**Amends RSA 2000 cH-7**

**9(1) The *Health Professions Act* is amended by this section.**

**(2) Section 1 is amended**

**(a) in subsection (1)**

**(i) by adding the following after clause (o):**

(o.1) “gender dysphoria” means a person’s distress caused by a marked incongruence between that person’s gender identity or gender expression and that person’s sex assigned at birth;

(o.2) “gender incongruence” means a marked and persistent incongruence between a person’s gender identity and that person’s sex assigned at birth;

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



### **Health Information Act**

**8(1)** Amends chapter H-5 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(f) presently reads in part:

*1(1) In this Act,*

*(f) “custodian” means*

*(iii) a provincial health board established pursuant to regulations made under section 17(1)(a) of the Provincial Health Agencies Act;*

### **Health Professions Act**

**9(1)** Amends chapter H-7 of the Revised Statutes of Alberta 2000.

(2) Adds definitions and regulation-making authority.

(v.1) “minor”, except in sections 53.4(3) and 120(2) and section 8.7(i) of Schedule 21, means a person under the age of 18 years;

**(iii) by adding the following after clause (nn):**

(nn.01) “sex reassignment surgery” means a surgical procedure or procedures if used to treat gender dysphoria or gender incongruence, and includes the following procedures:

- (i) breast augmentation;
- (ii) chest masculinization;
- (iii) hysterectomy;
- (iv) metoidioplasty;
- (v) oophorectomy;
- (vi) orchiectomy;
- (vii) penectomy;
- (viii) phalloplasty;
- (ix) vaginectomy;
- (x) vaginoplasty;
- (xi) a surgical procedure identified in the regulations;

**(b) by adding the following after subsection (1):**

**(1.1)** The Minister may make regulations identifying other surgical procedures for the purposes of subsection (1)(nn.01).

**(3) The following is added after section 1.9:**

**Prohibition of sex reassignment surgery on minors**

**1.91** A regulated member shall not perform a sex reassignment surgery on a minor.

(3) Prohibition of sex reassignment surgery on minors;  
prohibition of certain drug prescriptions for minors; orders.

**Prohibition of certain drug prescriptions for minors**

**1.92(1)** A regulated member shall not prescribe a Schedule 1 drug within the meaning of the *Pharmacy and Drug Act*, or any other drug identified in the regulations, to a minor for the purposes of hormone therapy, including puberty suppression and hormone replacement therapy, for the treatment of gender dysphoria or gender incongruence except in accordance with an order of the Minister under section 1.93.

(2) The Minister may make regulations identifying any drug as a drug for the purposes of this section.

**Orders**

**1.93** The Minister may make orders

- (a) authorizing the prescription of a Schedule 1 drug within the meaning of the *Pharmacy and Drug Act*, or any other drug identified in the regulations made under section 1.92(2), to a minor for the purposes of hormone therapy, including puberty suppression and hormone replacement therapy, for the treatment of gender dysphoria or gender incongruence, and
- (b) respecting any such authorization, including any terms, conditions or limits that apply to an authorization.

**(4) Section 1.11 is renumbered as section 1.94.**

**Health Quality Council of Alberta Act**

**Amends SA 2011 cH-7.2**

**10(1) The *Health Quality Council of Alberta Act* is amended by this section.**

**(2) Section 1(c) is amended by striking out “provincial health board” and substituting “provincial health corporation”.**

**(3) Section 16(1)(a) and (b) are amended by striking out “community health council or subsidiary health corporation” and**

(4) Renumbers section.

### **Health Quality Council of Alberta Act**

**10(1)** Amends chapter H-7.2 of the Statutes of Alberta, 2011.

(2) Section 1(c) presently reads:

*1 In this Act,*

*(c) “health authority” means a provincial health agency, regional health authority or provincial health board under the Provincial Health Agencies Act;*

(3) Section 16(1)(a) and (b) presently read:

**substituting** “provincial health corporation, subsidiary health corporation or community health council”.

### **Hospitals Act**

**Amends RSA 2000 cH-12**

**11(1) The *Hospitals Act* is amended by this section.**

**(2) Section 48(a) is amended by striking out** “provincial health board” **and substituting** “provincial health corporation”.

### **Human Tissue and Organ Donation Act**

**Amends SA 2006 cH-14.5**

**12(1) The *Human Tissue and Organ Donation Act* is amended by this section.**

**(2) Sections 12.1(2) and (3) and 12.6(4)(b) are amended by adding** “provincial health agency or” **before** “regional health authority” **wherever it occurs.**

*16(1) For the purposes of carrying out activities under sections 3(2)(a) to (c) and 15, the board may authorize a person to*

- (a) enter and inspect any place under the jurisdiction of a provincial health agency, regional health authority, community health council or subsidiary health corporation under the Provincial Health Agencies Act, and*
- (b) require the production for examination of any documents or records in the possession of the provincial health agency, regional health authority, community health council or subsidiary health corporation under the Provincial Health Agencies Act, and make copies of them or temporarily remove them for the purpose of making copies.*

### **Hospitals Act**

**11(1)** Amends chapter H-12 of the Revised Statutes of Alberta 2000.

(2) Section 48(a) presently reads:

*48 In this Part,*

- (a) “board” means the corporate body or person that owns or operates a hospital, but does not include a provincial health agency, regional health authority or provincial health board under the Provincial Health Agencies Act;*

### **Human Tissue and Organ Donation Act**

**12(1)** Amends chapter H-14.5 of the Statutes of Alberta, 2006.

(2) Sections 12.1 and 12.6 presently read in part:

*12.1(2) Subject to subsection (3), a regional health authority under the Provincial Health Agencies Act may carry out activities on behalf of the Agency.*

*(3) During any period in which a regional health authority is carrying out activities on behalf of the Agency under subsection (2),*

## Labour Relations Code

Amends RSA 2000 cL-1

**13(1)** The *Labour Relations Code* is amended by this section.

**(2)** Section 1(1) is amended by adding the following after clause (t.1):

(t.11) “provincial health corporation” means a provincial health corporation under the *Provincial Health Agencies Act*;

**(3)** Sections 73(a.1) and 74(a.1) are amended by adding “(b.1),” after “(b),”.



(a) sections 12.2, 12.3, 12.4(1) and 12.5 apply to the regional health authority, with all necessary modifications, as if it were the Agency,

(b) sections 12.2, 12.3, 12.4, and 12.5 do not apply to the Agency, and

(c) section 12.6 does not apply.

12.6(4) The board must include an individual appointed as a director from each of the following:

(b) an employee of a regional health authority under the Provincial Health Agencies Act with an expertise in the area of organ and tissue donation;

### **Labour Relations Code**

**13(1)** Amends chapter L-1 of the Revised Statutes of Alberta 2000.

(2) Adds definition.

(3) Sections 73(a.1) and 74(a.1) presently read:

*73 An employee, bargaining agent or person acting on behalf of a bargaining agent is entitled to strike or cause a strike if*

*(a.1) in the case of an employee and bargaining agent referred to in section 95.2(1)(a), (a.1), (b), (d), (d.1), (e), (f), (g), (g.1), (h) or (i),*

*(i) an essential services agreement has been accepted for filing in accordance with section 95.44 or an exemption has been granted under section 95.21, and*

*(ii) a declaration has not been made under section 95.44(7),*

*74 An employer or employers' organization is entitled to cause a lockout if*

**(4) Section 95.2(1) is amended**

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

(b.1) employers that are provincial health corporations, all of their employees to whom clauses (a), (e) and (f) do not apply and the bargaining agents for those employees;

**(b) in clause (g) by adding “, a provincial health corporation” after “regional health authority”;**

**(c) in clause (g.1) by adding “or provincial health corporation” after “provincial health agency”;**

**(d) in clause (i) by striking out “or regional health authority” and substituting “, regional health authority or provincial health corporation”.**

**(5) Section 96(1) is amended**

**(a) by adding the following after clause (d):**

(d.1) employers that are provincial health corporations and all of their employees to whom clauses (c), (f) and (g) do not apply,

**(b) in clause (h) by adding “, a provincial health corporation” after “regional health authority”;**

**(c) in clause (h.1) by adding “or provincial health corporation” after “provincial health agency”;**

- (a.1) in the case of an employer referred to in section 95.2(1)(a), (a.1), (b), (d), (d.1), (e), (f), (g), (g.1), (h) or (i),*
- (i) an essential services agreement has been accepted for filing in accordance with section 95.44 or an exemption has been granted under section 95.21, and*
- (ii) a declaration has not been made under section 95.44(7),*

(4) Section 95.2(1) presently reads in part:

*95.2(1) This Division applies to the following:*

- (g) employers who, under an agreement with a provincial health agency, a regional health authority or the Minister responsible for the Continuing Care Act, provide home and community care as defined in the Continuing Care Act, all the employees of those employers and the bargaining agents for those employees;*
- (g.1) employers who are subsidiary health corporations of a provincial health agency, all the employees of those employers and the bargaining agents for those employees;*
- (i) employers whose primary operations are the provision of medical laboratory diagnostic services under a contract with a provincial health agency or regional health authority, other than employers that are professional corporations within the meaning of the Health Professions Act, all the employees of those employers and the bargaining agents for those employees;*

(5) Section 96(1) presently reads in part:

*96(1) Subject to subsections (2), (3) and (4), this Division applies, notwithstanding any other provision of this Act, to*

- (h) employers who, under an agreement with a provincial health agency, a regional health authority or the Minister responsible for the Continuing Care Act, provide home and community care as defined in the Continuing Care Act and all the employees of those employers,*
- (h.1) employers who are subsidiary health corporations of a provincial health agency and all the employees of those employers,*

- (d) in clause (j) by striking out “or regional health authority” and substituting “, regional health authority or provincial health corporation”.

### **Local Authorities Capital Financing Act**

**Amends SA 2019 cL-20.8**

**14(1) The *Local Authorities Capital Financing Act* is amended by this section.**

**(2) Section 1(1)(b)(iv) is amended by striking out “provincial health board that is a corporation” and substituting “provincial health corporation”.**

### **Mental Health Act**

**Amends RSA 2000 cM-13**

**15(1) The *Mental Health Act* is amended by this section.**

**(2) Section 1(1)(c)(ii) is repealed and the following is substituted:**

- (ii) a provincial health corporation under the *Provincial Health Agencies Act*, with respect to a hospital that is under the jurisdiction of such a corporation and is designated in whole or in part as a facility, or

**(3) Section 17(1)(b) is amended by striking out “provincial health board” and substituting “provincial health corporation”.**

- (j) *employers whose primary operations are the provision of medical laboratory diagnostic services under a contract with a provincial health agency or regional health authority, other than employers that are professional corporations within the meaning of the Health Professions Act, all the employees of those employers,*

### **Local Authorities Capital Financing Act**

**14(1)** Amends chapter L-20.8 of the Statutes of Alberta, 2019.

(2) Section 1(1)(b)(iv) presently reads:

*1(1) In this Act,*

(b) *“health authority” means*

(iv) *a provincial health board that is a corporation under the Provincial Health Agencies Act;*

### **Mental Health Act**

**15(1)** Amends chapter M-13 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(c)(ii) presently reads:

*1(1) In this Act,*

(c) *“board” means*

(ii) *a provincial health board under the Provincial Health Agencies Act, with respect to a hospital that is under the jurisdiction of such a board and is designated in whole or in part as a facility, or*

(3) Section 17(1)(b) presently reads:

*17(1) In this section,*

(b) *“diagnostic and treatment centre” or “centre” means a place established by the Minister pursuant to section 49(1)(a) or (b) and includes a facility that is not an approved hospital*

## Ombudsman Act

Amends RSA 2000 cO-8

**16(1) The *Ombudsman Act* is amended by this section.**

**(2) Section 1 is amended**

**(a) in clause (b)(i.2)**

**(i) by striking out “provincial health board” and substituting “provincial health corporation”;**

**(ii) in paragraphs (A) and (B) by striking out “board” wherever it occurs and substituting “provincial health corporation”;**

**(b) in clause (c)(i)(D) by striking out “provincial health board” and substituting “provincial health corporation”;**

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

**(i) a provincial health corporation under the *Provincial Health Agencies Act* established for the purpose of delivering health services, and**

## Pharmacy and Drug Act

Amends RSA 2000 cP-13

**17(1) The *Pharmacy and Drug Act* is amended by this section.**

*under the Hospitals Act and a hospital under the jurisdiction of a provincial health board under the Provincial Health Agencies Act;*

### **Ombudsman Act**

**16(1)** Amends chapter O-8 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

(b) *“administrative head”*

(i.2) *when used in reference to a health authority that is a provincial health board means*

(A) *a person designated by the board to act as the administrative head or chief executive officer of the board, or*

(B) *the official administrator or a person designated by the official administrator to act as the administrative head or chief executive officer of the board,*

(c) *“agency” means*

(i) *a Provincial agency as defined in section 1 of the Financial Administration Act, but not including*

(D) *a provincial health board under the Provincial Health Agencies Act,*

(e.1) *“health authority” means*

(ii) *a provincial health board established pursuant to regulations made under section 17(1)(a) of the Provincial Health Agencies Act for the purpose of delivering health services, and*

### **Pharmacy and Drug Act**

**17(1)** Amends chapter P-13 of the Revised Statutes of Alberta 2000.

**(2) Section 1(1)(j)(vii) is amended by striking out “provincial health board” and substituting “provincial health corporation”.**

### **Provincial Health Agencies Act**

**Amends RSA 2000 cP-32.5**

**18(1) The *Provincial Health Agencies Act* is amended by this section.**

**(2) Section 1 is amended**

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

- (j) “provincial health corporation” means a provincial health corporation established by a regulation made under section 1.971(1);
- (j.1) “provincial health corporation subsidiary” means a subsidiary health corporation referred to in clause (m)(ii);

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

- (k.1) “responsible Minister” means,
  - (i) with respect to a provincial health corporation, the Minister designated by a regulation made under section 1.971(1) as the responsible Minister for the provincial health corporation, and
  - (ii) with respect to a provincial health corporation subsidiary, the responsible Minister for the provincial health corporation;

**(c) by repealing clause (m) and substituting the following:**

- (m) “subsidiary health corporation” means a corporation that is



(2) Section 1(1)(j)(vii) presently reads:

*1(1) In this Act,*

*(j) “institution pharmacy” means a pharmacy that is operated by*

*(vii) a provincial health agency, regional health authority or provincial health board under the Provincial Health Agencies Act, or*

### **Provincial Health Agencies Act**

**18(1)** Amends chapter P-32.5 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

*1 In this Act,*

*(j) “provincial health board” means a provincial health board established under section 17;*

*(m) “subsidiary health corporation” means a corporation that is a subsidiary of or is controlled by a provincial health agency or regional health authority directly or indirectly through one or more intermediary corporations;*

- (i) a subsidiary of or controlled by a provincial health agency or regional health authority directly or indirectly through one or more intermediary corporations, and
- (ii) a subsidiary of or controlled by a provincial health corporation directly or indirectly through one or more intermediary corporations;

**(3) Section 1.1(2)(d) is amended by adding “, provincial health corporations” after “regional health authorities”.**

**(4) Section 1.2(2)(d)(i) is repealed and the following is substituted:**

- (i) in the health services sector that must be met by
  - (A) the provincial health agency,
  - (B) provincial health corporations that have entered into agreements with the sector Minister, and
  - (C) health services delivery organizations,

or

**(5) Sections 1.6 and 1.7 are amended by adding “provincial health corporation,” after “regional health authority,”.**

(3) Section 1.1(2)(d) presently reads:

*(2) For the purposes of subsection (1), the oversight Minister may*

*(d) establish targets relating to the health care system that must be met by provincial health agencies, regional health authorities and health services delivery organizations,*

(4) Section 1.2(2)(d)(i) presently reads:

*(2) For the purposes of subsection (1), a sector Minister may*

*(d) establish targets relating to the delivery of health services*

*(i) in the health services sector that must be met by the provincial health agency and health services delivery organizations, or*

(5) Sections 1.6 and 1.7 presently read:

*1.6 For the purposes of exercising powers and carrying out duties, responsibilities and functions under this Act, the oversight Minister or a sector Minister may consult with and seek the advice of any provincial health agency, regional health authority, health services delivery organization or other person or body that the oversight Minister or sector Minister considers appropriate.*

*1.7 For the purposes of exercising powers and carrying out duties, responsibilities and functions under this Act, the oversight Minister or a sector Minister may enter into an agreement with a provincial health agency, regional health authority, health services delivery organization or other person.*

**(6) Section 1.95(2)(g) is amended by adding** “provincial health corporations,” **after** “regional health authorities,”.

**(7) The following heading is added before section 1.96:**

**Part 2.1  
Delivery of Services**

**(8) Section 1.96 is amended**

**(a) in subsection (1) by adding the following after clause (a):**

(a.1) provincial health corporations;

**(b) in subsection (2) by striking out** “subsection (1)(b)” **and substituting** “subsection (1)(a.1), (b)”.

**(9) Section 1.97 is amended**

**(a) in subsection (1)**

**(i) by adding** “, by order,” **after** “A sector Minister”;

**(ii) by striking out** “and” **at the end of clause (b);**

**(iii) by repealing clause (c) and substituting the following:**

(c) the sector Minister is satisfied that

(i) any requirements set out in the regulations have been met, and

(ii) any requirements determined by the sector Minister have been met,

(6) Section 1.95(2)(g) presently reads:

*(2) For the purposes of subsection (1), a provincial health agency shall*

*(g) work with the oversight Minister, sector Ministers, other provincial health agencies, regional health authorities, health services delivery organizations and other health services providers to coordinate the delivery of health services within the health services sector and across health services sectors,*

(7) Adds Part heading.

(8) Section 1.96(1) presently reads in part:

*1.96(1) Health services must be delivered in a health services sector by one or more of the following:*

*(a) the provincial health agency;*

*(2) A provincial health agency that arranges for the delivery of health services by a person referred to in subsection (1)(b), (c) or (d) shall enter into an agreement with the person for those purposes.*

(9) Section 1.97 presently reads in part:

*1.97(1) A sector Minister may designate a person as a health services delivery organization in accordance with the regulations if*

*(b) the person is not*

*(i) an individual, or*

*(ii) a professional corporation as defined in the Health Professions Act,*

*and*

*(c) the sector Minister is satisfied that the requirements set out in the regulations have been met.*

and

- (d) the sector Minister, having considered any additional factors set out in the regulations or determined by the sector Minister, is satisfied that it is appropriate to designate the person as a health services delivery organization.

**(b) by adding the following after subsection (1):**

**(1.1)** A sector Minister, in accordance with the regulations, may terminate the designation of a health services delivery organization made by the sector Minister.

- (c) in subsection (2)(b) by adding** “provincial health corporations,” **after** “provincial health agency,”.

**(10) The following is added after section 1.97:**

**Establishment of provincial health corporations**

**1.971(1)** The Lieutenant Governor in Council may, by regulation,

- (a) establish one or more provincial health corporations, and
- (b) designate the oversight Minister or a sector Minister as the responsible Minister for a provincial health corporation.

**(2)** A provincial health corporation may be established to do any or all of the following:

- (a) act in an advisory capacity to the oversight Minister, sector Ministers, existing health authorities, provincial health agencies, regional health authorities, other provincial health corporations, subsidiary health corporations or community health councils;
- (b) deliver or coordinate the delivery of health services;
- (c) deliver or coordinate the delivery of services related to the administration and operation of the health care system;

*(2) A health services delivery organization shall, with respect to a health services sector in which it delivers health services,*

*(b) work with the provincial health agency, other health services delivery organizations and other health services providers to ensure that health services in the health services sector are delivered in a coordinated and integrated manner,*

(10) Establishment of provincial health corporations; provincial health corporations; governance of provincial health corporations; Crown agent; regulations — provincial health corporations; process for resolving patient complaints.

- (d) carry out other activities assigned to the provincial health corporation by the regulations.

**Provincial health corporations**

**1.972(1)** A provincial health corporation is a corporation consisting of its members.

(2) Subject to this Act and the regulations, a provincial health corporation has the rights, powers and privileges of a natural person.

**Governance of provincial health corporations**

**1.973(1)** The members of a provincial health corporation shall be appointed by the responsible Minister in accordance with the regulations.

(2) A provincial health corporation may consist of one member.

(3) The responsible Minister shall designate a member as chair and may designate a member as vice-chair.

(4) The members shall oversee the business and affairs of the provincial health corporation.

(5) The responsible Minister may determine the remuneration and expenses payable to the members.

**Crown agent**

**1.974(1)** Subject to the regulations, a provincial health corporation is for all purposes an agent of the Crown in right of Alberta.

(2) An action or other legal proceeding in respect of a right or obligation acquired or incurred on behalf of the Crown in right of Alberta by a provincial health corporation that is an agent of the Crown, whether in the name of the provincial health corporation or in the name of the Crown in right of Alberta, may be brought by or taken against the provincial health corporation in the name of the provincial health corporation.

**Regulations — provincial health corporations**

**1.975** The Lieutenant Governor in Council may make regulations





- (a) setting out the purposes for which a provincial health corporation is established in accordance with section 1.971(2);
- (b) respecting the health services that a provincial health corporation is to deliver or coordinate the delivery of for the purposes of section 1.971(2)(b);
- (c) respecting the services related to the administration and operation of the health care system that a provincial health corporation is to deliver or coordinate the delivery of for the purposes of section 1.971(2)(c);
- (d) respecting activities to be carried out by a provincial health corporation for the purposes of section 1.971(2)(d);
- (e) providing that a provincial health corporation is not an agent of the Crown for the purposes of section 1.974(1);
- (f) authorizing the same person to serve as the chair and chief executive officer of a provincial health corporation for the purposes of section 18 of the *Alberta Public Agencies Governance Act*;
- (g) respecting the powers, duties, responsibilities, functions, jurisdiction and management of provincial health corporations;
- (h) respecting the size and composition of provincial health corporations;
- (i) respecting the appointment of members of provincial health corporations, eligibility for membership, the terms of office of members, the termination of members, the filling of vacancies and the appointment of officers;
- (j) respecting the bylaws of provincial health corporations, including regulations
  - (i) authorizing or requiring provincial health corporations to make bylaws relating to their general conduct, operation, management and financial matters, and



- (ii) respecting the approval of bylaws and authorizing responsible Ministers to give directions with respect to bylaws;
- (k) respecting agreements entered into by provincial health corporations or provincial health corporation subsidiaries, including regulations authorizing the Minister to establish processes for the approval of agreements;
- (l) specifying provincial health corporations and provincial health corporation subsidiaries in respect of which responsible Ministers may issue directives under section 8(2);
- (m) determining or providing for the manner of determining the fiscal year of provincial health corporations and provincial health corporation subsidiaries;
- (n) respecting the budgets of provincial health corporations, including regulations
  - (i) requiring provincial health corporations to submit budgets to responsible Ministers,
  - (ii) specifying the information that budgets must contain, and
  - (iii) respecting the time within which and the form and manner in which budgets must be submitted;
- (o) respecting the financial matters of provincial health corporations, including regulations respecting
  - (i) the borrowing and investment powers of provincial health corporations and matters relating to borrowing and investment by provincial health corporations,
  - (ii) indemnities and guarantees, including regulations authorizing the giving of indemnities and guarantees by provincial health corporations, respecting the persons to whom indemnities and guarantees may be given and respecting any terms and conditions applicable to indemnities and guarantees,



- (iii) the acquisition, leasing and disposal of assets and equipment by provincial health corporations,
- (iv) requirements relating to agreements and projects entered into by provincial health corporations,
- (v) the sale of goods and services by provincial health corporations that are unrelated to the direct delivery or coordination of the delivery of
  - (A) health services, or
  - (B) services related to the administration and operation of the health care system,
- (vi) surpluses and deficits of provincial health corporations, and
- (vii) money donated to provincial health corporations;
- (p) authorizing responsible Ministers and provincial health corporations to make payments directly to individuals to enable individuals to acquire health services or services related to the administration and operation of the health care system and respecting terms and conditions under which those payments may be made and to which they are subject;
- (q) respecting the exemption of provincial health corporations from paying taxes or fees under any other enactment, notwithstanding that other enactment;
- (r) respecting the standards and guidelines to be observed by provincial health corporations in the delivery of health services or services related to the administration and operation of the health care system, the undertaking of capital construction projects and the operation of facilities;
- (s) respecting processes established by provincial health corporations under section 1.976 to resolve complaints by, on behalf of or in the interest of patients, including regulations authorizing the delegation to employees of powers, duties, responsibilities and functions established in the regulations;



- (t) respecting meetings of provincial health corporations, including regulations respecting
  - (i) the frequency of meetings,
  - (ii) the conduct of meetings, including requirements and considerations for holding meetings publicly or in private, and
  - (iii) the publication of information and records relating to meetings and the redaction of personal or confidential information before publication;
- (u) respecting the publication of decisions made by provincial health corporations consisting of one member, including regulations respecting
  - (i) considerations to be taken into account when deciding whether to publish decisions,
  - (ii) the publication of information and records relating to decisions, and
  - (iii) the redaction of personal or confidential information before the publication of decisions, information or records;
- (v) respecting the appointment of the Auditor General as the auditor for provincial health corporations and provincial health corporation subsidiaries;
- (w) respecting the qualifications of and eligibility requirements for persons who may be appointed as auditor of provincial health corporations and provincial health corporation subsidiaries under section 13(3.1);
- (x) requiring provincial health corporations to provide records, reports and returns to provincial health agencies, specifying the information the records, reports and returns must contain and respecting the time at which and the form and manner in which they must be provided;





- (y) respecting the disclosure of the remuneration and benefits paid to the members and employees of provincial health corporations;
- (z) respecting requirements relating to the preparation of the financial records of provincial health corporations;
- (aa) respecting annual reports of provincial health corporations required under section 14(2)(b), including regulations
  - (i) specifying the information the annual reports must contain for the purposes of section 14(2.1) and (2.2), and
  - (ii) respecting the time within which and the form and manner in which annual reports must be submitted;
- (bb) requiring provincial health corporations to keep records and respecting the form and manner in which the records must be kept and the information they must contain;
- (cc) respecting the sharing of information between provincial health corporations and provincial health agencies, regional health authorities, other provincial health corporations, community health councils, health services delivery organizations or other health services providers;
- (dd) respecting confidentiality requirements with respect to information obtained in the administration of this Act and the regulations or in delivering health services or services related to the administration and operation of the health care system under this Act;
- (ee) respecting the types of electronic systems that must be used by provincial health corporations for data transmission and storage and the standards that those systems must meet;
- (ff) authorizing responsible Ministers to suspend, adjust or recover all or part of grants or other payments paid under section 19(2) where
  - (i) recipients contravene this Act, the regulations or any other enactment under which the recipients exercise



powers or carry out duties, responsibilities or functions, fail to comply with a directive or contravene a term or condition to which grants or other payments are subject, or

- (ii) grants or other payments are paid in error or there are overpayments of the amount of grants or other payments,

and respecting the manner in which those payments may be suspended and adjusted and those payments and overpayments may be recovered;

- (gg) authorizing provincial health corporations to charge fees for goods and services they deliver and respecting the amounts of the fees that may be charged for those goods and services;
- (hh) respecting the winding up of the affairs of provincial health corporations, including regulations authorizing responsible Ministers to wind up or provide for the winding up of the affairs of provincial health corporations;
- (ii) making any of the provisions of the regulations made under this Act applicable in respect of provincial health corporations with necessary modifications;
- (jj) respecting any other thing the Lieutenant Governor in Council considers necessary for provincial health corporations to carry out their powers, duties, responsibilities and functions under this Act.

**Process for resolving patient complaints**

**1.976** A provincial health agency, regional health authority or provincial health corporation established for the purposes of delivering health services shall establish and maintain a process for resolving complaints by, on behalf of or in the interests of patients in accordance with the regulations.

**(11) Section 5.01(b) is amended**

**(a) by adding the following after subclause (i):**

- (i.1) one or more provincial health corporations,

(11) Section 5.01(b) presently reads:

*5.01 In this Division,*

*(b) "successor" means*

**(b) by striking out “and” at the end of subclause (ii), by adding “and” at the end of subclause (iii) and by adding the following after subclause (iii):**

- (iv) the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for the *Real Property Governance Act*.

**(12) Section 5.03 is amended by adding the following after subsection (1):**

**(1.1)** An order made under subsection (1)(b) providing for the transfer to the successor referred to in section 5.01(b)(iv) of any real property of the regional health authority may have effect on April 1, 2025.

**(13) Section 5.04 is amended by adding the following after subsection (1):**

**(1.1)** An order made under subsection (1)(b) providing for the transfer to the successor referred to in section 5.01(b)(iv) of any real property of the regional health authority previously transferred by an order made under section 5.03(1)(b) may have effect on April 1, 2025.

**(14) Sections 5.091(1), (2)(a) and (3), 5.093(a) and (b) and 5.094(1)(j) are amended by adding “or provincial health corporation” after “provincial health agency”.**

- (i) *one or more provincial health agencies,*
- (ii) *one or more sector Ministers, and*
- (iii) *the oversight Minister.*

(12) Section 5.03 presently reads in part:

*5.03(1) For the purposes of winding up the affairs of a regional health authority, the oversight Minister may make orders*

- (b) *providing for the transfer to one or more successors of any property or assets of the regional health authority,*

(13) Section 5.04 presently reads in part:

*5.04(1) After making an order under section 5.03, the oversight Minister, for the purposes of winding up the affairs of a regional health authority, may make further orders*

- (b) *providing for the transfer to another successor or successors of any property or assets previously transferred by an order made under section 5.03(1)(b),*

(14) Sections 5.091(1), (2)(a) and (3), 5.093(a) and (b) and 5.094(1)(j) presently read:

*5.091(1) Subject to subsection (5) and notwithstanding the terms of any employment contract, the oversight Minister, by order, may transfer employees or classes of employees to a provincial health agency.*

*(2) A transfer order must*

- (a) *specify the provincial health agency to which the employees are being transferred,*

*(3) On the date referred to in subsection (2)(c), all employees specified in the transfer order become employees of the provincial health agency to which they have been transferred.*

*5.093 Notwithstanding the Employment Standards Code or any other enactment or the terms of any employment contract, no*

**(15) Section 8 is repealed and the following is substituted:**

**Directives**

**8(1)** The oversight Minister or a sector Minister may issue directives that must be followed by

- (a) a provincial health agency or its members,
- (b) a regional health authority or its members,
- (c) a subsidiary health corporation other than a provincial health corporation subsidiary or its board, or
- (d) a health services delivery organization or its board

in exercising the powers or carrying out the duties, responsibilities or functions under this Act and the regulations.

**(2)** The responsible Minister may issue directives that must be followed by

- (a) a provincial health corporation specified in the regulations or its members, or
- (b) a provincial health corporation subsidiary specified in the regulations or its members



*employee specified in a transfer order is entitled to severance pay, termination pay or other compensation as a result of*

- (a) the employee being specified in the transfer order if the position with the provincial health agency to which the employee is proposed to be transferred is substantially the same as the employee's position with the regional health authority, or*
- (b) the transfer of the employee if the position with the provincial health agency to which the employee is transferred is substantially the same as the employee's position with the regional health authority.*

*5.094(1) In this Division,*

- (j) "successor employer" means a provincial health agency;*

(15) Section 8 presently reads:

*8 The oversight Minister or a sector Minister may issue directives that must be followed by*

- (a) a provincial health agency or the members of a provincial health agency,*
- (b) a regional health authority or the members of a regional health authority,*
- (c) a subsidiary health corporation or the board of a subsidiary health corporation, or*
- (d) a health services delivery organization or the board of a health services delivery organization*

*in exercising the powers or carrying out the duties, responsibilities or functions under this Act and the regulations.*

in exercising the powers or carrying out the duties, responsibilities or functions under this Act and the regulations.

**(16) Section 11 is amended**

**(a) by adding the following after subsection (1):**

**(1.1)** The responsible Minister, by order, may dismiss all of the members of a provincial health corporation and appoint an official administrator if the responsible Minister considers that

- (a) the provincial health corporation is not properly exercising its powers or carrying out its duties, responsibilities or functions under this Act, or
- (b) dismissal of the members is in the public interest.

**(b) in subsection (2)**

**(i) in clause (a) by adding “, provincial health corporation” after “regional health authority”;**

**(ii) by repealing clauses (b) and (c) and substituting the following:**

- (b) shall exercise the powers and perform the duties, responsibilities and functions of the provincial health agency, regional health authority, provincial health corporation or community health council, and
- (c) shall be paid the salary and expenses
  - (i) determined by the sector Minister as an operating expense of the provincial health agency, regional health authority or community health council, or
  - (ii) determined by the responsible Minister as an operating expense of the provincial health corporation.

**(c) in subsection (3) by adding “with respect to a provincial health agency, regional health authority or community health council” after “no longer required”;**

(16) Section 11 presently reads in part:

*(2) An official administrator appointed under this section*

*(a) has all the power and authority of the provincial health agency, regional health authority or community health council,*

*(b) shall perform all the duties of the provincial health agency, regional health authority or community health council, and*

*(c) shall be paid as an operating expense of the provincial health agency, regional health authority or community health council the salary and expenses determined by the sector Minister.*

*(3) Where, in the opinion of the sector Minister, an official administrator is no longer required, the sector Minister may order the appointment or election of new members of the provincial health agency, regional health authority or community health council in accordance with the regulations.*

**(d) by adding the following after subsection (3):**

**(4)** Where, in the opinion of the responsible Minister, an official administrator is no longer required with respect to a provincial health corporation, the responsible Minister may order the appointment of new members of the provincial health corporation in accordance with the regulations.

**(17) Section 11.1 is amended**

**(a) by adding the following after subsection (1):**

**(1.1)** The oversight Minister, by order, shall designate a provincial health agency, provincial health corporation or other person or body as responsible for maintaining and overseeing the operation of the cancer registry in accordance with the regulations.

**(b) in subsection (5)**

- (i) in clause (a) by striking out “continuation” and substituting “maintenance”;**
- (ii) in clause (d) by striking out “a regional health authority” and substituting “the designated provincial health agency, provincial health corporation or other person or body”.**

**(18) Section 12 is amended**

**(a) in subsection (1) by striking out “A meeting” and substituting “Subject to subsection (5), a meeting”;**

**(b) by adding the following after subsection (4):**

**(5)** This section does not apply to a provincial health agency consisting of one member.

(17) Section 11.1 presently reads in part:

*(5) The Lieutenant Governor in Council may make regulations*

*(a) respecting the continuation and operation of the cancer registry, including the purpose of the registry;*

*(d) respecting the information that is required to be provided to a regional health authority for the purpose of the registry;*

(18) Section 12 presently reads in part:

*12(1) A meeting of a provincial health agency, regional health authority or community health council must be open to the public unless the provincial health agency, regional health authority or community health council, based on the considerations set out in subsection (2), determines that holding the meeting or part of it in public could result in the release of*

*(a) information that might impair the ability of the provincial health agency, regional health authority or community health council to carry out its responsibilities, or*

*(b) information relating to the personal interests, reputation or privacy of any person.*

**(19) The following is added after section 12:**

**Publication of decisions — one-member provincial health agencies**

**12.1(1)** Subject to subsection (2), a provincial health agency consisting of one member shall publish or make publicly available any decision made by the member for the purposes of overseeing the business and affairs of the provincial health agency within 72 hours after the decision is made.

**(2)** A provincial health agency shall not publish or make a decision publicly available under subsection (1) if, based on the considerations set out in subsection (3), the provincial health agency determines that doing so could result in the release of

- (a) information that might impair the ability of the provincial health agency to carry out its responsibilities, or
- (b) information relating to the personal interests, reputation or privacy of any person.

**(3)** In determining whether to publish or make a decision publicly available under subsection (1), a provincial health agency shall take the following considerations into account:

- (a) whether publishing or making the decision publicly available would result in the release of information that would prejudice measures protecting health, safety, security or the maintenance of the law;
- (b) whether publishing or making the decision publicly available is justified in order to permit the provincial health agency to carry out its responsibilities in an effective and efficient manner;
- (c) any other relevant considerations.

**(20) Section 13 is amended**

- (a) **in subsection (2) by striking out** “regional health authority,” **and substituting** “a regional health authority, a provincial health corporation,”;

(19) Publication of decisions — one-member provincial health agencies.

(20) Section 13 presently reads in part:

*(2) A provincial health agency, regional health authority, a subsidiary health corporation and a community health council must have an auditor.*

**(b) in subsection (3) by adding** “other than a provincial health corporation subsidiary” **after** “subsidiary health corporation” **wherever it occurs;**

**(c) by adding the following after subsection (3):**

**(3.1)** Unless the responsible Minister appoints the Auditor General as the auditor for a provincial health corporation or a provincial health corporation subsidiary, a provincial health corporation and a provincial health corporation subsidiary must appoint its auditor.

**(d) in subsection (4)**

**(i) by adding** “other than a provincial health corporation subsidiary” **after** “subsidiary health corporation”;

**(ii) by striking out** “forward to the sector Minister copies of any audit reports,” **and substituting** “provide to the sector Minister copies of any audit reports”;

**(e) by adding the following after subsection (4):**

**(5)** The auditor of a provincial health corporation or a provincial health corporation subsidiary shall provide to the responsible Minister copies of any audit reports and the auditor’s observations and recommendations to management relating to the auditor’s audit activity.

**(21) Section 14 is amended**

**(a) in subsection (1)**

**(i) by adding** “other than a provincial health corporation subsidiary” **after** “subsidiary health corporation”;

**(ii) by striking out** “forward” **and substituting** “provide”;

**(b) by adding the following after subsection (1):**

**(1.1)** A provincial health corporation and a provincial health corporation subsidiary shall on the written request of the responsible Minister provide to the responsible Minister records, reports and returns as specified in the request.



*(3) Unless the sector Minister appoints the Auditor General as the auditor for a provincial health agency, a regional health authority, a subsidiary health corporation or a community health council, a provincial health agency, a regional health authority, a subsidiary health corporation and a community health council must appoint its auditor.*

*(4) The auditor of a provincial health agency, a regional health authority, a subsidiary health corporation or a community health council shall forward to the sector Minister copies of any audit reports, and the auditor's observations and recommendations to management relating to the auditor's audit activity.*

(21) Section 14 presently reads:

*14(1) A provincial health agency, a regional health authority, a health services delivery organization, a subsidiary health corporation and a community health council shall on the written request of the sector Minister forward to the sector Minister records, reports and returns as specified by the sector Minister in the request.*

*(2) Within the time prescribed in the regulations, a provincial health agency or regional health authority shall provide to the sector Minister an annual report on its activities for the previous fiscal year, and the report must*

- (a) be in a form acceptable to the sector Minister,*
- (b) contain audited information respecting the provincial health agency or regional health authority and the subsidiary health*

**(c) by repealing subsection (2) and substituting the following:**

**(2)** Within the time prescribed by the regulations,

- (a) a provincial health agency or regional health authority must provide to the sector Minister an annual report on its activities for the previous fiscal year, and
- (b) a provincial health corporation must provide to the responsible Minister an annual report on its activities for the previous fiscal year.

**(2.1)** An annual report must

- (a) be in a form acceptable to the sector Minister or responsible Minister,
- (b) contain the audited information referred to in subsection (2.2) respecting
  - (i) the provincial health agency or regional health authority and its subsidiary health corporations, or
  - (ii) the provincial health corporation and its provincial health corporation subsidiaries,

and

- (c) contain any other information required by the regulations.

**(2.2)** For the purposes of subsection (2.1)(b), the audited information includes

- (a) financial statements,
- (b) information on the remuneration and benefits paid to members, officers and employees as specified in the regulations, and
- (c) other performance information as specified in the regulations.

*corporations of the provincial health agency or regional health authority, including*

*(i) financial statements,*

*(ii) information on the remuneration and benefits paid to members, officers and employees as specified in the regulations, and*

*(iii) other performance information specified by the regulations,*

*and*

*(c) contain any other information required by the regulations.*

**(22) Section 16.1 is amended**

**(a) by adding the following after subsection (2):**

**(2.1)** Where the responsible Minister is of the opinion that a provincial health corporation, or one or more members of a provincial health corporation, has failed to comply with a directive, the responsible Minister may

- (a) direct the provincial health corporation to terminate any agreement entered into by the provincial health corporation,
- (b) dismiss one or more members of the provincial health corporation, or
- (c) dismiss all of the members of the provincial health corporation and appoint an official administrator.

**(2.2)** In addition to taking any action under subsection (2.1), the responsible Minister may transfer any of the powers, duties, responsibilities or functions of a provincial health corporation to the responsible Minister or another person or body, including another provincial health corporation, if the responsible Minister is of the opinion that the provincial health corporation has failed to adequately exercise its powers or carry out its duties, responsibilities or functions.

**(b) by repealing subsection (4) and substituting the following:**

**(4)** Where an official administrator is appointed under this section by

- (a) a sector Minister, section 11(2) and (3) apply, and
- (b) a responsible Minister, section 11(2) and (4) apply.

**(23) Section 17 is repealed.**

(22) Section 16.1 presently reads in part:

*(4) Where a sector Minister appoints an official administrator under this section, section 11(2) and (3) apply.*

(23) Section 17 presently reads:

*17(1) The Lieutenant Governor in Council may make regulations*

*(a) providing for the establishment of provincial health boards to do any or all of the following:*



- (i) to act in an advisory capacity to the oversight Minister, sector Ministers, existing health authorities, provincial health agencies, regional health authorities, subsidiary health corporations and community health councils;*
  - (ii) to deliver or co-ordinate the delivery of health services provided for in the regulations;*
  - (iii) to engage in and promote research related to health matters;*
  - (iv) to carry out other activities assigned to it in the regulations;*
  - (b) respecting the management, functions, duties and jurisdiction of provincial health boards;*
  - (c) respecting the size and composition of provincial health boards;*
  - (d) respecting the manner in which members of provincial health boards are appointed, the terms of office of members, the filling of vacancies and the appointment or election of officers;*
  - (e) respecting the remuneration and expenses payable to members of a provincial health board;*
  - (f) respecting the winding up of the affairs of provincial health boards, including regulations authorizing the oversight Minister or sector Ministers to wind up or provide for the winding up of the affairs of provincial health boards;*
  - (g) making applicable in respect of a provincial health board any of the provisions of this Act or the regulations under this Act, with necessary modifications.*
- (1.1) A regulation under subsection (1)(a) may be made in respect of all or part of Alberta.*
- (2) A provincial health board may be established as a corporation.*

**(24) Section 19 is amended**

- (a) by renumbering it as section 19(1);**
- (b) in subsection (1)**
  - (i) by striking out “, regional health authority or provincial health board” and substituting “or regional health authority”;**
  - (ii) by adding “duties, responsibilities and” before “functions”;**
- (c) by adding the following after subsection (1):**

**(2)** The responsible Minister may, in the amounts, in the manner and subject to the terms and conditions the responsible Minister considers appropriate, provide grants or other payments to a provincial health corporation to assist it in carrying out its duties, responsibilities and functions.

**(25) Section 21 is amended**

- (a) in subsection (1)(a) by adding “other than a provincial health corporation subsidiary” after “subsidiary health corporation”;**
- (b) by adding the following after subsection (1):**

**(1.1)** For the purposes of ensuring that this Act and the regulations are complied with, the responsible Minister or a person authorized by the responsible Minister for the purpose may

  - (a)** enter and inspect any place under the jurisdiction of a provincial health corporation of the responsible Minister or any of its provincial health corporation subsidiaries, and
  - (b)** require the production for examination of any documents or records in the possession of the provincial health corporation or provincial health corporation subsidiary, and make copies of them or temporarily remove them for the purpose of making copies.



(24) Section 19 presently reads:

*19 The sector Minister may, in the amounts, in the manner and subject to the terms and conditions the sector Minister considers appropriate, provide grants or other payments to a provincial health agency, regional health authority or provincial health board to assist it in carrying out its functions.*

(25) Section 21 presently reads in part:

*21(1) For the purposes of ensuring that this Act and the regulations are complied with, a sector Minister or a person authorized by the sector Minister for the purpose may*

*(a) enter and inspect any place under the jurisdiction of an existing health authority, provincial health agency, regional health authority, community health council or subsidiary health corporation in the health services sector for which the sector Minister is responsible,*

*(2) A person who removes documents or other records under subsection (1) shall*

*(a) give a receipt for the items to the person from whom the items were taken,*

*(b) on request, provide a copy of the items removed to the person from whom they were taken or to a person who is entitled to custody of them, and*

*(c) forthwith return the items to the person from whom they were taken when they have served the purposes for which they were taken.*

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

**(26) Section 22 is amended**

- (a) **by striking out “or regional health authority” and substituting “, regional health authority or provincial health corporation”;**
- (b) **by striking out “under section 11” and substituting “under this Act”;**
- (c) **by striking out “carrying out duties or exercising powers” and substituting “exercising powers or carrying out duties, responsibilities or functions”.**

**(27) Section 23(1) is amended**

- (a) **by adding the following after clause (g):**

- (g.1) respecting the publication of decisions made by provincial health agencies consisting of one member, including regulations respecting the publication of information and records relating to decisions and the redaction of personal or confidential information before the publication of decisions, information or records;

- (b) **in clause (h) by adding “other than provincial health corporation subsidiaries” after “subsidiary health corporations”;**

- (c) **in clause (j)**

- (i) **by repealing subclause (ii) and substituting the following:**

- (ii) indemnities and guarantees, including regulations authorizing the giving of indemnities and guarantees by provincial health agencies and regional health authorities, respecting the persons to whom indemnities and guarantees may be given and

*(3) If anyone prevents a person from exercising powers under subsection (1) or obstructs or hinders a person in the exercise of those powers, a judge of the Court of King's Bench may on the application of that person make any order that the judge considers necessary to permit that person to exercise those powers.*

(26) Section 22 presently reads:

*22 No action for damages may be commenced against a member of a provincial health agency or regional health authority, including an official administrator appointed under section 11, for anything done or not done by that person in good faith while carrying out duties or exercising powers under this or any other enactment.*

(27) Section 23(1) presently reads in part:

*23(1) The Lieutenant Governor in Council may make regulations*

- (h) determining or providing for the manner of determining the fiscal year of provincial health agencies, regional health authorities, subsidiary health corporations and community health councils;*
- (j) respecting the financial matters of provincial health agencies and regional health authorities, including regulations respecting*
  - (ii) indemnities and guarantees given by provincial health agencies and regional health authorities,*
- (vi) the sale of goods and services by provincial health agencies and regional health authorities that are unrelated to the direct provision of health services,*
- (n) respecting the designation of health services delivery organizations;*
- (p) authorizing sector Ministers to suspend, adjust or recover all or part of grants or other payments paid under section 19 where*

respecting any terms and conditions applicable to indemnities and guarantees,

**(ii) in subclause (vi) by striking out “provision” and substituting “delivery”;**

**(d) by adding the following after clause (m):**

(m.1) respecting reports, records and returns that health services delivery organizations are required to provide under section 14(1), including regulations specifying the information they must contain and respecting the time at which and the form and manner in which they must be provided;

**(e) by repealing clause (n) and substituting the following:**

(n) respecting the designation of health services delivery organizations, including regulations respecting requirements that must be met for the purposes of section 1.97(1)(c) and factors that may be considered for the purposes of section 1.97(1)(d);

(n.1) respecting the termination of designations of health services delivery organizations;

**(f) in clause (p) by striking out “section 19” and substituting “section 19(1)”.**

**(28) Section 24(1) is amended**

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

(k) respecting processes established by provincial health agencies and regional health authorities under section 1.976 to resolve complaints by, on behalf of or in the interests of patients, including regulations authorizing the delegation to employees of powers, duties, responsibilities and functions established in the regulations;

**(b) in clause (m) by adding “, other than provincial health corporation subsidiaries,” after “subsidiary health corporations”;**

(28) Section 24(1) presently reads in part:

*24(1) The oversight Minister may make regulations*

- (k) respecting processes to resolve complaints by, on behalf of or in the interest of patients, including regulations*
- (i) requiring provincial health agencies, regional health authorities and provincial health boards to establish and maintain such processes, and*
- (ii) authorizing the delegation to employees of powers, duties, responsibilities and functions established in the regulations;*
- (m) respecting the qualifications of and eligibility requirements for persons who may be appointed as auditor of provincial*

**(c) in clause (q)**

- (i) by striking out** “annual reports under section 14(2)” **and substituting** “annual reports of provincial health agencies and regional health authorities required under section 14(2)(a)”;
- (ii) in subclause (i) by striking out** “section 14(2)(b) and (c)” **and substituting** “section 14(2.1) and (2.2)”;
- (d) in clause (s) by adding** “provincial health corporations,” **after** “regional health authorities.”

**(29) Section 25 is amended by renumbering it as section 25(1) and by adding the following after subsection (1):**

- (2)** A regulation under section 1.975 in respect of a provincial health corporation may be made to apply to provincial health corporations, or classes of them, generally, or to a particular provincial health corporation.

**Provincial Priorities Act**

**Amends SA 2024 cP-35.5**

**19(1)** The *Provincial Priorities Act* is amended by this section.

**(2)** Section 1(d)(v) is repealed and the following is substituted:

- (v) a provincial health agency, regional health authority or subsidiary health corporation under the *Provincial Health Agencies Act*;

**Public Health Act**

**Amends RSA 2000 cP-37**

**20(1)** The *Public Health Act* is amended by this section.

**(2)** The following is added before the enacting clause:

*health agencies, regional health authorities, subsidiary health corporations and community health councils under section 13(3);*

- (q) respecting annual reports under section 14(2), including regulations*
  - (i) specifying the information the annual reports must contain for the purposes of section 14(2)(b) and (c);*
  - (s) respecting the sharing of information between provincial health agencies, regional health authorities, community health councils, health services delivery organizations and other health services providers;*

(29) Section 25 presently reads:

*25 A regulation under section 23 or 24 in respect of a provincial health agency, regional health authority or community health council may be made to apply to provincial health agencies, regional health authorities or community health councils, or classes of them, generally, or to a particular provincial health agency, regional health authority or community health council.*

### **Provincial Priorities Act**

**19(1)** Amends chapter P-35.5 of the Statutes of Alberta, 2024.

(2) Section 1(d)(v) presently reads:

*1 In this Act,*

*(d) “provincial entity” means any of the following:*

- (v) a regional health authority established under the Regional Health Authorities Act and any subsidiary of a regional health authority;*

### **Public Health Act**

**20(1)** Amends chapter P-37 of the Revised Statutes of Alberta 2000.

(2) Adds preamble.

**Preamble**

WHEREAS the Government of Alberta is committed to providing leadership and support in the area of public health;

WHEREAS the Government of Alberta recognizes that taking measures to prevent, detect, assess and mitigate public health risks, including the spread of communicable diseases, epidemics and other illnesses, is essential to protect the health of Albertans;

WHEREAS the Government of Alberta recognizes the importance of a legal framework that provides for the prevention, detection, assessment and mitigation of public health risks;

WHEREAS the Government of Alberta recognizes the importance of effective and efficient provincial decision making, clearly defined roles and coordination among all parties involved in the management of public health during times of exigency;

WHEREAS the Government of Alberta is committed to transparency, accountability and responsiveness in the area of public health; and

WHEREAS the Government of Alberta is committed to protecting the health of Albertans, both in times of normalcy and in times of exigency, while still respecting the rights of Albertans under the *Alberta Bill of Rights*;

**(3) The enacting clause is amended by adding “THEREFORE” before “HER MAJESTY”.**

**(4) Section 1(1) is amended**

**(a) in clause (g) by striking out “provincial health board” and substituting “provincial health corporation”;**

**(b) by repealing clause (hh.1) and substituting the following:**

(hh.1) “public health emergency” means an urgent and temporary occurrence or threat of an occurrence of

(i) an illness,



(3) The enacting clause presently reads:

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

(4) Section 1(1) presently reads in part:

*1(1) In this Act,*

(g) *“community health nurse” means a registered nurse within the meaning of the Health Professions Act who has the qualifications set out in the regulations and who is employed or engaged by a regional health authority or a provincial health board under the Provincial Health Agencies Act or the Department to provide public health services;*

(hh.1) *“public health emergency” means an occurrence or threat of*

- (ii) a health condition,
- (iii) an epidemic or pandemic disease,
- (iv) a novel or highly infectious agent or biological toxin,  
or
- (v) the presence of a chemical agent or radioactive  
material

that poses a significant risk to the public of an increase in disease, injuries, disabilities or deaths in excess of expectations during times of normalcy;

**(5) Section 58.1(c)(iv) is repealed and the following is substituted:**

- (iv) a provincial health corporation under the *Provincial Health Agencies Act*;

**(6) Section 66.1(1)(h) is amended by striking out “provincial health board” and substituting “provincial health corporation”.**

### **Public Inquiries Act**

**Amends RSA 2000 cP-39**

**21(1) The *Public Inquiries Act* is amended by this section.**

**(2) Section 7(2)(b)(ii.2) is amended by striking out “provincial health board” and substituting “provincial health corporation”.**

- (i) *an illness,*
- (ii) *a health condition,*
- (iii) *an epidemic or pandemic disease,*
- (iv) *a novel or highly infectious agent or biological toxin, or*
- (v) *the presence of a chemical agent or radioactive material*  
*that poses a significant risk to the public health;*

(5) Section 58.1(c)(iv) presently reads:

*58.1 In this Part,*

- (c) *“public body” means*
  - (iv) *a provincial health board as defined in the Provincial Health Agencies Act;*

(6) Section 66.1(1)(h) presently reads:

*66.1(1) No action for damages may be commenced against*

- (h) *a provincial health board under the Provincial Health Agencies Act*

*for anything done or not done by that person in good faith while carrying out duties or exercising powers under this or any other enactment.*

### **Public Inquiries Act**

**21(1)** Amends chapter P-39 of the Revised Statutes of Alberta 2000.

(2) Section 7(2)(b)(ii.2) presently reads:

(2) *In this section,*

- (b) *“public building” includes*
  - (ii.2) *a hospital under the jurisdiction of a provincial health board under the Provincial Health Agencies Act,*

## **Public Sector Employers Act**

**Amends SA 2019 cP-40.7**

**22(1) The *Public Sector Employers Act* is amended by this section.**

**(2) Section 1(1)(a.2)(vi) is amended by striking out “or regional health authority” and substituting “, regional health authority or provincial health corporation”.**

**Coming into force**

**23 This Act, except sections 9(1), (2), (3), to the extent that it enacts section 1.91, and (4) and 20(1), (2), (3) and (4)(b), comes into force on Proclamation.**

## **Public Sector Employers Act**

**22(1)** Amends chapter P-40.7 of the Statutes of Alberta, 2019.

(2) Section 1(1)(a.2)(vi) presently reads:

*1(1) In this Act,*

*(a.2) “employer” means any of the following entities or a subsidiary of the following entities:*

*(vi) a provincial health agency or regional health authority under the Provincial Health Agencies Act;*

**23** Coming into force.





**RECORD OF DEBATE**

Stage	Date	Member	From	To
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>