

2025 Bill 55

First Session, 31st Legislature, 3 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 55

HEALTH STATUTES AMENDMENT ACT, 2025

THE MINISTER OF HEALTH

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 55

2025

HEALTH STATUTES AMENDMENT ACT, 2025

(Assented to , 2025)

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

Access to Information Act

Amends SA 2024 cA-1.4

1(1) The *Access to Information Act* is amended by this section.

(2) Section 1(i) is amended

(a) by repealing subclause (i) and substituting the following:

- (i) a hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act*, other than a hospital operator that is a provincial health agency, regional health authority or provincial health corporation under the *Provincial Health Agencies Act*,

(b) by repealing subclause (i) and substituting the following:

- (i) a hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act*, other than a hospital operator that is a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act*,

Explanatory Notes

Access to Information Act

1(1) Amends chapter A-1.4 of the Statutes of Alberta, 2024.

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

1 In this Act,

(i) “health care body” means

(i) the board of an approved hospital as defined in the Hospitals Act other than an approved hospital that is owned or operated by a provincial health agency or regional health authority under the Provincial Health Agencies Act,

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

(v) a regional health authority under the Provincial Health Agencies Act,

(vi) a community health council established under the Provincial Health Agencies Act,

(c) **by repealing subclause (iv) and substituting the following:**

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

(d) **by repealing subclause (v);**

(e) **by repealing subclause (vi).**

Alberta Evidence Act

Amends RSA 2000 cA-18

2(1) The *Alberta Evidence Act* is amended by this section.

(2) Section 9(1)(b)(i) is amended

(a) **in paragraph (A) by striking out** “or regional health authority”;

(b) **by adding the following after paragraph (A):**

(A.1) a provincial health corporation under the *Provincial Health Agencies Act*,

(c) **by repealing paragraph (D) and substituting the following:**

(D) a hospital operator under the *Provincial Health Agencies Act*, or

(3) Section 40(4) is amended

(a) **in clause (g) by striking out** “or regional health authority”;

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

(h) a provincial health corporation under the *Provincial Health Agencies Act*.

Alberta Evidence Act

2(1) Amends chapter A-18 of the Revised Statutes of Alberta 2000.

(2) Section 9(1)(b)(i) presently reads in part:

9(1) In this section,

(b) “quality assurance committee” means a committee, commission, council or other body that has as its primary purpose the carrying out of quality assurance activities and that is

(i) appointed by

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

(D) the board of an approved hospital under the Hospitals Act, or

(3) Section 40(4) presently reads in part:

(4) Subsection (3) does not apply in any case where a photographic print is tendered by

(g) a provincial health agency or regional health authority under the Provincial Health Agencies Act.

Alberta Health Act

Amends SA 2010 cA-19.5

3(1) The *Alberta Health Act* is amended by this section.

(2) Section 1(j) is repealed.

(3) Section 2(1) is amended by striking out “regional health authorities,”.

(4) Section 7(1) is repealed and the following is substituted:

Roles and responsibilities

7(1) Subject to and in accordance with applicable enactments, provincial health agencies are responsible for delivering health services and for overseeing and coordinating the delivery of health services in the health services sector or sectors for which they are established.

(5) Sections 8 and 9(1) are amended

(a) by striking out “regional health authority,”;

(b) by adding “provincial health corporation,” before “health provider”.

Alberta Health Act

3(1) Amends chapter A-19.5 of the Statutes of Alberta, 2010.

(2) Section 1(j) presently reads:

1 In this Act,

(j) “regional health authority” means a regional health authority under the Provincial Health Agencies Act.

(3) Section 2(1) presently reads:

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

(4) Section 7(1) presently reads:

7(1) Subject to and in accordance with applicable enactments, provincial health agencies and regional health authorities are responsible for delivering health services.

(5) Sections 8 and 9(1) presently read in part:

8 To enable the Minister to report to the public on the status of the health system, the Minister may, by order, direct a provincial health agency, regional health authority, health provider, professional college or operator or any other person involved in the provision of a health service to report to the Minister in the form and manner directed by the Minister on any one or more of the following as specified, and to the extent provided, in the order:

9(1) Subject to the regulations, the Minister may, by order, direct a provincial health agency, regional health authority, health provider, professional college or operator or any other person involved in the provision of a health service to do any one or more of the following as specified, and to the extent provided, in the order:

Alberta Health Care Insurance Act

Amends RSA 2000 cA-20

4(1) The *Alberta Health Care Insurance Act* is amended by this section.

(2) Section 1 is amended

- (a) in clause (i)(i) by striking out “Alberta Dental Association and College” and substituting “College of Dental Surgeons of Alberta”;**
- (b) in clause (p)(i) by striking out “Alberta College and Association of Opticians” and substituting “College of Opticians of Alberta”.**

(3) Section 9(2)(b) is amended by striking out “Alberta Dental Association and College” and substituting “College of Dental Surgeons of Alberta”.

(4) Section 20.3(2)(b) is amended

- (a) by adding “, provincial health corporation” after “regional health authority”;**
- (b) by striking out “, regional health authority”.**

Alberta Health Care Insurance Act

4(1) Amends chapter A-20 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1 In this Act,

(i) “dentist” means,

(i) with reference to goods and services provided in Alberta, a regulated member of the Alberta Dental Association and College under the Health Professions Act who holds a practice permit respecting the practice of dentistry, and

(p) “optician” means

(i) with reference to goods and services provided in Alberta, a person who is a regulated member of the Alberta College and Association of Opticians and who holds a practice permit respecting the practice of dispensing of eye glasses or contact lenses, and

(3) Section 9(2)(b) presently reads:

(2) If a physician or dentist contravenes subsection (1), the Minister may,

(b) in the case of a 2nd or subsequent contravention, refer the contravention to the College or the Alberta Dental Association and College, as the case may be, and

(4) Section 20.3(2)(b) presently reads:

(2) The Lieutenant Governor in Council may, by regulation, require the following health entities to disclose to the Minister, subject to the regulations and in the form and manner determined by the Minister or under the regulations, the information, documents and records, including practitioners’ personal information, required by the regulations with respect to any funding received, payments made or benefits provided by that health entity in respect of publicly funded health services and in respect of practitioners:

(5) Section 22 is amended

- (a) in subsection (7)(j) by striking out** “established under the *Hospitals Act*” **and substituting** “continued under the *Provincial Health Agencies Act*”;
- (b) in subsection (20)**
 - (i) in clause (b) by striking out** “Alberta Dental Association and College” **and substituting** “College of Dental Surgeons of Alberta”;
 - (ii) in clause (g) by striking out** “Alberta College and Association of Opticians” **and substituting** “College of Opticians of Alberta”;
 - (iii) in clause (h) by striking out** “Physiotherapy Alberta College + Association” **and substituting** “College of Physiotherapists of Alberta”;
 - (iv) in clause (i) by striking out** “College and Association of Registered Nurses of Alberta” **and substituting** “College of Registered Nurses of Alberta”.

**Alberta Sovereignty within a United Canada
Act**

Amends SA 2022 cA-33.8

5(1) The *Alberta Sovereignty within a United Canada Act* is amended by this section.

(2) Section 1(e) is amended

- (a) in subclause (v) by striking out** “or regional health authority”;
- (b) by adding the following after subclause (v):**

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

(5) Section 22(7)(j) and (20) presently read in part:

(7) The Minister or a person employed in the administration of this Act and authorized by the Minister may disclose information pertaining to the date on which health services were provided and a description of those services, the name and address of the person who provided the services, the registration number of the person who received the services, the benefits paid for those services and the person to whom they were paid, but the information may be disclosed only

- (j) to the Hospital Privileges Appeal Board established under the Hospitals Act for the purposes of an appeal to that Board, or*

(20) In subsections (18) and (19), “disciplinary body” means

- (b) the council or a hearing tribunal of the Alberta Dental Association and College,*
- (g) the council or a hearing tribunal of the Alberta College and Association of Opticians,*
- (h) the council or a hearing tribunal of the Physiotherapy Alberta College + Association, or*
- (i) the council or a hearing tribunal of the College and Association of Registered Nurses of Alberta.*

Alberta Sovereignty within a United Canada Act

5(1) Amends chapter A-33.8 of the Statutes of Alberta, 2022.

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

1 In this Act,

- (e) “provincial entity” means*

- (v.1) a provincial health corporation under the *Provincial Health Agencies Act*,

Animal Health Act

Amends SA 2007 cA-40.2

6(1) The *Animal Health Act* is amended by this section.

(2) The Schedule is amended in section 1

(a) in clause (e) by striking out “or regional health authority”;

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

- (e.1) a provincial health corporation under the *Provincial Health Agencies Act*;

Auditor General Act

Amends RSA 2000 cA-46

7(1) The *Auditor General Act* is amended by this section.

(2) Section 16 is amended

(a) in subsection (1)

(i) by striking out “ “regional authority” ” and substituting “ “health or education authority” ”;

(ii) by striking out “, regional health authority”;

(iii) by striking out “, subsidiary health corporation or community health council” and substituting “or subsidiary health corporation”;

(b) in subsections (2), (3) and (4) by striking out “regional authority” wherever it occurs and substituting “health or education authority”.

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

Animal Health Act

6(1) Amends chapter A-40.2 of the Statutes of Alberta, 2007.

(2) The Schedule presently reads in part:

1 The following are authorized persons for the purposes of section 1(e) of this Act:

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

Auditor General Act

7(1) Amends chapter A-46 of the Revised Statutes of Alberta 2000.

(2) Section 16 presently reads in part:

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

(2) If the Auditor General is not the auditor of a regional authority, the person appointed as auditor

- (a) must give the Auditor General, as soon as practicable after completing the audit of the regional authority, a copy of the person’s findings and recommendations and a copy of the audited financial statements and all other audited information respecting the regional authority,*

(3) A regional authority must give a person appointed as auditor of the regional authority any information the person requires for the purposes of subsection (2).

(3) Section 19(4) is amended by striking out “regional authorities” and substituting “health or education authorities”.

Child and Youth Advocate Act

Amends SA 2011 cC-11.5

8(1) The *Child and Youth Advocate Act* is amended by this section.

(2) Sections 9(8) and 9.1(9) are amended

(a) in clause (h) by striking out “or regional health authority”;

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

(h.1) any relevant provincial health corporation under the
Provincial Health Agencies Act;

(3) Section 14.1(2) and (3) are amended

(a) in clause (c) by striking out “or regional health authority”;

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

(c.1) any relevant provincial health corporation under the
Provincial Health Agencies Act;

(4) If the Auditor General is not the auditor of a regional authority, the Auditor General may rely on the report and work of the person appointed as auditor.

(3) Section 19(4) presently reads:

(4) After the end of a fiscal year of the Crown, the Auditor General shall report to the Legislative Assembly on the results of the examinations of the regional authorities referred to in section 16.

Child and Youth Advocate Act

8(1) Amends chapter C-11.5 of the Statutes of Alberta, 2011.

(2) Sections 9(8) and 9.1(9) presently read in part:

9(8) In conducting an investigation under subsection (2)(d), the Advocate must, at the commencement and the conclusion of the investigation, make reasonable efforts to notify the following persons of, as the case may be, the commencement or conclusion of the investigation:

(h) any relevant provincial health agency or regional health authority under the Provincial Health Agencies Act;

9.1(9) In conducting a review under this section, the Advocate must, at the commencement and the conclusion of the review, make reasonable efforts to notify the following persons of, as the case may be, the commencement or conclusion of the review:

(h) any relevant provincial health agency or regional health authority under the Provincial Health Agencies Act;

(3) Section 14.1(2) and (3) presently read in part:

14.1(2) The following persons notified under section 9(8) of the commencement of an investigation under section 9(2)(d) who have information or records that are or may be relevant to the investigation under section 9(2)(d) must, on being notified, provide that information or those records forthwith to the Advocate:

(c) any relevant provincial health agency or regional health authority under the Provincial Health Agencies Act;

Child, Youth and Family Enhancement Act

Amends RSA 2000 cC-12

9(1) The *Child, Youth and Family Enhancement Act* is amended by this section.

(2) Section 109(1)(b) is repealed and the following is substituted:

- (b) a hospital operator under the *Provincial Health Agencies Act* or the hospital operator's designate,

Conflicts of Interest Act

Amends RSA 2000 cC-23

10(1) The *Conflicts of Interest Act* is amended by this section.

(2) Section 1(1)(h) is amended

- (a) **by striking out** “, a regional health authority”;
- (b) **by adding** “, a provincial health corporation” **before** “and a subsidiary health corporation”.

(3) Section 23.921(1)(b) is amended

(3) The following persons notified under section 9.1(9) of the commencement of a review under section 9.1 who have information or records that are or may be relevant to the review under section 9.1 must, on being notified, provide that information or those records forthwith to the Advocate:

- (c) any relevant provincial health agency or regional health authority under the Provincial Health Agencies Act;*

Child, Youth and Family Enhancement Act

9(1) Amends chapter C-12 of the Revised Statutes of Alberta 2000.

(2) Section 109(1)(b) presently reads:

109(1) Notwithstanding Part XXII of the Criminal Code (Canada), the Court may issue a subpoena requiring

- (b) a board under the Hospitals Act or the board's designate,*

to produce any documents, records or other information the person has in the person's possession or under the person's control that may relate to the proceedings before the Court with respect to a child.

Conflicts of Interest Act

10(1) Amends chapter C-23 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(h) presently reads:

1(1) In this Act,

- (h) "Provincial agency" means a Provincial agency as defined in the Financial Administration Act, and includes a management body within the meaning of the Alberta Housing Act and a provincial health agency, a regional health authority and a subsidiary health corporation under the Provincial Health Agencies Act;*

(3) Section 23.921(1)(b) presently reads:

- (a) **by striking out** “, regional health authorities”;
- (b) **by adding** “, provincial health corporations” **before** “and subsidiary health corporations”.

(4) The Schedule is amended in Part 3

- (a) **by striking out** “Provincial Health Corporation” **and substituting** “Provincial Health Corporations”;
- (b) **by striking out** “Regional Health Authority under the Provincial Health Agencies Act”.

Continuing Care Act

Amends SA 2022 cC-26.7

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

(2) Section 3(2)(a) is amended by striking out “*Hospitals Act*” and substituting “*Provincial Health Agencies Act*”.

Covenant Health Act

Amends SA 1992 c39

12(1) The *Covenant Health Act* is amended by this section.

(2) Section 2(1) is amended

- (a) **in clause (a)**
 - (i) **by striking out** “hospitals” **and substituting** “approved hospitals”;
 - (ii) **by striking out** “homes for the aged” **and substituting** “continuing care homes or supportive living”

23.921(1) *Except as set out under this section, this Part applies in respect of the following public agencies:*

- (b) *provincial health agencies, regional health authorities and subsidiary health corporations under the Provincial Health Agencies Act;*

(4) The Schedule presently reads in part:

*Part 3
Other Disqualifying Offices*

The office of chair or member of any of the following:

Provincial Health Corporation under the Provincial Health Agencies Act

Regional Health Authority under the Provincial Health Agencies Act

Continuing Care Act

11(1) Amends chapter C-26.7 of the Statutes of Alberta, 2022.

(2) Section 3(2)(a) presently reads:

(2) The following are not considered to be continuing care homes or supportive living accommodations under this Act:

- (a) approved hospitals under the Hospitals Act;*

Covenant Health Act

12(1) Amends chapter 39 of the Statutes of Alberta, 1992.

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

2(1) The objects of the corporation are:

- (a) to undertake and carry on charitable institutions, works and activities consisting of the operations of hospitals, missions, health care facilities of any kind or nature, schools, dispensaries, homes for the aged, homes for the handicapped and the like; to impart education and medical and other*

accommodations as defined in the *Continuing Care Act*”;

- (b) **in clause (b) by striking out** “general acute care hospitals, auxiliary hospitals, nursing homes” **and substituting** “approved hospitals under the *Provincial Health Agencies Act* and continuing care homes as defined in the *Continuing Care Act*”.

COVID-19 Related Measures Act

Amends SA 2021 cC-31.3

13(1) The *COVID-19 Related Measures Act* is amended by this section.

(2) Section 1(1) is amended

(a) by adding the following after clause (d.1):

- (d.2) “provincial health corporation” means a provincial health corporation under the *Provincial Health Agencies Act*;

(b) in clause (e)

(i) by adding the following after subclause (i.1):

- (i.2) a provincial health corporation, or a member, employee or agent of a provincial health corporation;

(ii) by repealing subclause (ii);

(c) by repealing clause (f) and substituting the following:

- (f) “regional health authority” means a regional health authority referred to in section 3 of the *Provincial Health Agencies Act* as it read immediately before the coming into force of section 45(17) of the *Health Statutes Amendment Act, 2025*.

(3) Section 2 is amended by adding the following after clause (a.1):

training; and generally to care for the aged, sick, handicapped and unfortunate;

- (b) to provide and offer health care activities, facilities and programs of all kinds, including without limitation general acute care hospitals, auxiliary hospitals, nursing homes, geriatric rehabilitation facilities, hostels, family care programs, educational programs, and schools of nursing;*

COVID-19 Related Measures Act

13(1) Amends chapter C-31.3 of the Statutes of Alberta, 2021.

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

1(1) In this Act,

- (e) “public health guidance” means any advice, recommendations, directives, guidance or instructions given or made in respect of public health, regardless of the form or manner of their communication, by any of the following:*
 - (ii) a regional health authority, or a member, employee or agent of a regional health authority;*
- (f) “regional health authority” means a regional health authority under the Provincial Health Agencies Act.*

(3) Section 2 presently reads in part:

2 Subject to the regulations, this Act applies in respect of the following:

- (a.2) a provincial health corporation, including a member, officer, employee, agent, contractor and subcontractor of a provincial health corporation;

(4) Sections 4(1) and (2) and 6 are amended by adding “, provincial health corporation” after “regional health authority” wherever it occurs.

(4) Sections 4 and 6 presently read in part:

4(1) Subject to sections 6 and 7 and the regulations, no action for damages lies or shall be commenced or maintained against a health service facility, provincial health agency, regional health authority or person referred to in section 2 as a direct or indirect result of an individual being or potentially being infected with or exposed to COVID-19 on or after March 1, 2020 as a direct or indirect result of an act or omission of a health service facility, provincial health agency, regional health authority or person, as the case may be, if

- (a) at the relevant time, the health service facility, provincial health agency, regional health authority or person, as the case may be, acted or made a good-faith effort to act in accordance with*
 - (i) public health guidance relating to COVID-19 that applied to the health service facility, provincial health agency, regional health authority or person, as the case may be, and*
 - (ii) any federal, provincial or municipal law relating to COVID-19 that applied to the health service facility, provincial health agency, regional health authority or person, as the case may be,*

and

- (b) the act or omission of the health service facility, provincial health agency, regional health authority or person, as the case may be, does not constitute gross negligence.*

(2) Subsection (1) applies notwithstanding any conflict or inconsistency in the public health guidance or laws applicable to the health service facility, provincial health agency, regional health authority or person referred to in section 2.

6 Section 4 does not apply to acts or omissions of a health service facility, provincial health agency, regional health authority or person referred to in section 2 if the act or omission

Crown's Right of Recovery Act

Amends SA 2009 cC-35

14(1) The *Crown's Right of Recovery Act* is amended by this section.

(2) Sections 1(1)(g)(i) and 41(1)(e)(i) are repealed and the following is substituted:

- (i) in-patient and out-patient services provided
 - (A) inside Alberta in an approved hospital under the *Provincial Health Agencies Act* or other hospital or facility, or
 - (B) outside Alberta in a hospital or other facility;

Election Act

Amends RSA 2000 cE-1

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

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

- (II) “treatment centre” means any of the following that provide medical treatment or care on an in-patient basis:
 - (i) an approved hospital under the *Provincial Health Agencies Act*;

- (a) *occurred while a law required the operation of the health service facility, provincial health agency, regional health authority or person, as the case may be, to close, in whole or in part, and*
- (b) *relates to an aspect of the operation of the health service facility, provincial health agency, regional health authority or person, as the case may be, that was required to close under the law.*

Crown's Right of Recovery Act

14(1) Amends chapter C-35 of the Statutes of Alberta, 2009.

(2) Sections 1(1)(g)(i) and 41(1)(e)(i) presently read:

1(1) In this Part,

(g) *“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;*

41(1) In this Part,

(e) *“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;*

Election Act

15(1) Amends chapter E-1 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(ll) presently reads:

1(1) In this Act,

(ll) *“treatment centre” means*

- (ii) a facility under the *Mental Health Act*;
- (iii) a facility not referred to in subclause (i) or (ii);

Election Finances and Contributions Disclosure Act

Amends RSA 2000 cE-2

16(1) The *Election Finances and Contributions Disclosure Act* is amended by this section.

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

- (a) **by striking out** “, a regional health authority”;
- (b) **by adding** “, a provincial health corporation” **before** “and a subsidiary health corporation”.

Emergency Health Services Act

Amends SA 2008 cE-6.6

17(1) The *Emergency Health Services Act* is amended by this section.

(2) Section 1 is amended

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

- (d) “ambulance operator” means a person, including a provincial health agency, regional health authority or provincial health corporation, that owns or operates an ambulance operation;

(b) by repealing clause (d) and substituting the following:

- (d) “ambulance operator” means a person, including a provincial health agency or provincial health

- (i) a hospital or a facility under the Mental Health Act, or
- (ii) any facility not referred to in subclause (i),
providing medical treatment or care on an in-patient basis;

Election Finances and Contributions Disclosure Act

16(1) Amends chapter E-2 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(l)(i) presently reads:

1(1) In this Act,

- (l) “prohibited corporation” means
 - (i) a Provincial corporation as defined in the Financial Administration Act, and includes a management body within the meaning of the Alberta Housing Act and a provincial health agency, a regional health authority and a subsidiary health corporation under the Provincial Health Agencies Act,

Emergency Health Services Act

17(1) Amends chapter E-6.6 of the Statutes of Alberta, 2008.

(2) Section 1 presently reads in part:

1 In this Act,

- (d) “ambulance operator” means a person, including a regional health authority, that owns or operates an ambulance operation;
- (m) “health region” means, in respect of a regional health authority, the health region that the regional health authority administers under the Provincial Health Agencies Act;
- (q) “regional health authority” means a regional health authority under the Provincial Health Agencies Act;

corporation, that owns or operates an ambulance operation;

(c) by repealing clause (m);

(d) by adding the following after clause (p.1):

(p.2) “provincial health agency” means a provincial health agency under the *Provincial Health Agencies Act*;

(p.3) “provincial health corporation” means a provincial health corporation under the *Provincial Health Agencies Act*;

(e) by repealing clause (q).

(3) Section 2 is amended

(a) by striking out the portion preceding clause (a) and substituting the following:

Duty to provide emergency health services

2 A provincial health agency, regional health authority or provincial health corporation shall provide emergency health services in the health region in accordance with

(b) by striking out the portion preceding clause (a) and substituting the following:

Duty to provide emergency health services

2 A provincial health agency or provincial health corporation shall provide emergency health services in accordance with

(4) Section 3 is amended

(a) by repealing subsections (1) and (2) and substituting the following:

Proposal for emergency health services plan

3(1) A provincial health agency, regional health authority or provincial health corporation 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.

(3) Section 2 presently reads:

2 A provincial health agency, regional health authority or provincial health corporation 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.*

(4) Section 3 presently reads in part:

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.

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

(b) by repealing subsections (1) and (2) and substituting the following:

Proposal for emergency health services plan

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

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

(5) Section 4 is amended

(a) by repealing subsections (1) to (3) and substituting the following:

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 provincial health agency, regional health authority or provincial health corporation 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 provincial health agency, regional health authority or provincial health corporation under subsection (1)(c) must be resubmitted to the Minister as directed by the Minister, and when it is resubmitted subsection (1) applies.

(5) Section 4 presently reads in part:

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*

(3) A provincial health agency, regional health authority or provincial health corporation

- (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.

(b) by repealing subsections (1) to (3) and substituting the following:

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 provincial health agency or provincial health corporation 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 provincial health agency or provincial health corporation 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 provincial health agency or provincial health corporation

- (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.

(6) Section 5 is repealed and the following is substituted:

to amend an emergency health services plan in respect of matters specified by the Minister.

(6) Section 5 presently reads:

Commencement of responsibility

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

(7) Section 5 is repealed and the following is substituted:

Commencement of responsibility

5 A provincial health agency or provincial health corporation becomes responsible for discharging its duty under section 2 on the date specified by the Minister.

(8) Section 6 is repealed and the following is substituted:

Agreements to provide services

6 Subject to the emergency health services plan and the approval of the Minister, a provincial health agency, regional health authority or provincial health corporation may enter into an agreement with any person respecting the provision by the provincial health agency, regional health authority or provincial health corporation of emergency health services within or outside its health region.

(9) Section 6 is repealed and the following is substituted:

Agreements to provide services

6 Subject to the emergency health services plan and the approval of the Minister, a provincial health agency or provincial health corporation may enter into an agreement with any person respecting the provision by the provincial health agency or provincial health corporation of emergency health services.

(10) Section 12 is amended

(a) by repealing subsection (2) and substituting the following:

(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 provincial health agency, regional health authority or provincial health corporation with which the ambulance operator has an agreement.

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

(7) Section 5 presently reads:

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

(8) Section 6 presently reads:

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.

(9) Section 6 presently reads:

6 Subject to the emergency health services plan and the approval of the Minister, a provincial health agency, regional health authority or provincial health corporation may enter into an agreement with any person respecting the provision by the provincial health agency, regional health authority or provincial health corporation of emergency health services within or outside its health region.

(10) Section 12 presently reads in part:

(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.

(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.

(b) by repealing subsection (2) and substituting the following:

(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 provincial health agency or provincial health corporation with which the ambulance operator has an agreement.

(c) by repealing subsection (6) and substituting the following:

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

(d) by repealing subsection (6) and substituting the following:

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

(11) Section 14 is amended

(a) by repealing subsection (2) and substituting the following:

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

(b) by repealing subsection (2) and substituting the following:

(2) A provincial health agency or provincial health corporation shall use one or more dispatch centres in accordance with the regulations and the emergency health services plan.

(12) Section 18 is amended

(11) Section 14(2) presently reads:

(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.

(12) Section 18(1) presently reads:

- (a) **by repealing subsection (1) and substituting the following:**

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 provincial health agency, regional health authority or provincial health corporation.

- (b) **by repealing subsection (1) and substituting the following:**

Prohibition — agreement

18(1) Subject to subsection (2), and notwithstanding any licence, no person shall operate an ambulance operation except under an agreement with a provincial health agency or provincial health corporation.

(13) Section 36 is amended

- (a) **by repealing subsection (3) and substituting the following:**

(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 provincial health agency, regional health authority or provincial health corporation with which the appellant has an agreement.

- (b) **by repealing subsection (3) and substituting the following:**

(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 provincial health agency or provincial health corporation with which the appellant has an agreement.

(14) Section 40 is amended

- (a) **by repealing subsection (1) and substituting the following:**

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.

(13) Section 36(3) presently reads:

(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.

(14) Section 40(1) presently reads:

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.

Information

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

- (b) by repealing subsection (1) and substituting the following:**

Information

40(1) On the written request of the Minister, a provincial health agency or provincial health corporation shall provide the Minister with any information requested by the Minister.

(15) Section 42 is amended

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

(2) A provincial health agency, regional health authority or provincial health corporation, the members, agents and employees of a provincial health agency, regional health authority or provincial health corporation and persons contracted by a provincial health agency, regional health authority or provincial health corporation 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 of a first response operation.

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

(2) A provincial health agency or provincial health corporation, the members, agents and employees of a provincial health agency or provincial health corporation and persons contracted by a provincial health agency or provincial health corporation 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 of a first response operation.

(16) Section 43 is repealed and the following is substituted:

(15) Section 42(2) presently reads:

(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.

(16) Section 43 presently reads:

43 No action for damages shall be commenced against the Minister, an employee under the administration of the Minister, an

Protection from liability

43(1) In this section, “regional health authority” means a regional health authority referred to in section 3 of the *Provincial Health Agencies Act* as it read immediately before the coming into force of section 45(17) of the *Health Statutes Amendment Act, 2025*.

(2) No action for damages shall be commenced against a provincial health agency, regional health authority or provincial health corporation, a member, agent or employee of a provincial health agency, regional health authority or provincial health corporation or a person contracted by a provincial health agency, regional health authority or provincial health corporation 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.

(17) Section 44(1) is amended

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

(b) may impose service requirements, standards, protocols and guidelines for a provincial health agency, regional health authority, provincial health corporation or ambulance operator to follow in the provision of emergency health services,

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

(b) may impose service requirements, standards, protocols and guidelines for a provincial health agency, provincial health corporation or ambulance operator to follow in the provision of emergency health services,

(18) Section 48(1) is amended

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

(d) respecting records to be kept by provincial health agencies, regional health authorities and provincial health corporations for the purposes of this Act and respecting reports and returns to be submitted to the Minister by a provincial health agency, regional health authority or provincial health corporation;

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.

(17) Section 44(1)(b) presently reads:

44(1) Notwithstanding this Act, the Minister

(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,

(18) Section 48(1) presently reads in part:

48(1) The Minister may make regulations

(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;

(b) by repealing clause (d) and substituting the following:

- (d) respecting records to be kept by provincial health agencies and provincial health corporations for the purposes of this Act and respecting reports and returns to be submitted to the Minister by a provincial health agency or provincial health corporation;

(c) by repealing clause (f) and substituting the following:

- (f) respecting reports and returns and information required to be submitted by an ambulance operator to the Minister, a provincial health agency, a regional health authority or a provincial health corporation;

(d) by repealing clause (f) and substituting the following:

- (f) respecting reports and returns and information required to be submitted by an ambulance operator to the Minister, a provincial health agency or a provincial health corporation;

(e) by repealing clause (r) and substituting the following:

- (r) respecting the powers and duties of provincial health agencies, regional health authorities or provincial health corporations for the purposes of this Act and the regulations, including regulations
 - (i) requiring provincial health agencies, regional health authorities or provincial health corporations to employ or engage medical directors to provide direction and establish medical protocols for the provision of emergency health services, and
 - (ii) respecting the powers, duties and functions of medical directors referred to in subclause (i);

(f) by repealing clause (r) and substituting the following:

- (r) respecting the powers and duties of provincial health agencies or provincial health corporations for the purposes of this Act and the regulations, including regulations

- (f) respecting reports, returns and information required to be submitted to a regional health authority or the Minister by ambulance operators;*
- (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);*

- (i) requiring provincial health agencies or provincial health corporations to employ or engage medical directors to provide direction and establish medical protocols for the provision of emergency health services, and
- (ii) respecting the powers, duties and functions of medical directors referred to in subclause (i);

Environmental Protection and Enhancement Act

Amends RSA 2000 cE-12

18(1) The *Environmental Protection and Enhancement Act* is amended by this section.

(2) Section 1(jj)(vi) is amended by striking out “or regional health authority”.

(3) Section 115(3) is amended by striking out “medical officer of health of the health unit or health region under the *Provincial Health Agencies Act*” and substituting “medical officer of health as appointed by the Minister of Health”.

Family and Community Support Services Act

Amends RSA 2000 cF-3

19(1) The *Family and Community Support Services Act* is amended by this section.

(2) Section 1(b)(iv) is amended

- (a) by striking out “hospital board or a” and substituting “hospital operator or”;**

Environmental Protection and Enhancement Act

18(1) Amends chapter E-12 of the Revised Statutes of Alberta 2000.

(2) Section 1(jj)(vi) presently reads:

1 In this Act,

(jj) “local authority” means

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

(3) Section 115(3) presently reads:

(3) The inspector, investigator or Director shall forthwith notify Alberta Public Safety Services, the local authority of the municipality in which the substance is located and the medical officer of health of the health unit or health region under the Provincial Health Agencies Act in which the substance is located of the emergency measures taken under subsection (1).

Family and Community Support Services Act

19(1) Amends chapter F-3 of the Revised Statutes of Alberta 2000.

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

1 In this Act,

(b) “municipality” means

- (b) **by striking out** “or regional health authority”.

Fatality Inquiries Act

Amends RSA 2000 cF-9

20(1) The *Fatality Inquiries Act* is amended by this section.

(2) Section 21(3)(b) is repealed and the following is substituted:

- (b) a patient as defined in the *Provincial Health Agencies Act*.

Financial Administration Act

Amends RSA 2000 cF-12

21(1) The *Financial Administration Act* is amended by this section.

(2) Section 1(1)(e) and (r) are amended

- (a) **by striking out** “, regional health authority”;
- (b) **by adding** “, provincial health corporation” **before** “or subsidiary health corporation”.

- (iv) *a school board, a hospital board or a provincial health agency or regional health authority under the Provincial Health Agencies Act in respect of a national park of Canada, or*

Fatality Inquiries Act

20(1) Amends chapter F-9 of the Revised Statutes of Alberta 2000.

(2) Section 21(3)(b) presently reads:

(3) Notwithstanding any other Act, regulation or other law, a medical examiner is entitled to inspect and make copies of any diagnosis, record or information relating to

- (b) a patient under the Hospitals Act.*

Financial Administration Act

21(1) Amends chapter F-12 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(e) and (r) presently read in part:

1(1) In this Act,

- (e) “Crown-controlled organization” means, unless subsection (3) applies,*

- (iv) a corporation that is a subsidiary of a corporation described in subclause (ii) or (iii) or that is controlled by a corporation described in subclause (ii) or (iii) directly or indirectly through one or more intermediary corporations,*

but does not include a provincial health agency, regional health authority or subsidiary health corporation under the Provincial Health Agencies Act;

- (r) “Provincial corporation” means*

- (iii) a corporation that is a subsidiary of a corporation referred to in subclause (i) or (ii) or that is controlled by a*

(3) Section 2(5)(i) is amended by striking out “mental health hospital”.

Freedom of Information and Protection of Privacy Act

Amends RSA 2000 cF-25

22(1) The *Freedom of Information and Protection of Privacy Act* is amended by this section.

(2) Section 1(g) is amended

(a) by repealing subclause (i) and substituting the following:

- (i) a hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act* other than a hospital operator that is a regional health authority, provincial health agency or provincial health corporation under the *Provincial Health Agencies Act*,

(b) by repealing subclause (i) and substituting the following:

- (i) a hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act* other than a hospital operator that is a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act*,

(c) by repealing subclause (v);

corporation referred to in subclause (i) or (ii) directly or indirectly through one or more intermediary corporations,

but does not include a housing authority incorporated under section 42 of the Alberta Mortgage and Housing Corporation Act, SA 1984 cA-32.5, or a management body within the meaning of the Alberta Housing Act or a provincial health agency, regional health authority or subsidiary health corporation under the Provincial Health Agencies Act;

(3) Section 2(5)(i) 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:

(i) a mental health hospital board under the Mental Health Act, or

Freedom of Information and Protection of Privacy Act

22(1) Amends chapter F-25 of the Revised Statutes of Alberta 2000.

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

1 In this Act,

(g) “health care body” means

(i) the board of an approved hospital as defined in the Hospitals Act other than an approved hospital that is owned or operated by a provincial health agency or regional health authority under the Provincial Health Agencies Act,

(v) a regional health authority under the Provincial Health Agencies Act,

(vi) a community health council established under the Provincial Health Agencies Act,

- (d) by repealing subclause (vi).

Government Organization Act

Amends RSA 2000 cG-10

23(1) The *Government Organization Act* is amended by this section.

(2) Schedule 7 is amended in section 1

(a) in subsection (1)(b)

(i) by repealing subclause (i) and substituting the following:

- (i) the owner of an approved hospital other than an approved hospital owned and operated by the Government of Alberta;

(ii) by repealing subclause (v.1);

(b) in subsection (2)

(i) in clause (a) by adding “referred to in subsection (1)(b)(i) or (ii)” after “health board”;

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

- (a.1) the disposition by lease of any Government health care facility to a health board referred to in subsection (1)(b)(v) or (vi);

(3) Schedule 11 is amended

(a) by repealing section 3(3)(b) and substituting the following:

- (b) to a university, college or other educational institution, the owner of a public hospital or a hospital operator under the *Provincial Health Agencies Act*,

(b) in section 5 by striking out “*Hospitals Act*” and substituting “*Provincial Health Agencies Act*”;

(c) in section 6

Government Organization Act

23(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

(i) the owner of a non-regional hospital as defined in the Hospitals Act;

(v.1) a regional health authority under the Provincial Health Agencies Act;

(2) Subject to the approval of the Lieutenant Governor in Council, the Minister may enter into an agreement providing for any or all of the following:

(a) the disposition, by sale, lease or otherwise, of any Government health care facility to a health board;

(3) Schedule 11 presently reads in part:

3(3) Property sold under subsection (1) may be sold at a price determined by the Minister that is less than its market or book value where the sale is made

(b) to a university, college or other educational institution or the owner of a public hospital,

5 The Minister may, on request, acquire supplies on behalf of, or provide services to, approved hospitals as defined in the Hospitals Act, schools, post-secondary educational institutions, municipalities, Metis settlements and any organizations that carry out services or programs on behalf of the Government.

- (i) **by striking out** “a hospital board or”;
- (ii) **by striking out** “, regional health authority”;
- (iii) **by adding** “, hospital operator of a health services sector in an approved hospital” **before** “or provincial health corporation”.

Health Facilities Act

Amends RSA 2000 cH-2.7

24(1) The *Health Facilities Act* is amended by this section.

(2) The preamble is amended

- (a) **by repealing the 7th recital and substituting the following:**

WHEREAS provincial health agencies and regional health authorities are responsible for delivering health services and overseeing and coordinating the delivery of health services in the health services sector for which they are established; and

- (b) **by repealing the 7th recital and substituting the following:**

WHEREAS provincial health agencies are responsible for delivering health services and overseeing and coordinating the delivery of health services in the health services sector for which they are established; and

(3) Section 0.1 is amended

- (a) **in clause (f)(x) by striking out “*Hospitals Act*” and substituting “*Provincial Health Agencies Act*”;**

- (b) **by repealing clause (g);**

- (c) **by adding the following after clause (l):**

- (l.1) “provincial health agency” means a provincial health agency under the *Provincial Health Agencies Act*;

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

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 corporation 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

24(1) Amends chapter H-2.7 of the Revised Statutes of Alberta 2000.

(2) The 7th recital of the preamble presently reads:

WHEREAS regional health authorities are accountable to the Minister and are responsible for assessing the health needs of the population, determining priorities in the delivery of health services and allocating resources accordingly and ensuring reasonable access to those health services; and

(3) Section 0.1 presently reads in part:

0.1 In this Act,

- (f) “facility services” means any of the following services that are medically necessary and are directly related to the provision of a surgical service at a chartered surgical facility or a surgical facility referred to in section 16:*
- (x) transportation by ambulance or commercial vehicle of a patient from the surgical facility to an approved hospital under the Hospitals Act, a type A continuing care home, a mental health facility or another surgical facility;*

(m) “public hospital” means

- (i) an approved hospital under the *Provincial Health Agencies Act*,
- (ii) a hospital established or operated under the *Workers’ Compensation Act*, or
- (iii) a hospital established by the Government of Alberta or the Government of Canada;

(e) by repealing clause (n).

(4) Sections 4(b), 7(b), 8(1) and 12 are amended by striking out “health authority” wherever it occurs and substituting “provincial health agency”.

(5) Section 19(3) is amended by striking out “relevant health authority” and substituting “provincial health agency”.

(6) Section 21 is amended

- (a) in subsection (2) by striking out “relevant health authority” and substituting “provincial health agency”;**
- (b) in subsection (4) by striking out “health authority” wherever it occurs and substituting “provincial health agency”.**

(7) Section 25(1)(o) is amended

- (a) by striking out “health authority” and substituting “provincial health agency”;**
- (b) by striking out “health authorities” and substituting “provincial health agencies”.**

- (g) *“health authority” means a regional health authority or provincial health agency under the Provincial Health Agencies Act;*
 - (m) *“public hospital” means*
 - (i) *a hospital that is established by or under, or the establishment or operation of which is governed by, the Hospitals Act, the Provincial Health Agencies Act or the Workers’ Compensation Act, or*
 - (ii) *a hospital that is established by the Government of Alberta or the Government of Canada;*
 - (n) *“regional health authority” means a regional health authority under the Provincial Health Agencies Act;*
- (4) Updates terminology.

- (5) Section 19(3) presently reads:

(3) The operator of a chartered surgical facility shall forthwith notify the Minister and the relevant health authority of the occurrence of any event referred to in subsection (1) or (2).

- (6) Section 21 presently reads in part:

(2) The council of the College shall provide copies of the accreditation report in respect of a surgical facility to the Minister and the relevant health authority.

(4) Notwithstanding the Freedom of Information and Protection of Privacy Act, the Minister and a health authority may provide to the council of the College any information that the Minister or health authority considers to be relevant to an accreditation or the accreditation process in respect of a particular surgical facility.

- (7) Section 25(1)(o) presently reads:

25(1) The Lieutenant Governor in Council may make regulations

- (o) requiring operators of chartered surgical facilities to provide reports, returns and information to a health authority or the Minister and requiring health authorities to provide reports,*

Health Information Act

Amends RSA 2000 cH-5

25(1) The *Health Information Act* is amended by this section.

(2) Section 1(1) is amended

- (a)** in clause (a)(iii) by striking out “a hospital as defined in the *Hospitals Act*” and substituting “an approved hospital under the *Provincial Health Agencies Act*”;
- (b)** in clause (f)
 - (i)** by repealing subclause (i) and substituting the following:
 - (i) a hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act* other than a hospital operator that is a provincial health agency, regional health authority or provincial health corporation under the *Provincial Health Agencies Act*;
 - (ii)** by repealing subclause (i) and substituting the following:
 - (i) a hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act* other than a hospital operator that is a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act*;
 - (iii)** by repealing subclause (ii) and substituting the following:
 - (ii) the operator of a continuing care home as defined in the *Continuing Care Act* other than a continuing care

returns and information to the Minister, including regulations respecting the nature and contents of the reports, returns or information to be provided, the form in which they are to be provided and the times at which they are to be provided;

Health Information Act

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

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

1(1) In this Act,

(a) *“affiliate”, in relation to a custodian, means*

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

(f) *“custodian” means*

(i) *the board of an approved hospital as defined in the Hospitals Act other than an approved hospital that is owned and operated by a provincial health agency or regional health authority under the Provincial Health Agencies Act;*

(ii) *the operator of a continuing care home as defined in the Continuing Care Act other than a continuing care home that is owned and operated by a provincial health agency or regional health authority under the Provincial Health Agencies Act;*

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

(v) *a community health council as defined in the Provincial Health Agencies Act;*

home owned and operated by a provincial health agency, regional health authority or provincial health corporation under the *Provincial Health Agencies Act*;

(iv) by repealing subclause (ii) and substituting the following:

- (ii) the operator of a continuing care home as defined in the *Continuing Care Act* other than a continuing care home owned and operated by a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act*;

(v) by repealing subclause (iv) and substituting the following:

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

(vi) by repealing subclause (iv) and substituting the following:

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

(vii) by repealing subclause (v).

(3) Section 27(2) is amended by striking out “(xiii) and (xiii.1)” and substituting “(xii.2), (xiii), (xiii.1) and (xiii.2)”.

(3) Section 27(2) presently reads:

(2) A custodian referred to in section 1(1)(f)(iii), (iv), (ix.1), (ix.2), (xii), (xii.1), (xiii) and (xiii.1) may, in addition, use individually identifying health information in its custody or under its control to carry out the following functions within the geographic area in which the custodian has jurisdiction to promote the objectives for which the custodian is responsible:

- (a) planning and resource allocation;*
- (b) health system management;*
- (c) public health surveillance;*
- (d) health policy development.*

(4) Section 39(1) and (2) are amended by striking out “Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction” **and substituting** “Minister of Mental Health and Addiction, Minister of Seniors, Community and Social Services, Department, Department of Mental Health and Addiction or Department of Seniors, Community and Social Services”.

(5) Section 40 is amended by striking out “or the Minister of Mental Health and Addiction” **wherever it occurs and substituting** “, Minister of Mental Health and Addiction or Minister of Seniors, Community and Social Services”.

(6) Section 42(2)(b) is amended by striking out “Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction” **and substituting** “Minister of Mental Health and Addiction, Minister of Seniors, Community and Social Services, Department, Department of Mental Health and Addiction or Department of Seniors, Community and Social Services”.

(7) Section 46 is amended

(4) Section 39(1) and (2) presently read:

39(1) The Minister, Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction may disclose individually identifying diagnostic, treatment and care information without the consent of the individual who is the subject of the information to another Minister of the Government of Alberta for the purpose of developing public policy.

(2) The Minister, Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction may enter into an agreement with

(a) another Minister of the Government of Alberta or a Minister of the Government of Canada or of any other province or territory, or

(b) a person or entity in accordance with the regulations made pursuant to the Alberta Health Care Insurance Act,

respecting the disclosure to the person referred to in clause (a) or (b), as the case may be, of individually identifying registration information without the consent of the individual who is the subject of the information.

(5) Section 40 presently reads:

40 A custodian other than the Minister or the Minister of Mental Health and Addiction may disclose individually identifying health information to the Minister or the Minister of Mental Health and Addiction without the consent of the individual who is the subject of the information if the disclosure is necessary or desirable in the opinion of the custodian to enable the Minister or the Minister of Mental Health and Addiction to carry out the duties of the Minister or the Minister of Mental Health and Addiction.

(6) Section 42(2)(b) presently reads:

(2) Subsection (1) does not apply where the disclosure is

(b) to the Minister, Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction under section 46,

(7) Section 46 presently reads in part:

(a) in subsection (1)

(i) in the portion preceding clause (a) and clause (a) by striking out “Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction” **and substituting** “Minister of Mental Health and Addiction, Minister of Seniors, Community and Social Services, Department, Department of Mental Health and Addiction or Department of Seniors, Community and Social Services”;

(ii) in clause (b)

(A) in subclause (i) by striking out “or the Department of Mental Health and Addiction” **wherever it occurs and substituting** “, Department of Mental Health and Addiction or Department of Seniors, Community and Social Services”;

(B) in subclause (ii) by striking out “Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction” **and substituting** “Minister of Mental Health and Addiction, Minister of Seniors, Community and Social Services, Department, Department of Mental Health and Addiction or Department of Seniors, Community and Social Services”;

(b) in subsection (2) by striking out “Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction” **and substituting** “Minister of Mental Health and Addiction, Minister of Seniors, Community and Social Services, Department, Department of Mental Health and Addiction or Department of Seniors, Community and Social Services”;

(c) in subsection (5) by striking out “or the Department of Mental Health and Addiction” **and substituting** “, Department of Mental Health and Addiction or Department of Seniors, Community and Social Services, as the case may be,”.

46(1) The Minister, Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction may request another custodian to disclose individually identifying health information to them for any of the purposes listed in section 27(2) if

- (a) the Minister, Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction, as the case may be, is authorized by an enactment of Alberta or Canada to obtain the information from the other custodian, or*
- (b) the information requested relates to a health service provided by the other custodian and*
 - (i) the health service is fully or partially paid for by the Department or the Department of Mental Health and Addiction, as the case may be, or is provided using financial, physical or human resources provided, administered or paid for by the Department or the Department of Mental Health and Addiction, as the case may be, or*
 - (ii) the information is prescribed in the regulations as information the Minister, Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction may request under this section.*

(2) If the requirements of subsection (1) are met, the custodian must disclose the information to the Minister, Minister of Mental Health and Addiction, Department or Department of Mental Health and Addiction, as the case may be.

(5) Where health information is requested under subsection (1)(b), the Department or the Department of Mental Health and Addiction

- (a) must prepare a privacy impact assessment describing how disclosure of the health information may affect the privacy of the individual who is the subject of the information, and submit the privacy impact assessment to the Commissioner for review and comment, and*
- (b) must consider the comments of the Commissioner, if any, made in response to the privacy impact assessment before disclosing the health information to a custodian referred to in section 1(1)(f)(iii) or (iv).*

(8) Section 64(3) is amended by striking out “(xii) and (xii.1)” and substituting “(xii), (xii.1) and (xii.2)”.

(9) Section 91(3.1) is amended by striking out “or the Minister of Mental Health and Addiction” wherever it occurs and substituting “, Minister of Mental Health and Addiction or Minister of Seniors, Community and Social Services”.

Health Insurance Premiums Act

Amends RSA 2000 cH-6

26(1) The *Health Insurance Premiums Act* is amended by this section.

(2) Section 1 is amended by adding the following after clause (f):

(f.1) “hospital operator” means the hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act*;

(3) Section 21(e) is amended by striking out “hospital boards” and substituting “hospital operators”.

(4) Section 25(6)(b) is amended by striking out “to a hospital” and substituting “to a hospital operator, the operator of an institution or person prescribed in the regulations made under Part 3 of the *Hospitals Act*”.

(8) Section 64(3) presently reads:

(3) Subsections (1) and (2) do not apply to custodians described in section 1(1)(f)(iv), (ix.1), (ix.2), (xii) and (xii.1) in the collection, use or disclosure of health information between or among these custodians for a function set out in section 27(2), unless the custodians will implement a new information system or change an existing information system in conjunction with the collection, use or disclosure.

(9) Section 91(3.1) presently reads:

(3.1) The Commissioner may disclose any information to the Minister or the Minister of Mental Health and Addiction if in the opinion of the Commissioner the disclosure is necessary to enable the Minister or the Minister of Mental Health and Addiction to exercise the powers or carry out the duties and functions of the Minister or the Minister of Mental Health and Addiction in respect of any matter under that Minister's administration.

Health Insurance Premiums Act

26(1) Amends chapter H-6 of the Revised Statutes of Alberta 2000.

(2) Adds definition.

(3) Section 21(e) presently reads:

21 The Lieutenant Governor in Council may make regulations

(e) providing for any matter relating to registration of residents under section 23, including the duties of hospital boards in connection with the registration of unregistered residents receiving hospital services;

(4) Section 25(6)(b) presently reads:

Health Professions Act

Amends RSA 2000 cH-7

27(1) The *Health Professions Act* is amended by this section.

(2) Section 1.1(1) is amended by striking out “the medical officer of health of the appropriate regional health authority” and substituting “the medical officer of health as appointed by the Minister of Health”.

(3) Section 13(2)(c) is amended by striking out “or regional health authority”.

(4) Section 51(1)(a) is amended by striking out “*Hospitals Act*” and substituting “*Provincial Health Agencies Act*”.

(5) Section 98(1) is amended

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

(6) If a registrant files a valid declaration under subsection (1), then, notwithstanding anything in this Act, the Alberta Health Care Insurance Act or the Hospitals Act,

(b) the registrant is personally and solely liable for the payment to a hospital of the entire cost of insured hospital services provided to the registrant and the registrant's dependants while the declaration is in effect,

Health Professions Act

27(1) Amends chapter H-7 of the Revised Statutes of Alberta 2000.

(2) Updates who health professions notify re public health threats.

(3) Section 13(2)(c) presently reads:

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

(c) a member or officer of a provincial health agency or regional health authority under the Provincial Health Agencies Act.

(4) Section 51(1)(a) presently reads:

51(1) In this section, “publicly funded facility” means an institution or facility where professional services are provided and that

(a) is an approved hospital as defined in the Hospitals Act, a continuing care home as defined in the Continuing Care Act, a correctional institution as defined in the Corrections Act, a facility as defined in the Mental Health Act, a diagnostic or treatment centre made available under section 49(b) of the Mental Health Act, a facility as defined in section 1(1)(f.1)(ii) and (iii) of the Protection for Persons in Care Act or an institution or facility operated by or approved by the Minister, or

(5) Section 98(1) presently reads in part:

98(1) Despite section 97, a regulated member

(b) of the College of Dental Surgeons of Alberta,

(b) by repealing clause (d) and substituting the following:

(d) of the College of Chiropractors of Alberta,

(6) Section 102.1(1)(a) and (b) are repealed and the following is substituted:

(a) the College of Dental Surgeons of Alberta;

(b) the College of Chiropractors of Alberta;

(7) Section 103(b)(ii) and (iii) are repealed and the following is substituted:

(ii) the College of Dental Surgeons of Alberta;

(iii) the College of Chiropractors of Alberta;

(8) Section 104 is amended

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

(b) of the College of Dental Surgeons of Alberta,

(c) of the College of Chiropractors of Alberta, or

(b) by repealing clauses (f) and (g) and substituting the following:

(f) of the College of Dental Surgeons of Alberta,

(g) of the College of Chiropractors of Alberta, or

(b) of the Alberta Dental Association and College,

(d) of the Alberta College and Association of Chiropractors,

shall not

(e) provide professional services as a member of a partnership unless each member of the partnership is a regulated member of the same college, or

(f) divide, share, split or allocate, either directly or indirectly, any fee for professional services with any person who is not a regulated member of the same college.

(6) Section 102.1(1)(a) and (b) presently read:

102.1(1) In this section, “council” means the council of

(a) the Alberta Dental Association and College;

(b) the Alberta College and Association of Chiropractors;

(7) Section 103(b)(ii) and (iii) presently read:

103 In sections 104 to 115,

(b) “registrar” means the registrar of

(ii) the Alberta Dental Association and College;

(iii) the Alberta College and Association of Chiropractors;

(8) Section 104 presently reads in part:

104 A regulated member

(b) of the Alberta Dental Association and College,

(c) of the Alberta College and Association of Chiropractors, or

may provide professional services on behalf of a corporation only if it is a professional corporation that holds an annual permit under this Act, and that professional corporation may only provide the professional services of a regulated member

(f) of the Alberta Dental Association and College,

(9) Section 106(1)(b) and (c) are repealed and the following is substituted:

- (b) of the College of Dental Surgeons of Alberta,
- (c) of the College of Chiropractors of Alberta, or

(10) Section 107(b) and (c) are repealed and the following is substituted:

- (b) of the College of Dental Surgeons of Alberta,
- (c) of the College of Chiropractors of Alberta, or

(11) Section 108(b) and (c) are repealed and the following is substituted:

- (b) of the College of Dental Surgeons of Alberta,
- (c) of the College of Chiropractors of Alberta, or

(g) of the Alberta College and Association of Chiropractors, or

(9) Section 106(1)(b) and (c) presently read:

106(1) No person shall provide the professional services of a regulated member

(b) of the Alberta Dental Association and College,

(c) of the Alberta College and Association of Chiropractors, or

within Alberta under any name containing the words “corporation”, “incorporated”, “company”, “limited” or “Professional Corporation” or the abbreviation “Inc.”, “Ltd.” or “P.C.” unless that person is incorporated or continued as a corporation under the Business Corporations Act and the corporation holds an annual permit under this Act, or unless otherwise expressly authorized by statute.

(10) Section 107(b) and (c) presently read:

107 Despite anything to the contrary in the Business Corporations Act and despite the providing of the professional services of a regulated member

(b) of the Alberta Dental Association and College,

(c) of the Alberta College and Association of Chiropractors, or

on behalf of a professional corporation, every voting shareholder of a professional corporation is liable to the same extent and in the same way as if the shareholder were, during that time, carrying on the business of the professional corporation as a partnership or, if there is only one voting shareholder, as an individual providing professional services.

(11) Section 108(b) and (c) presently read:

108 The registrar may issue an approval of the articles of a proposed professional corporation for the purposes of section 7(2) of the Business Corporations Act to a regulated member

(b) of the Alberta Dental Association and College,

(c) of the Alberta College and Association of Chiropractors, or

(12) Section 119(1)(b)(ii) is repealed and the following is substituted:

- (ii) to the hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act* if the regulated member is a member of the medical staff or professional staff of the health services sector in the approved hospital,

(13) Schedule 7 is amended by repealing section 12(2)(a) and substituting the following:

- (a) an approved hospital under the *Provincial Health Agencies Act*,
- (a.1) a hospital under the *Workers' Compensation Act*, or

(14) Schedule 20 is amended in section 10(2)

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

- (c) a hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act*,

(b) by repealing clause (d) and substituting the following:

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

(c) by repealing clause (d) and substituting the following:

- (d) a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act*, or

who files an application in the form provided for in the bylaws, submits a copy of the proposed articles and pays all the approval application fees provided for in the bylaws.

(12) Section 119(1)(b)(ii) presently reads:

119(1) If under Part 2 or Part 4 a regulated member's practice permit is suspended or cancelled, or if conditions are imposed on a regulated member's practice permit or a direction is made under section 118(4), the registrar

(b) must provide the information

(ii) to a hospital if the regulated member is a member of the hospital's medical staff or professional staff, as defined in the Hospitals Act,

(13) Schedule 7, section 12(2)(a) presently reads:

12(2) Subject to the Health Facilities Act, subsection (1) does not apply to

(a) a hospital that is established by or under, or the establishment or operation of which is governed by, the Hospitals Act, the Provincial Health Agencies Act or the Workers' Compensation Act, or

(14) Schedule 20 presently reads in part:

10(2) Subsection (1) does not apply to a regulated member of the College of Physiotherapists of Alberta employed by

(c) an approved hospital as defined in the Hospitals Act,

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

(15) Schedule 21 is amended in section 8.1(2)

- (a) in clause (a) by striking out** “within the meaning of the *Hospitals Act*” **and substituting** “under the *Provincial Health Agencies Act*”;
- (b) by repealing clause (d) and substituting the following:**
 - (d) a clinic or centre operated by a provincial health agency, regional health authority or provincial health corporation under the *Provincial Health Agencies Act*,
- (c) by repealing clause (d) and substituting the following:**
 - (d) a clinic or centre operated by a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act*,

Health Quality Council of Alberta Act

Amends SA 2011 cH-7.2

28(1) The *Health Quality Council of Alberta Act* is amended by this section.

(2) Section 1(c) is repealed.

(3) Section 15(2) is amended by striking out “a health authority” **and substituting** “a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act*”.

(4) Section 16(1)(a) and (b) are amended

- (a) by striking out** “, regional health authority”;
- (b) by striking out** “, subsidiary health corporation or community health council” **and substituting** “or subsidiary health corporation”.

(15) Schedule 21 presently reads in part:

8.1(2) Unless the Minister directs otherwise, subsection (1) does not apply with respect to a prescribed health service provided in

(a) an approved hospital within the meaning of the Hospitals Act,

(d) a hospital, clinic or centre operated by a provincial health agency or regional health authority under the Provincial Health Agencies Act,

Health Quality Council of Alberta Act

28(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 corporation under the Provincial Health Agencies Act;

(3) Section 15(2) presently reads:

(2) The Council may assess or study matters respecting patient safety, person-centred care and health service quality that are referred to it by a health authority.

(4) Section 16(1) presently reads:

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,

Health Statutes Amendment Act, 2020 (No. 2)

Amends SA 2020 c35

29(1) The *Health Statutes Amendment Act, 2020 (No. 2)* is amended by this section.

(2) Section 120 is repealed.

Hospitals Act

Amends RSA 2000 cH-12

30(1) The *Hospitals Act* is amended by this section.

(2) Sections 1 and 2 are repealed.

provincial health corporation, subsidiary health corporation or community health council 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, provincial health corporation, subsidiary health corporation or community health council under the Provincial Health Agencies Act, and make copies of them or temporarily remove them for the purpose of making copies.*

Health Statutes Amendment Act, 2020 (No. 2)

29(1) Amends chapter 35 of the Statutes of Alberta, 2020.

(2) Section 120 presently reads:

120 The Animal Health Act is amended in section 43.5(2) by striking out “Schedule 7.1 to the Government Organization Act” and substituting “Part 0.1 of the Health Professions Act”.

Hospitals Act

30(1) Amends chapter H-12 of the Revised Statutes of Alberta 2000.

(2) Sections 1 and 2 presently read:

1 In this Act,

- (a) “Appeal Board” means the Hospital Privileges Appeal Board established under section 18;*
- (b) “approved hospital” means a hospital designated by the Minister as an approved hospital pursuant to Part 2;*
- (d) “board of management” means a board of management referred to in section 5;*
- (d.1) “continuing care home” means a continuing care home as defined in the Continuing Care Act;*

- (e) *“council” means*
 - (i) *in the case of a city, town, village or municipal district, its council,*
 - (ii) *in the case of an improvement district, the Minister responsible for the Municipal Government Act,*
 - (iii) *in the case of a special area, the Minister responsible for the Special Areas Act, and*
 - (iv) *in the case of a national park, its superintendent;*
- (f) *“general hospital” means a hospital providing diagnostic services and facilities for medical or surgical treatment in the acute phase for adults and children and obstetrical care, or any of them;*
- (g) *“health region” means a health region under the Provincial Health Agencies Act;*
- (h) *“hospital” means an institution operated for the care of diseased, injured, sick or mentally disordered people;*
- (i) *“included municipality” means a municipality the whole or a part of which is included in a health region;*
- (j) *“Minister” means the Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act;*
- (k) *“municipality” means a city, town, village, summer village, municipal district, improvement district and special area;*
- (l) *“non-regional hospital” means a hospital that is owned or operated by a person other than a provincial health agency or regional health authority;*
- (n) *“physician” means*
 - (i) *with reference to medical services provided in Alberta, a person registered as a regulated member of the College of Physicians and Surgeons of Alberta under the Health Professions Act authorized to use the title “physician” who holds a practice permit issued under that Act, and*

(3) Parts 1 and 2 are repealed.

- (ii) *with reference to medical services provided in a place outside Alberta, a person lawfully entitled to practise medicine or osteopathy in that place;*
- (n.1) *“provincial health agency” means a provincial health agency under the Provincial Health Agencies Act;*
- (o) *“regional health authority” means a regional health authority under the Provincial Health Agencies Act;*
- (p) *“resident of Alberta” means a person entitled by law to reside in Canada who makes the person’s home and is ordinarily present in Alberta, but does not include a tourist, transient or visitor to Alberta.*

2(1) Where an order establishing a district is rescinded under section 8(4) of the Hospitals Act (RSA 1980 cH-11) as it read on July 31, 1996 and the district is located in a health region under the Regional Health Authorities Act, then, subject to the regulations under subsection (2), for the purpose of the administration of this Act in that part of the health region that formerly constituted the district, the regional health authority has the power, authority and jurisdiction and is subject to the duties and obligations that the district board had and was subject to.

(2) The Lieutenant Governor in Council may make regulations

- (a) providing for the non-application of provisions of this Act or the regulations under it in a case where subsection (1) applies,*
- (b) varying the application of provisions of this Act or the regulations under it in a case where subsection (1) applies, and*
- (c) respecting any other matters the Lieutenant Governor considers necessary in a case where subsection (1) applies*

for the purpose of facilitating the administration of this Act in such a case.

(3) Parts 1 and 2 presently read:

Part 1
Non-regional Hospitals

3 Without limiting the generality of section 8(4) of the Hospitals Act (RSA 1980 cH-11) as it read on July 31, 1996, an order rescinding an order under section 8(2) of that Act as it read on July 31, 1996 may contain any provisions the Lieutenant Governor in Council considers necessary

- (a) to provide for the transfer of the assets and property of the district to a regional health authority under the Regional Health Authorities Act,*
- (b) to provide for the assumption of liabilities and obligations of the district by a regional health authority under the Regional Health Authorities Act, and*
- (c) to facilitate the taking over of the affairs of the district by a regional health authority under the Regional Health Authorities Act.*

4(1) On the request of the owner of a non-regional hospital that serves a health region, or on the request of the regional health authority, the Minister may cause a plan to be prepared for the use of the services of the non-regional hospital by the regional health authority and for the integration of the operation, management and financing of all hospitals serving the health region.

(2) On being satisfied that a plan prepared pursuant to subsection (1) meets the needs of the regional health authority and the owners of the non-regional hospitals and serves the interests of the residents of the health region, the Minister may, by order, declare the plan to be in force in the health region.

(3) After consultation with the regional health authority and the owners of non-regional hospitals who are parties to a plan prepared pursuant to this section, the Minister, by order,

- (a) may amend the plan, and*
- (b) may, on reasonable notice in writing to the parties, terminate the plan.*

(4) An order terminating a plan under subsection (3) may contain any provisions the Minister considers necessary

- (a) to provide for the disposition of assets and property;*
- (b) to provide for the assumption of liabilities and obligations;*
- (c) to facilitate the winding-up of the plan.*

5(1) A plan under section 4 may require the establishment of a board of management for a non-regional hospital consisting of members appointed by the regional health authority and a greater number of members appointed by the owner of the non-regional hospital.

(2) On the coming into force of a plan under section 4 that requires a board of management for a non-regional hospital, the board of management

- (a) is on that coming into force constituted as a corporation with the name and membership given in the plan and with the powers, objects and duties necessary for it to operate and administer the affairs of the hospital, except the power to dispose of the real and personal property of the non-regional hospital, and*
- (b) becomes the governing board of the hospital and has full control of the hospital and has absolute and final authority and responsibility in respect of all matters appertaining to the operation of the hospital,*

subject to any limitations on its authority imposed by statute or the regulations or the plan.

6 The Lieutenant Governor in Council may make regulations to carry out the intent of this Part and, without restricting the generality of the foregoing, may make regulations to

- (a) govern the manner of appointment, including nomination of members of boards of management;*
- (b) subject to the Local Authorities Election Act and the regulations under that Act, govern the qualifications for membership and conditions of disqualification from membership, terms of office, procedure for filling vacancies, and other matters pertaining to members of boards of management;*
- (c) govern the election of officers, fixing quorums, times of meetings, books and records to be kept, reports and returns*

to be made, travelling and expense allowances to be paid and other matters pertaining to the organization of boards of management and the management of their affairs;

- (d) prescribe the manner in which boards of management may borrow money and fix the rate of interest on it, fix the terms of borrowing and the periods of borrowing;*
- (e) prescribe conditions that must be contained in or that apply to plans prepared pursuant to section 4 and other matters that are relevant to the relationship between regional health authorities and the owners of non-regional hospitals;*
- (f) prescribe any procedures relating to the provision of financial assistance to a board of management or the owner of a non-regional hospital by a regional health authority pursuant to a plan under section 4.*

7 When under this Act an act or thing is directed to be done forthwith or within a specified time by an included municipality or by a council of it or by a regional health authority or board of management or by an officer of one of those bodies and the act or thing is not done, the Minister may do the act or thing with the same effect as if it had been done by that body.

8(1) The Minister by order may for cause dismiss the members of a board of management and appoint an official administrator in their place.

(2) An official administrator appointed under this section

- (a) has the powers and authorities conferred by this Act on a board of management,*
- (b) shall perform all the duties of a board of management, and*
- (c) shall be paid the salary the Minister determines together with proper expenses, as an operating expense of the regional health authority.*

(3) The Minister may by order terminate at any time the appointment of an official administrator and restore the affairs of the board of management to an authority selected pursuant to the regulations.

Part 2
Operation of Approved Hospitals

9 In this Part,

- (a) “administrator” means the person who is the most senior official in the administrative organization of a hospital and is responsible for the day to day operation and management of the affairs of the hospital;*
- (b) “Associations” means The Alberta Medical Association (C.M.A.-Alberta Division), the College and Association of Registered Nurses of Alberta, the Alberta College of Pharmacy and any professional association that is representative of a group of employees or of professional staff or medical staff of a hospital;*
- (c) “board” means the corporate body or person that owns or operates a hospital, and includes a regional health authority;*
- (d) “medical staff” means the physicians appointed by a board to serve as the medical staff of a hospital or hospitals owned or operated by the board;*
- (e) “patient” means a person who is admitted to the hospital as an in-patient or as an out-patient for diagnosis or treatment services, or both;*
- (f) “professional staff” means professional staff as defined in the regulations.*

10(1) Each approved hospital must have a governing board and, subject to any limitations of its authority imposed by Acts of the Legislature and regulations under it, the board has full control of that hospital and has absolute and final authority in respect of all matters pertaining to the operation of the hospital.

(2) A board may be the board of more than one approved hospital.

11(1) The board of each approved hospital shall enact general bylaws governing the organization, management and operation of the hospital that it owns or operates.

(2) The board or the administrator shall send to the Minister a true copy of all general bylaws enacted including all amendments, variations or repeals.

(3) General bylaws enacted by a board shall provide for the adoption of rules that may govern the duties and responsibilities of the administrator and other hospital staff, the detailed organization and administration of hospital departments and any other matters the board considers to be necessary or desirable.

12 The board has final authority in respect of the appointment of the medical staff of the approved hospitals it owns or operates.

13 The board may grant physicians and other health care practitioners access to hospital facilities on any terms and conditions set out in the medical staff bylaws, the general bylaws or any contract for services or employment.

14 The medical staff of an approved hospital is responsible to the board

- (a) for the quality of the professional services provided by the medical staff,*
- (b) for reviewing professional practices of the medical staff,*
- (c) for the improvement of the care of patients under the care of the medical staff, and*
- (d) for the clinical and scientific work of the medical staff.*

15(1) The general bylaws of a board shall provide for the establishment of a committee to be called the "hospital services utilization committee" and may prescribe the powers and duties of that committee.

(2) The hospital services utilization committee of an approved hospital, in addition to its powers and duties under the general bylaws of the board,

- (a) shall conduct a review of a continuing nature of the utilization of all hospital services, and*
- (b) is entitled to require from the board and its employees any information the committee reasonably requires for the purposes of its duties and access to the relevant records of the board for those purposes.*

16(1) No action for defamation lies against any member of a hospital staff review committee in respect of

- (a) *advice given or statements, decisions or recommendations made in good faith to the board of an approved hospital by the committee, or*
- (b) *anything done or omitted to be done by the member in good faith in the exercise of powers or performance of duties given to the committee by this Act, the regulations or the bylaws of the board or of the medical staff.*

(2) *In this section, “hospital staff review committee” means a committee appointed by the board of an approved hospital or by the medical staff*

- (a) *to evaluate and control clinical practice in the hospital on a continuing basis for the purpose of maintaining and improving the safety and quality of patient care, or*
- (b) *to perform any functions in relation to the appraisal and control of the quality of patient care in the hospital.*

17(1) *The board of an approved hospital*

- (a) *shall require the preparation and adoption of bylaws by its medical staff governing the organization and conduct of the medical staff practising in the hospital and the procedures whereby the medical staff must make recommendations to the board concerning the appointment, re-appointment, termination or suspension of appointment of, and the delineation of hospital privileges of, members of the medical staff;*
- (b) *may from time to time require the amendment or repeal of the bylaws of the medical staff.*

(2) *Bylaws under this section are ineffective until they have been approved by the board and the Minister.*

(3) *Where the board and the medical staff agree on the contents of bylaws under this section, the board shall send a true copy of the bylaws signed by the appropriate officers of the medical staff and of the board to the Minister for approval.*

(4) *Where the board and the medical staff cannot agree on the contents of bylaws under this section, the board shall refer the draft bylaws and the matters in dispute to the Minister, whose decision is*

final, and the medical staff shall adopt the bylaws and the board shall approve them in accordance with the Minister's decision.

(5) The board and the medical staff may make independent written representations to the Minister on the matters in dispute.

(6) Bylaws under this section must provide for

- (a) the adoption of rules governing the day to day management of medical affairs in the hospital and the amendment or replacement of those rules from time to time as the need arises, and must provide that the rules become effective only on their approval by the board;*
- (b) a procedure for the review of decisions made by the medical staff or the board pertaining to or affecting the privileges of members of the medical staff;*
- (c) a procedure to ensure that all applications for appointment to the medical staff reach the board in the time prescribed in the bylaws, whether or not the appointment is recommended by the medical staff;*
- (d) a procedure to ensure that the board gives notice to an applicant for an appointment to the medical staff within a reasonable time of the decision of the board as to whether the application has been accepted;*
- (e) mechanisms to ensure that the board considers medical staff input respecting patient care and that medical staff have input into strategic planning, community needs assessment, facility use management and quality assurance activities of the board;*
- (f) mechanisms to promote ethical behaviour, evidence-based decision making and participation in continuing medical education by medical staff.*

(7) The board and the medical staff shall comply with bylaws under this section.

18(1) There is hereby established the Hospital Privileges Appeal Board consisting of the following members appointed by the Minister:

- (a) 2 physicians;*

- (b) *one member of The Law Society of Alberta or of the judiciary;*
 - (c) *one person who has significant public sector administration experience at a senior level as determined by the Minister;*
 - (d) *one member of the College and Association of Registered Nurses of Alberta;*
 - (e) *2 other persons.*
- (2) *The Minister shall designate one of the members to be chair.*
- (2.1) *In the event of the absence or inability to act of the chair, the members of the Appeal Board may elect one of the members to be chair during the absence or inability to act.*
- (3) *No vacancy on the Appeal Board impairs the right of the remaining members to act until any vacancy is filled.*
- (4) *The members of the Appeal Board may be paid remuneration for their services and allowances for the expenses necessarily incurred by them in the performance of their duties at rates fixed by the Minister in accordance with any applicable regulations under the Alberta Public Agencies Governance Act.*
- (5) *A member of the Appeal Board may be appointed for a term of up to 3 years and may be reappointed for additional terms each not exceeding 3 years.*
- 19(1) *The Appeal Board may make rules not inconsistent with this Act governing the hearing of appeals.*
- (2) *Three members then holding office, at least one of whom must be a member appointed under section 18(1)(a), (b) or (d), constitute a quorum at a hearing of the Appeal Board.*
- (4) *A party to an appeal to the Appeal Board may be represented by counsel at the hearing of the appeal.*
- (5) *The Appeal Board has, for the purposes of an appeal under section 21, the powers, privileges and immunities conferred on a commissioner under sections 3 and 4 of the Public Inquiries Act.*
- 20(1) *For the purposes of an appeal under section 21, if a board does not re-appoint a member of its medical staff who has applied*

for re-appointment to the medical staff, it is deemed to have made a decision not to so re-appoint that member.

(2) For the purposes of subsection (1) and section 21, a regulated member of the Alberta Dental Association and College who has or who has had privileges in a hospital is deemed to be a member or former member of the medical staff.

21(1) A member or former member of the medical staff of an approved hospital who feels personally aggrieved by a decision of the board of the approved hospital

(a) not to re-appoint the member or former member as a member of the medical staff or to re-appoint the member or former member with different hospital privileges than those that the member or former member had immediately prior to the re-appointment,

(b) terminating or suspending

(i) the member's or former member's appointment as a member of the medical staff, or

(ii) the member's or former member's hospital privileges,

or

(c) varying the member's or former member's hospital privileges,

may appeal the decision by giving written notice of appeal to the Appeal Board within 90 days after receiving notice of the board's decision.

(2) The Appeal Board on hearing an appeal under this section may, by order, either

(a) confirm the decision of the board,

(b) direct that the former member be re-appointed to the medical staff or that the member's hospital privileges on re-appointment be varied,

(c) direct the reinstatement of

(i) the former member's appointment as a member of the medical staff, or

- (ii) *the member's hospital privileges,*
- (d) *remove or vary the suspension, or*
- (e) *direct that the member's hospital privileges be varied.*

(3) A person whose appeal is heard by the Appeal Board, or the board, may appeal an order of the Appeal Board on a matter of law only by filing an application with the Court of King's Bench within 30 days after being notified in writing of the order, and the Court may make any order that the Appeal Board may make under subsection (2) or may refer the matter back to the Appeal Board with any directions that the Court considers appropriate.

22(1) After consultation with the Associations, the Minister may prescribe

- (a) *model general bylaws for the guidance of boards of approved hospitals, and*
- (b) *model bylaws of the medical staff for the guidance of physicians practising in an approved hospital and for the guidance of the board of an approved hospital.*

(2) In respect of model bylaws prescribed under subsection (1), the Minister may designate that the bylaws are applicable to all approved hospitals or to any type, grade or size-group of approved hospitals the Minister may specify.

(3) If model bylaws are prescribed pursuant to this section, the Minister may, by order, direct

- (a) *that bylaws of the same or like effect must be enacted by the board or must be prepared and adopted by the medical staff and approved by the board, as the case may be, in respect of all approved hospitals or in respect of the type, grade or size-group of approved hospitals to which the model bylaws have been designated as applicable, and*
- (b) *that true copies of the bylaws and amendments shall be sent to the Minister within 6 months of the date of publication of the Minister's order.*

(4) The approval of a bylaw by the Minister may be withdrawn at any time by notice in writing to the board of the hospital and, on that withdrawal, the bylaw for which approval has been withdrawn ceases to have effect.

23 The board of each approved hospital shall appoint an administrator and shall appoint or shall cause to be appointed, as the bylaws or regulations may require, any other officers and employees required for the efficient operation of the hospital and shall prescribe their duties, remuneration and other terms of employment.

24(1) The board of each approved hospital shall cause to be kept by the attending physician or any other person providing diagnostic or treatment services to a patient a record of the diagnostic and treatment services provided in respect of each patient in order to assist in providing a high standard of medical care.

(1.1) Except as permitted or required under this Act, a board or employee of a board, the Minister or a person authorized by the Minister or a physician may disclose health information obtained from hospital records or from persons having access to them only in accordance with the Health Information Act.

(2) For the purposes of assessing the standards of care furnished to patients, improving hospital or medical procedures, compiling medical statistics, conducting medical research, enforcing the Crown's right of recovery under Part 5, or for any other purpose considered by the Minister to be in the public interest, the Minister, or a person authorized by the Minister, may require that all or any of the following be sent to the Minister or authorized person or a person designated by the Minister or authorized person:

- (a) health information and other records of any patient;*
- (b) extracts from and copies of any health information or other records of any patient.*

(5) The Minister or any person authorized by the Minister may, for the purpose of enforcing the Crown's right of recovery under Part 5, disclose information obtained under subsection (2).

(6) A board or employee of a board, the Minister or a person authorized by the Minister, or a physician or a member of a professional staff may

- (d) without the written consent of a patient, disclose health information relating to the patient to*
 - (i) a Workers' Compensation Board,*

(ii) *the Alberta Blue Cross Plan, or*

(iii) *any other provincial hospital insurance authority,*

if the information is required in order to establish responsibility for payment by the organization or insurer, or to any other hospital to which the patient may be transferred or admitted or to other attending physicians or attending professional staff.

(8) *The following applies with respect to disclosing records of diagnostic and treatment services in respect of a patient:*

(a) *the Minister may, for the purposes mentioned in subsection (2) and without the consent of any other person, disclose to or obtain from*

(i) *the Director of Medical Services appointed under the Occupational Health and Safety Act,*

(ii) *The Alberta Medical Association (C.M.A.-Alberta Division),*

(iii) *the Department of Health (Canada) for purposes in connection with the Canada Health Act (Canada), or*

(iv) *the government of a province or territory of Canada or an agent of that government for purposes in connection with any health services or hospital care insurance plan administered by that government or its agent,*

any records of diagnostic and treatment services provided in respect of a patient in an approved hospital;

(c) *the board of an approved hospital shall, after the discharge of a patient from the hospital for the purpose of transferring the patient to another hospital inside or outside Alberta, a nursing home outside Alberta or a continuing care home, forward to that other hospital, nursing home or continuing care home copies of the appropriate records of diagnostic and treatment services provided in respect of that patient for the use of the staff of that other hospital, nursing home or continuing care home;*

(f) *the board of an approved hospital may disclose any records of diagnostic and treatment services provided in respect of a patient*

- (i) *to a Public Guardian, if the diagnosis, record or information is, in the opinion of the person making the disclosure, relevant to the making of a guardianship order, or*
- (ii) *to the Public Trustee, if the diagnosis, record or information is, in the opinion of the person making the disclosure, relevant to the making of a trusteeship order*

under the Adult Guardianship and Trusteeship Act in respect of the person to whom the diagnosis, record or information relates;

- (g) *the board of an approved hospital may disclose any records of diagnostic and treatment services provided in respect of a patient to a board of review appointed pursuant to the Criminal Code (Canada) that is to review the case of the person to whom the records relate.*

(9) The board of an approved hospital may, in accordance with subsections (10) and (11), disclose to an authorized person information respecting diagnostic and treatment services provided to or in respect of a patient.

(10) Information may be disclosed under subsection (9) only if it is needed for a preliminary investigation, a discipline proceeding or a practice review conducted pursuant to a professional Act.

(11) Information may be disclosed under subsection (9) only if

- (a) an officer of an association regulated by a professional Act makes a written request for it and the patient or the patient's legal representative consents to the disclosure, or*
- (b) the disclosure is made by a member of the board of the approved hospital in compliance with a notice, issued pursuant to a professional Act, to attend as a witness or produce documents.*

(12) For the purposes of subsections (9), (10), (11) and this subsection,

- (a) "authorized person" means a person or body that is authorized by a professional Act to conduct a preliminary investigation, a discipline proceeding or a practice review;*
- (b) "professional Act" means an Act that regulates a profession.*

(14) An Appeal Board is entitled, for the purpose of an appeal under section 21, to inspect and make copies of any health information or other records relating to a patient and may admit a copy of the health information or other records in evidence of the appeal, but all proceedings related to the health information or other records must be held in private.

(18) In this section,

- (a) “health information” means health information as defined in the Health Information Act;*
- (a.1) “legal representative” means an executor or administrator of the estate of a deceased person, the guardian or trustee of a represented adult under the Adult Guardianship and Trusteeship Act, the agent designated in a personal directive made by a person in accordance with the Personal Directives Act or the guardian of a minor;*
- (b) “mentally competent” means able to understand the subject-matter in respect of which consent is requested and able to appreciate the consequences of giving or refusing consent.*

25(1) The board of an approved hospital shall on the written request of the Minister provide to the Minister at the times and in the manner specified in the request the records, reports and returns that are specified in the request.

(2) Subject to subsection (3), the council of a municipality that is included in a health region may, if the regional health authority appoints members to a board of management, require the board of management to send to the council a copy of the minutes of each of the meetings of the board of management.

(3) A board of management shall remove from any copy of minutes sent to a council under subsection (2) any portion of those minutes pertaining to personal matters affecting an individual employee of the board or any matter affecting the diagnosis or treatment of an individual patient, where the name of the employee or patient is revealed or is otherwise identifiable in the minutes.

26 The Minister and employees of the Government authorized by the Minister for the purpose may make all necessary inquiries into the management and affairs of hospitals, may visit and inspect hospitals and may examine hospital records for the purpose of

verifying the accuracy of reports and ensuring that this Act and the regulations are adhered to.

27(1) When the Minister is requested to do so by the board of an approved hospital, the Minister may authorize

- (a) an investigation into the administration or operation of the hospital or any particular matter or problem that has arisen in connection with the administration or operation of the hospital, or*
- (b) the mediation of any dispute that has arisen in the course of the administration or operation of the hospital.*

(2) When the Minister authorizes an investigation or mediation proceedings pursuant to subsection (1), the Minister may designate any person or entity to conduct or participate in the investigation or mediation proceedings.

(3) Where the Minister designates one or more Associations to conduct or participate in an investigation or mediation proceedings, the governing body of each designated Association shall appoint one or more of the Association's members to the committee that is to conduct the investigation or mediation proceedings and shall inform the Minister accordingly.

(4) The committee consisting of the person or persons appointed pursuant to this section

- (a) shall elect one of their number as chair, if there are 2 or more members on the committee,*
- (b) shall conduct the investigation or mediation proceedings authorized by the Minister, and*
- (c) is entitled to require from the board and its employees all information the committee reasonably requires for the purpose of the investigation or mediation proceedings and is entitled to access to the relevant records of the board for that purpose.*

(5) On the completion of the investigation or mediation proceedings, the committee shall prepare a report on it and submit a copy of the report to the board concerned, the Minister and the persons and entities designated pursuant to subsection (2).

(6) No action lies against any person or entity designated pursuant to subsection (2) or against any member of a committee constituted under this section in respect of

- (a) any advice given or statements made in the committee's report, or*
- (b) anything done or omitted to be done by the committee or any member of the committee in good faith in the course of conducting the investigation or mediation proceedings.*

28(1) The Lieutenant Governor in Council may make regulations

- (a) regarding the approval of the locations, design and construction of hospitals and the conditions under which approval will be granted;*
- (b) prescribing the standards of service to be provided by approved hospitals;*
- (c) prescribing the admission policies of approved hospitals and the types of patients that may be admitted;*
- (d) concerning the establishment and operation of schools, centres or other facilities for the education or training of nurses or other hospital staff;*
- (e) concerning the disposal of human tissues, whether removed during an operation, autopsy or otherwise;*
- (f) prescribing the powers and duties of boards concerning the appointment, re-appointment, suspension and termination of appointment and the delineation of hospital privileges of members of medical staffs;*
- (g) defining "professional staff" for the purposes of this Part;*
- (h) prohibiting a board or board of management from using any of its funds to pay a physician for providing insured services, as defined in the Alberta Health Care Insurance Act, without the prior approval of the Minister;*
- (i) prescribing procedures for the mediation of a decision of a board of an approved hospital to refuse the appointment of a physician to its medical staff;*

- (j) governing the use of out-patient hostels or hostel beds instead of in-patient beds in approved hospitals;*
 - (k) governing the establishment of central placement offices for admission to a continuing care home;*
 - (l) concerning any other matters that in the opinion of the Lieutenant Governor in Council are necessary in order to carry out the purposes of this Act.*
- (2) The Minister may, by order,*
- (a) determine which hospitals offer a standard of service that qualifies them as approved hospitals and declare them to be approved hospitals, and*
 - (b) direct, regulate and control any other matters that may be required by this Act or the regulations.*

29(1) The Minister may appoint a committee of inquiry to which or to any member or members of which a question respecting the conduct or management of an approved hospital may be referred for the purpose of making an inquiry into the affairs of the hospital and reporting on it to the Minister.

(2) The committee, or any member or members, to whom a question is referred have all the powers of a commissioner appointed under the Public Inquiries Act.

(3) The member or members of the committee shall receive any remuneration that may be fixed by the Minister.

30(1) When hospital, medical or other services are provided by a board to a person,

- (a) if the person is a minor and is unmarried and is not an adult interdependent partner, that person and that person's parents or guardians and their respective executors and administrators are liable to the board of the hospital for the payment of all proper charges for any services so provided;*
- (b) if the person is an adult, that person and the spouse or adult interdependent partner, if any, of that person and their respective executors and administrators are liable to the board of the hospital for the payment of all proper charges for any services so provided;*

- (c) *if that person is a minor and married or in an adult interdependent relationship, that person and the spouse or adult interdependent partner of that person and their respective executors and administrators are liable to the board of the hospital for the payment of all proper charges for any services so provided;*
 - (d) *if the person or any other person signs an agreement, admission form or other document assuming responsibility for the payment of charges as a result of which act the admission of the patient to the hospital is gained or hospital services are obtained, the person or persons who sign the document and their respective executors and administrators, notwithstanding the Guarantees Acknowledgment Act, are liable to the board of the hospital for the payment of all proper charges for any services so provided.*
- (2) *Notwithstanding subsection (1), a spouse or adult interdependent partner is not liable to pay for hospital charges incurred by the other spouse or adult interdependent partner*
- (a) *if the other spouse or adult interdependent partner has deserted the spouse or adult interdependent partner and has not contributed to the spouse's or adult interdependent partner's support for at least 6 months immediately preceding the hospitalization,*
 - (b) *if the spouses are legally separated from each other, or*
 - (c) *if the spouses or adult interdependent partners are living separate and apart and a spouse or an adult interdependent partner, as the case may be, has not contributed to the other spouse's or adult interdependent partner's support for at least 6 months immediately preceding the hospitalization.*
- (3) *In this section, "proper charges" means the charges for services not provided as insured services under Part 3 or charges for the payment of which patients are liable pursuant to Part 3 or the regulations.*
- (4) *The board of a hospital may recover from any person liable for the payment of it, in a court of competent civil jurisdiction as a debt, the amount of any charges for the payment of which a person is made liable by this section.*

31(1) Subject to subsections (2) and (3), the Minister or the board or administrator of an approved hospital may

- (a) declare that a patient is no longer in need of the services provided by that hospital or of the services provided in a particular ward, section or unit of that hospital, and is eligible for transfer or discharge;*
- (b) move the patient*
 - (i) to another type of accommodation or to another ward, section or unit of that hospital,*
 - (ii) to another approved hospital, or*
 - (iii) to a continuing care home or other accommodation.*

(2) The Minister may act under subsection (1) on the basis of reports of the attending physician or the attending professional staff and the hospital records.

(3) The board or administrator may act under subsection (1) only after the board or administrator has consulted with the attending physician or the attending professional staff or a committee established to consider matters referred to in subsection (1).

(4) Any patient who has been declared eligible for transfer or discharge as provided in this section and who refuses or fails to move or to leave when requested to do so is a trespasser.

(5) Any other person who remains on hospital premises without the consent of the board or of a representative of the board and who fails or refuses to leave the premises when ordered to do so is a trespasser.

32(1) When a patient has been declared eligible for discharge under section 31(1), the board or a representative of the board may require that the removal of that patient be effected by

- (a) any person made liable for the payment of hospital services in respect of the patient pursuant to section 30, or*
- (b) the Minister of Human Services in the case of a patient who is a tourist, transient or visitor in Alberta.*

(2) The administrator may by registered mail notify the person responsible for the removal of a patient to remove the patient from the hospital within 10 days from the date of receipt of notification.

(3) The administrator shall send a copy of any notice given pursuant to subsection (2) to the local welfare officer, the Department of Human Services and the Minister.

(4) A person referred to in subsection (1)(a) who fails to comply with a notice given pursuant to subsection (2) is guilty of an offence and liable to a fine of not more than \$50 and in default of payment to imprisonment for a term not exceeding 10 days.

(5) Notwithstanding any other Act, a person referred to in subsection (1)(a) who fails to comply with a notice given pursuant to subsection (2) is liable to pay to the board of the hospital or to the Minister, the cost of caring for the patient from the date of the mailing of the notice; the cost to be calculated by multiplying the number of days during which the patient remained in the hospital subsequent to that date by the daily rate for non-eligible patients that is currently in effect under Part 3 or the regulations.

(6) In the event of a dispute arising between a person referred to in subsection (1)(a) and a board in respect of this section, the matter may be referred to the Minister by the person or the board, and the Minister's decision on the matter is final.

33 The board of an approved hospital, in respect of each birth, stillbirth and death that occurs in the hospital, and where burial permits in respect of a stillbirth or death are issued by the hospital, shall ensure that the documents required under the Vital Statistics Act are completed and delivered to the Registrar of Vital Statistics in accordance with that Act.

34 The board of each approved hospital shall forward to the Minister the names and postal addresses of

- (a) in the case of the board of a non-regional hospital, the members of the board and its officers;*
- (b) the administrator of the hospital;*
- (c) any other officers or employees of the board that the Minister may from time to time require,*

immediately on the election or appointment of those persons.

(4) Section 36 is amended

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

- (a.1) “approved hospital” means an approved hospital under the *Provincial Health Agencies Act*;

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

- (g.1) “hospital operator” means a hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act*;

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

- (i.1) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (i.2) “resident of Alberta” means a person entitled by law to reside in Canada who makes the person’s home and is ordinarily present in Alberta, but does not include a tourist, transient or visitor to Alberta;

(5) The following is added after section 36:

Application of Part

36.1 Except as otherwise provided in the regulations, this Part and the regulations made under this Part apply in respect of a facility as defined in the *Mental Health Act*.

(6) Section 38 is amended

- (a) in subsection (1)(d) by striking out “Part 2” and substituting “Part 2.2 of the *Provincial Health Agencies Act*”;**
- (b) in subsection (4) by striking out “any services by an approved hospital” and substituting “any services in an approved hospital”.**

35 If the board of an approved hospital fails to comply with this Act or the regulations, the Minister may suspend or adjust any grants or payments to which the hospital may be entitled under this Act until the board complies with this Act or the regulations.

(4) Adds definitions.

(5) Application of Part.

(6) Section 38 presently reads in part:

38(1) Subject to the following exclusions, a resident of Alberta is entitled to receive insured services under this Part except when, in respect of those services,

(d) the resident is declared, pursuant to Part 2, to be not in need of hospital services.

(7) Section 39 is amended by striking out “board of the approved hospital” **and substituting** “hospital operator of the health services sector in which the hospital services were provided”.

(8) Section 42 is amended

- (a) in subsection (1) by striking out** “either to the approved hospital or to its assignee or agent as agreed on by the hospital and the Minister” **and substituting** “either to the owner of the approved hospital or to its assignee or agent as agreed on by the owner of the approved hospital and the Minister”;
- (b) in subsection (2) by striking out** “approved hospital” **wherever it occurs and substituting** “owner of the approved hospital”.

(9) Section 43 is amended

- (a) in clauses (h), (i) and (l) by striking out** “hospitals” **wherever it occurs and substituting** “approved hospitals”;
- (b) in clause (n)**
 - (i) by striking out** “an approved hospital” **and substituting** “a hospital operator”;
 - (ii) by striking out** “the approved hospital” **and substituting** “a hospital operator”;

(4) Notwithstanding anything in this or any other Act, no person shall, in an emergency, be refused admission to an approved hospital or be refused the provision of any services by an approved hospital by reason only of the fact that the person is not entitled to receive insured services.

(7) Section 39 presently reads:

39 When hospital services are provided to a person who has filed a declaration under section 25 of the Health Insurance Premiums Act, or to a dependant of that person, during a period in which the declaration is effective, the board of the approved hospital is entitled to recover the cost of those services only from the person filing the declaration, and no part of those costs shall be shared by the Government of Alberta.

(8) Section 42 presently reads:

42(1) When pursuant to any regulations, provision is made for the payment of sums for capital costs to the owners of approved hospitals, the Minister may in accordance with the regulations undertake to provide the sums required by making any payments or part of them of principal and interest on specified debentures or of any rentals or part of them or otherwise as may be required in the circumstances, either to the approved hospital or to its assignee or agent as agreed on by the hospital and the Minister.

(2) An undertaking by the Minister under this section may be endorsed on any debentures of the approved hospital to which the undertaking applies or on any instrument of lease or conveyance of the property of the approved hospital and the signature of the Minister and the endorsement may be engraved, lithographed or otherwise mechanically reproduced on it.

(9) Section 43 presently reads in part:

43 The Lieutenant Governor in Council may make regulations

- (h) prescribing the basis on which approved operating costs and capital costs of hospitals are determined;*
- (i) prescribing the rates and manner of payment by the Minister of the Minister's share of the operating and capital costs of hospitals and the manner of accounting by hospitals for those payments;*

(c) in clause (p) by striking out “board of an approved hospital” and substituting “hospital operator”;

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

(p.1) respecting the non-application or variation of the application of this Part or the regulations made under this Part, in whole or in part, to facilities as defined in the *Mental Health Act*;

(10) Part 4 is repealed.

- (l) *respecting the basis of sharing the operating costs of hospitals between the Minister, patients and other persons using hospital facilities, the assessment and collection of authorized charges and charges for accommodation and meals where hostel accommodation is provided, and exemptions from those charges;*
 - (n) *providing for the imposition of penalties in the way of suspension or cancellation of payments that may be imposed on an approved hospital that gives incorrect information to the Minister, or that withholds from the Minister information that the approved hospital is required by this Act or the regulations to supply;*
 - (p) *prohibiting or regulating the sale, lease or other disposition of real and personal property by a board of an approved hospital, other than a regional health authority;*
- (10) Part 4 presently reads:

*Part 4
Hospital Foundations*

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 corporation under the Provincial Health Agencies Act;*
- (b) *“foundation”, except in section 58, means a foundation established under this Part.*

49(1) *A board may by bylaw establish a hospital foundation.*

(2) *A bylaw establishing a foundation on or after March 29, 1985 has no effect until a certified copy of the bylaw is filed with the Minister.*

(3) *A foundation, on its establishment, is a corporation.*

(4) *A foundation consists of the following, who are the trustees of the foundation:*

- (a) *the chair of the board,*

(b) 2 other persons who are members of and are appointed trustees by the board, and

(c) 2 persons who

(i) are residents of Alberta,

(ii) are not members of the board, and

(iii) are appointed trustees by the board.

(5) Appointments referred to in subsection (4)(b) and (c) shall be made for terms not exceeding 3 years.

50 The trustees shall appoint a chair of the foundation from among themselves.

51(1) The trustees may make bylaws governing the procedure and business of the foundation, including the expenses referred to in section 55(2).

(2) Notwithstanding subsection (1), the trustees shall meet at least once a year on a date that, unless fixed by the bylaws, is to be fixed by the chair of the trustees.

52 The objects of a foundation are

(a) to solicit and receive by gift, bequest, devise, transfer or otherwise, property of every nature and description,

(b) subject to any prior trust conditions imposed on the use of the property, to hold, use and administer the property generally for maintaining and enhancing hospital care for the people of the community served by the hospitals administered by the board, and, in particular, to finance or assist in the financing of the construction, equipping, operation, maintenance and management of those hospitals or facilities forming part of those hospitals, and

(c) to further health care education in that community.

53 A foundation may, subject to any prior trust conditions, transfer any of its property to the board on any terms that it considers expedient.

54 Except as provided by regulation, a board may not transfer any of its property to a foundation.

55(1) The payment of any dividend or remuneration out of the funds of a foundation to any of the trustees is prohibited.

(2) A trustee may be reimbursed out of the funds of a foundation for the travelling and living expenses provided for in the bylaws that are necessarily incurred by the trustee in the performance of the trustee's duties.

56(1) The fiscal year of a foundation is April 1 to the following March 31.

(2) At the end of the fiscal year a foundation shall prepare and submit to the Minister an annual report that shall include the audited financial statements and any other statements and reports that the Minister may require.

57 Notwithstanding anything in the Loan and Trust Corporations Act, a foundation shall not be considered to be a trust corporation for the purposes of that Act.

58(1) A board shall not establish a hospital foundation except in accordance with this Part.

(2) No person shall operate a hospital foundation established to benefit a general hospital, including any corporation established before March 29, 1985, to receive, hold, administer and apply any property or the income from it for purposes or objects in connection with a hospital, unless exempted by the Minister subject to any terms and conditions the Minister prescribes.

59(1) In the event of the winding-up of a foundation, the property of the foundation must be used

- (a) first, in the payment of any costs incurred in the winding-up of the foundation,*
- (b) 2nd, in the discharge of all liabilities of the foundation, and*
- (c) 3rd, to give effect, as far as possible, to any outstanding applicable trust conditions,*

and the balance, if any, shall be disposed of in accordance with the regulations.

(2) A regulation under subsection (1) must not be inconsistent with any trust condition under which the property is held.

Human Tissue and Organ Donation Act

Amends SA 2006 cH-14.5

31(1) The *Human Tissue and Organ Donation Act* is amended by this section.

(2) Section 12.1 is amended

(a) by repealing subsection (2) and substituting the following:

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

(b) by repealing subsection (2) and substituting the following:

(2) Subject to subsection (3), a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act* may carry out activities on behalf of the Agency.

(c) in subsection (3)

(i) by striking out the portion preceding clause (a) and substituting the following:

60 *The Lieutenant Governor in Council may make regulations*

- (a) *respecting the types and amounts of property that a board may transfer to a foundation and the circumstances under which that property may be transferred;*
- (b) *subject to section 59, governing the winding-up of a foundation.*

60.1 *The Investment Assets consisting of the funds and securities that were contained in account numbers 43020 and 43021 held by T.A.L. Private Management Ltd. are deemed to have been at all times the property and assets of the Edmonton and Rural Auxiliary Hospital and Nursing Home District No. 24 and therefore they were included in the property and assets transferred in accordance with section 4(a) of Order in Council numbered O.C. 272/95 made under section 8 of the Hospitals Act (RSA 1980 cH-11) as it read on March 29, 1995.*

Human Tissue and Organ Donation Act

31(1) Amends chapter H-14.5 of the Statutes of Alberta, 2006.

(2) Section 12.1(2) and (3) presently read in part:

(2) Subject to subsection (3), a provincial health agency or 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 provincial health agency or regional health authority is carrying out activities on behalf of the Agency under subsection (2),

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

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

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

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

(d) in subsection (3)

(i) by striking out the portion preceding clause (a) and substituting the following:

(3) During any period in which a provincial health agency or provincial health corporation is carrying out activities on behalf of the Agency under subsection (2),

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

- (a) sections 12.2, 12.3, 12.4(1) and 12.5 apply to the provincial health agency or provincial health corporation with all necessary modifications, as if it were the Agency,

(3) Section 12.6(4) is amended

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

- (b) an employee of a provincial health agency, regional health authority or provincial health corporation under the *Provincial Health Agencies Act* with an expertise in the area of organ and tissue donation;

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

- (b) an employee of a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act* with an expertise in the area of organ and tissue donation;

(3) Section 12.6(4)(b) presently reads:

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

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

Labour Relations Code

Amends RSA 2000 cL-1

32(1) The *Labour Relations Code* is amended by this section.

(2) Section 1(1)(t.2) is repealed and the following is substituted:

(t.2) “regional health authority” means a regional health authority as defined in section 5.094(1)(f.1) of the *Provincial Health Agencies Act*;

(3) Section 48(1)(d) is repealed.

(4) Section 95.2(1)(a) is amended by striking out “*Hospitals Act*” and substituting “*Provincial Health Agencies Act*”.

(5) Section 96(1) is amended

- (a)** in clause (b) by striking out “neither clause (c) nor (d) applies” and substituting “clauses (c), (c.1), (d) and (d.1) do not apply”;
- (b)** in clause (c) by striking out “*Hospitals Act*” and substituting “*Provincial Health Agencies Act*”.

Lamont Health Care Centre Act

Amends SA 2010 c26

33(1) The *Lamont Health Care Centre Act* is amended by this section.

Labour Relations Code

32(1) Amends chapter L-1 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(t.2) presently reads:

1(1) In this Act,

(t.2) “regional health authority” means a regional health authority under the Provincial Health Agencies Act;

(3) Section 48(1)(d) presently reads:

48(1) In this section, “governing body” means

(d) the owner or operator of a non-regional hospital as defined in the Hospitals Act, or

(4) Section 95.2(1)(a) presently reads:

95.2(1) This Division applies to the following:

(a) employers who operate approved hospitals as defined in the Hospitals 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

(b) employers who are ambulance operators as defined in the Emergency Health Services Act and their employees who act as ambulance attendants as defined in that Act to whom neither clause (c) nor (d) applies,

(c) employers who operate approved hospitals as defined in the Hospitals Act and all the employees of those employers,

Lamont Health Care Centre Act

33(1) Amends chapter 26 of the Statutes of Alberta, 2010.

(2) The following is added after section 2(2):

(2.1) Effective as of the date on which an order made under section 5.03 of the *Provincial Health Agencies Act* assigns or transfers the rights, benefits, obligations or responsibilities of Alberta Health Services under the plan to a successor of Alberta Health Services, a reference to Alberta Health Services in this Act is to be treated as a reference to that successor.

(3) Section 3(1) is amended

- (a) in clause (a) by striking out “hospitals” and substituting “approved hospitals under the *Provincial Health Agencies Act*”;**
- (b) in clause (b) by striking out “general acute care hospitals, auxiliary hospitals, nursing homes” and substituting “approved hospitals under the *Provincial Health Agencies Act*, continuing care homes under the *Continuing Care Act*”.**

Loan and Trust Corporations Act

Amends RSA 2000 cL-20

34(1) The *Loan and Trust Corporations Act* is amended by this section.

(2) Section 200(1) is amended

- (a) by repealing clause (i) and substituting the following:**
 - (i) the making of loans to, or the acquisition of securities issued or guaranteed by, a university under the *Post-secondary Learning Act*, municipality, school board, provincial health agency, regional health authority, provincial health corporation or hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act*;

(2) Adds information re orders made by the oversight Minister re winding up affairs of a regional health authority.

(3) Section 3(1) presently reads in part:

3(1) The objects of the corporation are as follows:

- (a) to undertake and carry on charitable institutions, works and activities consisting of the operation of hospitals, missions, health care facilities of any kind or nature, schools, dispensaries, homes for the aged, homes for the handicapped and the like; to impart education and medical and other training; and generally to care for the aged, sick, handicapped and unfortunate;*
- (b) to provide and offer health care services, activities, facilities and programs of all kinds, including without limitation general acute care hospitals, auxiliary hospitals, nursing homes, geriatric rehabilitation facilities, hostels, family care programs, educational programs, and schools of nursing;*

Loan and Trust Corporations Act

34(1) Amends chapter L-20 of the Revised Statutes of Alberta 2000.

(2) Section 200(1)(i) presently reads:

200(1) For the purposes of this section, “commercial loan” means financing, including, without limitation, financing in the form of loans, leasing, letters of credit, guarantees and other prescribed instruments, but does not include the following:

- (i) the making of loans to, or the acquisition of securities issued or guaranteed by, a university under the Post-secondary Learning Act, municipality, hospital board, provincial health agency or regional health authority under the Provincial Health Agencies Act or school board;*

(b) by repealing clause (i) and substituting the following:

- (i) the making of loans to, or the acquisition of securities issued or guaranteed by, a university under the *Post-secondary Learning Act*, municipality, school board, provincial health agency, provincial health corporation or hospital operator of a health services sector in an approved hospital under the *Provincial Health Agencies Act*;

Local Authorities Capital Financing Act

Amends SA 2019 cL-20.8

35(1) The *Local Authorities Capital Financing Act* is amended by this section.

(2) Section 1(1)(b) is amended

(a) by repealing subclause (i) and substituting the following:

- (i) a non-profit corporation other than a provincial health agency, regional health authority or provincial health corporation that operates an approved hospital under the *Provincial Health Agencies Act*,

(b) by repealing subclause (i) and substituting the following:

- (i) a non-profit corporation other than a provincial health agency or provincial health corporation that operates an approved hospital under the *Provincial Health Agencies Act*,

(c) by repealing subclause (ii) and substituting the following:

- (ii) a non-profit corporation other than a provincial health agency, regional health authority or provincial health corporation that operates a facility as defined in the *Mental Health Act*,

(d) by repealing subclause (ii) and substituting the following:

Local Authorities Capital Financing Act

35(1) Amends chapter L-20.8 of the Statutes of Alberta, 2019.

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

1(1) In this Act,

(b) “health authority” means

- (i) a non-profit corporation, other than a provincial health agency or regional health authority, that owns an approved hospital under the Hospitals Act,*
- (ii) a non-profit corporation, other than a provincial health agency or regional health authority, that owns a mental health hospital under the Hospitals Act,*
- (ii.1) a provincial health agency under the Provincial Health Agencies Act,*
- (iii) a regional health authority under the Provincial Health Agencies Act, or*

- (ii) a non-profit corporation other than a provincial health agency or provincial health corporation that operates a facility as defined in the *Mental Health Act*,
- (e) by adding “or” at the end of subclause (ii.1) and repealing subclause (iii).

Local Authorities Election Act

Amends RSA 2000 cL-21

36(1) The *Local Authorities Election Act* is amended by this section.

(2) Section 1(z.3) is repealed and the following is substituted:

- (z.3) “treatment centre” means any of the following that provide medical treatment or care on an in-patient basis:
 - (i) an approved hospital under the *Provincial Health Agencies Act*;
 - (ii) a facility under the *Mental Health Act*;
 - (iii) a facility not referred to in subclause (i) or (ii);

Mental Health Act

Amends RSA 2000 cM-13

37(1) The *Mental Health Act* is amended by this section.

(2) Section 1(1) is amended

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

- (b.1) “approved hospital” means an approved hospital under the *Provincial Health Agencies Act*;

(b) by repealing clause (c) and substituting the following:

- (c) “board” means

Local Authorities Election Act

36(1) Amends chapter L-21 of the Revised Statutes of Alberta 2000.

(2) Section 1(z.3) presently reads:

1 In this Act,

(z.3) “treatment centre” means

(i) a hospital or a facility under the Mental Health Act, or

(ii) any facility not referred to in subclause (i)

providing medical treatment or care on an in-patient basis;

Mental Health Act

37(1) Amends chapter M-13 of the Revised Statutes of Alberta 2000.

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

1(1) In this Act,

(c) “board” means

(i) the board of an approved hospital under the Hospitals Act that is designated in whole or in part as a facility,

(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

- (i) the hospital operator, with respect to a health services sector in an approved hospital that is designated in whole or in part as a facility, or
- (ii) the person in charge of a facility other than a facility referred to in subclause (i);

(c) in clause (i.1) by striking out “and Association”.

(3) Section 17 is amended

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

- (b) “diagnostic and treatment centre” or “centre” means a place established by the Minister under section 49(1)(a) or (b) but does not include an approved hospital;

(b) in subsection (7)

- (i) in clause (m) by striking out “and Association” wherever it occurs;**
- (ii) in clause (n)(i) by striking out “Alberta Dental Association and College” and substituting “College of Dental Surgeons of Alberta”.**

- (iii) *if a facility is not a facility referred to elsewhere in this clause, the person in charge of the facility;*
- (i.1) *“nurse practitioner” means a regulated member of the College and Association of Registered Nurses of Alberta under the Health Professions Act who is on the regulated members register in the nurse practitioner register category;*

(3) Section 17(1)(b) and (7) presently read in part:

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

(7) The Minister, a person authorized by the Minister, a board, an employee of a board or a qualified health professional may disclose any health information relating to a person receiving diagnostic and treatment services in a centre

- (m) *to the council or hearing tribunal of the College of Physicians and Surgeons of Alberta or the council of the College and Association of Registered Nurses of Alberta, if*
 - (i) *an officer of the College of Physicians and Surgeons of Alberta or of the College and Association of Registered Nurses of Alberta, as the case may be, makes a written request for the health information and the disclosure is consented to by the person to whom the health information relates or the person’s legal representative, or*
- (n) *to a person conducting an investigation, a hearing tribunal or the council of the dental profession under the Health Professions Act if*
 - (i) *an officer of the Alberta Dental Association and College makes a written request for it and the disclosure is consented to by the patient or the patient’s legal representative, or*

(4) Section 18(2) is amended by striking out “Hospitals Act” and substituting “Provincial Health Agencies Act”.

(5) Section 22(1.1) is amended

- (a) in clause (a) by striking out “or regional health authority”;**
- (b) by striking out “or” at the end of clause (a);**
- (c) in clause (b) by striking out “or regional health authority”;**
- (d) by adding the following after clause (b):**
 - (c) between 2 facilities operated by a single provincial health corporation under the *Provincial Health Agencies Act*, or
 - (d) between 2 facilities operated by a contracted service provider of a provincial health corporation under the *Provincial Health Agencies Act*.

(6) Section 23 is repealed and the following is substituted:

Transfer for treatment in approved hospital

23(1) This section applies to a formal patient who requires treatment that can be provided only in

- (a) a health services sector in an approved hospital, if the formal patient is detained in a facility that is not a health services sector in an approved hospital, or
- (b) a health services sector in an approved hospital other than the health services sector in which the formal patient is detained, if the formal patient is detained in a facility that is a health services sector in an approved hospital.

(2) The board may, if otherwise permitted by law, transfer a formal patient referred to in subsection (1) to the relevant health services sector in an approved hospital for treatment and return the patient to the facility on the conclusion of the treatment.

(4) Section 18(2) presently reads:

(2) Nothing in this section or section 19 abrogates or restricts the authority conferred on a board by the Hospitals Act or any other Act.

(5) Section 22(1.1) presently reads:

(1.1) Despite subsection (1), the completion of a memorandum of transfer is not required for the transfer of a formal patient

(a) between 2 facilities operated by a single provincial health agency or regional health authority under the Provincial Health Agencies Act, or

(b) between 2 facilities operated by a contracted service provider of a provincial health agency or regional health authority under the Provincial Health Agencies Act.

(6) Section 23 presently reads:

23(1) When a formal patient requires hospital treatment that cannot be provided in the facility, the board may, if otherwise permitted by law, transfer the patient to a hospital for treatment and return the patient to the facility on the conclusion of the treatment.

(2) When a formal patient is transferred under subsection (1), the board of the hospital or a person designated by it has, in addition to the powers and duties conferred on it by any other Act, the powers and duties under this Act of a board in respect of the custody and control of the patient.

(3) When a formal patient is transferred under subsection (2), the hospital operator of the health services sector to which the formal patient is transferred or a person designated by it has, in addition to the powers and duties conferred on it by any other Act, the powers and duties of a board in respect of the custody and control of the patient.

(7) Section 49.1 is amended by striking out “or regional health authority”.

(8) Section 53(2) is repealed and the following is substituted:

(2) If there is a conflict between the regulations under subsection (1)(d) and the *Hospitals Act*, Part 2.2 of the *Provincial Health Agencies Act* or the regulations under those Acts, the regulations under subsection (1)(d) prevail.

Metis Settlements Act

Amends RSA 2000 cM-14

38(1) The *Metis Settlements Act* is amended by this section.

(2) Schedule 2 is amended

(a) by repealing section 1(2)(b) and substituting the following:

(b) securities of a city, town, village, municipal district or drainage district in Alberta or a provincial health agency, regional health authority, provincial health corporation or hospital operator under the *Provincial Health Agencies Act* or of the board of trustees of a school division in Alberta;

(b) by repealing section 1(2)(b) and substituting the following:

(b) securities of a city, town, village, municipal district or drainage district in Alberta or a provincial health

(7) Section 49.1 presently reads in part:

49.1 On an annual basis and on any other basis or schedule specified by the Minister, a provincial health agency or regional health authority under the Provincial Health Agencies Act shall provide the Minister with a written report

(8) Section 53(2) presently reads:

(2) If there is a conflict between the regulations under subsection (1)(d) and the Hospitals Act or the regulations under that Act, the regulations under subsection (1)(d) prevail.

Metis Settlements Act

38(1) Amends chapter M-14 of the Revised Statutes of Alberta 2000.

(2) Schedule 2 presently reads in part:

1(2) The General Council or a settlement council may, in accordance with this Act, invest money in all or any of the following:

- (b) securities of a city, a town, a village, a municipal district, a drainage district, an approved hospital under the Hospitals Act, a provincial health agency or a regional health authority under the Provincial Health Agencies Act in Alberta or of the board of trustees of a school division in Alberta;*

agency, provincial health corporation or hospital operator under the *Provincial Health Agencies Act* or of the board of trustees of a school division in Alberta;

Municipal Government Act

Amends RSA 2000 cM-26

39(1) The *Municipal Government Act* is amended by this section.

(2) Section 1(1)(m)(ii) is amended by striking out “or regional health authority”.

(3) Section 250(2) is amended

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

(b) securities of a municipality, a school division, a provincial health agency, regional health authority or hospital operator under the *Provincial Health Agencies Act* or a regional services commission in Alberta;

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

(b) securities of a municipality, a school division, a provincial health agency or hospital operator under the *Provincial Health Agencies Act* or a regional services commission in Alberta;

(4) Section 362(1) is amended

(a) in clause (e) by striking out “hospital board” and substituting “hospital operator”;

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

(g.1) property used in connection with the purposes of a provincial health agency, regional health authority or

Municipal Government Act

39(1) Amends chapter M-26 of the Revised Statutes of Alberta 2000.

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

1(1) In this Act,

(m) “local authority” means

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

(3) Section 250(2)(b) presently reads:

(2) A municipality may only invest its money in the following:

(b) securities of a municipality, a school division, an approved hospital under the Hospitals Act, a provincial health agency or a regional health authority under the Provincial Health Agencies Act or a regional services commission in Alberta;

(4) Section 362(1) presently reads in part:

362(1) The following are exempt from taxation under this Division:

(e) property, other than a student dormitory, used in connection with hospital purposes and held by a hospital board that receives financial assistance from the Crown;

provincial health corporation and held by a provincial health agency, regional health authority or provincial health corporation under the *Provincial Health Agencies Act* that receives financial assistance from the Crown under any Act;

(c) by repealing clause (g.1) and substituting the following:

- (g.1) property used in connection with the purposes of a provincial health agency or provincial health corporation and held by a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act* that receives financial assistance from the Crown under any Act;

(5) Section 366(3)(e) is repealed and the following is substituted:

- (e) property used in connection with approved hospitals under the *Provincial Health Agencies Act* and facilities under the *Mental Health Act*;

(6) Section 392(4) is amended by striking out “or regional health authority”.

(7) Section 596(1)(b) is amended by striking out “, the *Hospitals Act*”.

(g.1) property used in connection with provincial health agency or regional health authority purposes and held by a provincial health agency or regional health authority under the Provincial Health Agencies Act that receives financial assistance from the Crown under any Act;

(5) Section 366(3)(e) presently reads:

(3) When calculating a grant under this section, the following must not be considered as Crown property unless subsection (4) applies:

(e) property used in connection with hospitals and institutions for mentally disabled persons;

(6) Section 392(4) presently reads:

(4) If a municipality, school division or provincial health agency or regional health authority under the Provincial Health Agencies Act is entitled to sign a petition under this Division, it may give notice to the council prior to or at the time the petition is presented to the council that its name and the assessment prepared for its land under Part 9 are not to be counted in determining the sufficiency of a petition under subsection (2), and the council must comply with the notice.

(7) Section 596(1)(b) presently reads:

596(1) The taxes and all other revenues collected on behalf of an improvement district may be expended under the direction of the Minister

(b) to pay requisitions made under the Education Act, the Hospitals Act and the Provincial Health Agencies Act,

Ombudsman Act

Amends RSA 2000 cO-8

40(1) The *Ombudsman Act* is amended by this section.

(2) Section 1(b)(i.3) and (e.1)(iii) are amended by striking out “or regional health authority” **wherever it occurs**.

Pharmacy and Drug Act

Amends RSA 2000 cP-13

41(1) The *Pharmacy and Drug Act* is amended by this section.

(2) Section 1(1)(j) is amended

(a) in subclause (i) by striking out “as defined in the *Hospitals Act*” and substituting “under the *Provincial Health Agencies Act*”;

(b) in subclause (vii) by striking out “, regional health authority”.

Ombudsman Act

40(1) Amends chapter O-8 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1 In this Act,

(b) “*administrative head*”

(i.3) *when used in reference to a health authority that is a provincial health agency or regional health authority means*

(A) *a person designated by the provincial health agency or regional health authority to act as the administrative head or chief executive officer of the provincial health agency or regional health authority, 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 provincial health agency or regional health authority,*

(e.1) “*health authority*” *means*

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

Pharmacy and Drug Act

41(1) Amends chapter P-13 of the Revised Statutes of Alberta 2000.

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

1(1) In this Act,

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

(i) *an approved hospital as defined in the Hospitals Act,*

(3) Section 27(b) is amended by striking out “and regional health authority”.

Protection of Children Abusing Drugs Act

Amends SA 2005 cP-27.5

42(1) The *Protection of Children Abusing Drugs Act* is amended by this section.

(2) Section 9 is amended

(a) by repealing subsection (1)(c) and substituting the following:

(c) a hospital operator under the *Provincial Health Agencies Act*,

(b) in subsection (3) by striking out “*Hospitals Act*” and substituting “*Provincial Health Agencies Act*”.

Protection for Persons in Care Act

Amends SA 2009 cP-29.1

43(1) The *Protection for Persons in Care Act* is amended by this section.

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

(ii) a hospital operator under the *Provincial Health Agencies Act*,

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

(3) Section 27(b) presently reads:

27 If an order is made pursuant to section 23 or 26, the registrar

- (b) must provide the information to each provincial health agency and regional health authority under the Provincial Health Agencies Act,*

Protection of Children Abusing Drugs Act

42(1) Amends chapter P-27.5 of the Statutes of Alberta, 2005.

(2) Section 9 presently reads in part:

9(1) Notwithstanding Part XXII of the Criminal Code (Canada), the Court may issue a subpoena requiring

- (c) a board under the Hospitals Act,*

or the designate of any of them to produce any documents, records or other information they possess or control that may relate to the proceedings before the Court with respect to a child.

- (3) If as the result of the issuing of a subpoena under subsection (1) a person is required to produce any documents, records or other information that is otherwise confidential under the Hospitals Act, Mental Health Act or Public Health Act, the documents, records or other information must be dealt with in accordance with this section.*

Protection for Persons in Care Act

43(1) Amends chapter P-29.1 of the Statutes of Alberta, 2009.

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

1(1) In this Act,

- (m) “service provider” means*

(3) The following is added after section 4:

Delegation by Director

4.1(1) In this section, “department” means the department administered by the Minister.

(2) The Director may, in writing, delegate the exercise of a power conferred or the performance of a duty imposed on the Director under this Act, except the power to delegate under this section, to an employee of the department.

(3) A delegation under subsection (2) may be subject to conditions as determined by the Director.

**Protection of Sexually Exploited Children
Act**

Amends RSA 2000 cP-30.3

44(1) The *Protection of Sexually Exploited Children Act* is amended by this section.

(2) Section 6.5 is amended

(a) in subsection (1) by striking out “board under the *Hospitals Act*” and substituting “hospital operator under the *Provincial Health Agencies Act*”;

(b) in subsection (3) by striking out “*Hospitals Act*” and substituting “*Provincial Health Agencies Act*”.

Provincial Health Agencies Act

Amends RSA 2000 cP-32.5

45(1) The *Provincial Health Agencies Act* is amended by this section.

(2) Section 1 is amended

- (ii) *an approved hospital as defined in the Hospitals Act,*
- (3) Delegation by Director.

Protection of Sexually Exploited Children Act

44(1) Amends chapter P-30.3 of the Revised Statutes of Alberta 2000.

(2) Section 6.5 presently reads in part:

6.5(1) Notwithstanding Part XXII of the Criminal Code (Canada), the Court may issue a subpoena requiring a board under the Hospitals Act or the Chief Medical Officer under the Public Health Act, or the designate of either of them, to produce any documents, records or other information they possess or control that may relate to the proceedings before the Court with respect to a child.

(3) If as the result of the issuing of a subpoena under subsection (1) a person is required to produce any documents, records or other information that is otherwise confidential under the Hospitals Act, Mental Health Act or Public Health Act, the documents, records or other information must be dealt with in accordance with this section.

Provincial Health Agencies Act

45(1) Amends chapter P-32.5 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

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

- (a.1) “approved hospital” means a hospital designated by the oversight Minister as an approved hospital under section 1.9763;

(b) by repealing clause (b);

(c) by repealing clause (c);

(d) in clause (d) by striking out “or regional health authority required under section 9(2)(a) or (3)(a)” and substituting “required under section 9(2)(a)”;

(e) by adding the following after clause (f):

- (f.1) “hospital operator” means a person, including a provincial health agency or provincial health corporation, designated under section 1.9764 as the hospital operator of a health services sector in an approved hospital;

(f) by repealing clause (k);

(g) in clause (l) by adding “and” at the end of subclause (v) and repealing subclause (vi);

(h) in clause (m)(i) by striking out “or regional health authority”.

(3) Section 1.1 is amended

(a) in subsection (2)

(i) in clause (d)

(A) by striking out “regional health authorities,”;

(B) by adding “, hospital operators” after “provincial health corporations”;

(ii) in clauses (f) and (g) by striking out “and regional health authorities”;

1 In this Act,

- (b) “community health council” means a community health council referred to in section 10;
- (c) “existing health authority” means the board of an approved hospital as defined in the Hospitals Act;
- (d) “health plan” means the health plan of a provincial health agency or regional health authority required under section 9(2)(a) or (3)(a);
- (k) “regional health authority” means a regional health authority referred to in section 3;
- (l) “sector Minister” means, with respect to
- (v) a health services sector established by the Lieutenant Governor in Council under section 1.9(2)(a), the Minister designated by the Lieutenant Governor in Council under section 1.9(2)(b),
- (vi) a health region and the regional health authority for that health region, the Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act, and
- (m) “subsidiary health corporation” means a corporation that is
 - (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

(3) Section 1.1 presently reads in part:

- (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, provincial health corporations and health services delivery organizations,
 - (f) determine the allocation to and use or disposition by provincial health agencies and regional health authorities of financial, physical and human resources,

- (b) in subsection (3) by striking out “or regional health authorities”;**
- (c) in subsection (4) by striking out “or regional health authority” wherever it occurs.**

(4) Section 1.2 is amended

- (a) in subsection (1) by striking out “or regional health authority” wherever it occurs;**
- (b) in subsection (2)**
 - (i) in clauses (a), (b) and (c) by striking out “or regional health authority”;**
 - (ii) by repealing clause (d) and substituting the following:**
 - (d) establish targets relating to the delivery of health services in the health services sector that must be met by
 - (i) the provincial health agency,
 - (ii) hospital operators of the health services sector in approved hospitals,
 - (iii) provincial health corporations that have entered into agreements with the sector Minister, and
 - (iv) health services delivery organizations,
 - (iii) in clauses (f) and (g) by striking out “or regional health authority”.**

(g) require provincial health agencies and regional health authorities to provide information and records, and

(3) The oversight Minister shall not publish or make publicly available any policies established under subsection (2)(b) until the oversight Minister has consulted the sector Ministers responsible for the health services sectors or regional health authorities to which the policies apply.

(4) The oversight Minister shall not require a provincial health agency or regional health authority to provide information or records under subsection (2)(g) until the oversight Minister has consulted the sector Minister responsible for the provincial health agency or regional health authority.

(4) Section 1.2 presently reads in part:

1.2(1) The sector Minister responsible for a health services sector or regional health authority is responsible for the strategic direction of the health services sector or regional health authority.

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

(a) establish strategic goals and objectives for the health services sector or regional health authority,

(b) establish, implement and evaluate policies relating to the strategic direction of the health services sector or regional health authority,

(c) conduct capital planning, workforce planning and health system planning with respect to the health services sector or regional health authority,

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

(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) Section 1.3 is amended by striking out “or regional health authority” wherever it occurs.

- (ii) *by the regional health authority that must be met by the regional health authority,*
- (f) *determine the allocation, use and disposition of financial, physical and human resources within the provincial health agency or regional health authority, and*
- (g) *do any other thing the sector Minister considers necessary to carry out the sector Minister's responsibilities for the strategic direction of the health services sector or regional health authority.*

(5) Section 1.3 presently reads in part:

1.3 For the purposes of carrying out the sector Minister's responsibilities under section 1.2, the sector Minister, with respect to the provincial health agency or regional health authority for which the sector Minister is responsible, may

- (a) *determine the organizational structure and management functions of the provincial health agency or regional health authority, including*
 - (i) *specifying the composition and function of the departments, divisions, branches or units of the provincial health agency or regional health authority,*
 - (ii) *specifying the number and function of positions in the following categories:*
 - (A) *management personnel who report directly to one or more members of the provincial health agency or regional health authority;*
 - (B) *management personnel who report directly to the chief executive officer of the provincial health agency or regional health authority;*
 - (iv) *determining the appropriate level of expenditure on administration and support services by the provincial health agency or regional health authority,*
- (b) *require the provincial health agency or regional health authority to prepare plans in addition to the health plan and operational plan,*

(6) Sections 1.6 and 1.7 are amended by striking out “regional health authority,”.

(7) Section 1.8 is amended by striking out “or regional health authority” wherever it occurs.

- (c) *review the policies established by the provincial health agency or regional health authority relating to its internal decision making and delegation processes, and*
- (d) *establish committees for the purposes of providing advice and recommendations to the provincial health agency or regional health authority and appoint the members of those committees.*

(6) 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, provincial health corporation, 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, provincial health corporation, health services delivery organization or other person.

(7) Section 1.8 presently reads:

1.8(1) The oversight Minister may delegate to a provincial health agency or regional health authority, on any terms and conditions the oversight Minister considers appropriate, any of the oversight Minister's powers, duties, responsibilities or functions under this Act except the power to make a recommendation for the purposes of section 1.9(2).

(2) A sector Minister may delegate to the provincial health agency or regional health authority for which the sector Minister is responsible, on any terms and conditions the sector Minister considers appropriate, any of the sector Minister's powers, duties, responsibilities or functions under this Act except the power to establish a provincial health agency under section 1.92(1).

(3) A delegation under subsection (1) or (2) may include the power to subdelegate to a committee of the members of the provincial health agency or regional health authority or to any of the employees, officers or agents of the provincial health agency or

(8) Sections 1.93(2) and 1.94(2) are amended by striking out “or elected”.

(9) Section 1.95(2) is amended

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

(b.1) oversee hospital operators with whom the provincial health agency has entered into agreements to carry out the responsibilities referred to in section 1.9767,

(b) in clause (g)

(i) by striking out “regional health authorities,”;

(ii) by adding “hospital operators,” after “provincial health corporations,”;

(c) in clause (i) by striking out “, regional health authorities”.

(10) The following is added after section 1.95:

Health foundations

1.951(1) A provincial health corporation may establish, by bylaw, a health foundation in accordance with the regulations.

(2) A foundation that exists immediately before the coming into force of this section may be continued as a health foundation under this Act in accordance with the regulations if the foundation is

regional health authority unless the power to subdelegate is limited in the delegation.

(4) A provincial health agency or regional health authority shall comply with any terms and conditions imposed on a delegation.

(8) Sections 1.93(2) and 1.94(2) presently read:

1.93(2) The members of the provincial health agency shall be appointed or elected in accordance with the regulations in the number determined by the sector Minister.

1.94(2) A first member holds office until the first member's successor is appointed or elected in accordance with the regulations.

(9) Section 1.95(2) presently reads in part:

(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, provincial health corporations, 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,

(i) consult regularly with the oversight Minister, sector Ministers, other provincial health agencies, regional health authorities and other persons and bodies with respect to issues relating to health services and the delivery of health services within the health services sector and across health services sectors,

(10) Health foundations.

- (a) a regional foundation under the *Regional Health Authorities Foundation Regulation* (AR 28/2007),
- (b) a continued foundation as defined in the *Regional Health Authorities Foundation Regulation* (AR 28/2007), or
- (c) a foundation established under a regulation made under section 23(1)(s) or continued under this Act as they read before the coming into force of this section.

(11) Section 1.96 is amended

(a) in subsection (1)

(i) by adding the following after clause (a.1):

(a.2) hospital operators;

(ii) by repealing clause (d);

(b) in subsection (2) by striking out “, (c) or (d)” and substituting “or (c)”;

(c) by adding the following after subsection (2):

(2.1) Section 1.9765 applies where a hospital operator delivers health services in a health services sector.

(12) Section 1.971(2) is amended

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

- (a) act in an advisory capacity to the oversight Minister, sector Ministers, provincial health agencies, regional health authorities, other provincial health corporations, hospital operators, subsidiary health corporations or community health councils;

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

- (a) act in an advisory capacity to the oversight Minister, sector Ministers, provincial health agencies, other provincial health corporations, hospital operators, subsidiary health corporations or community health councils;

(11) Section 1.96 presently reads in part:

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

(d) regional health authorities;

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

(12) Section 1.971(2)(a) presently reads:

(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;

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

- (a) act in an advisory capacity to the oversight Minister, sector Ministers, provincial health agencies, other provincial health corporations, hospital operators or subsidiary health corporations;

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

- (b.1) act as a hospital operator;

(13) Section 1.975 is amended

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

- (i.1) respecting the designation of participants for the purposes of participating in meetings and discussions with provincial health corporations, eligibility for designation and other purposes for which participants may be designated;

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

- (k.1) respecting agreements and indemnities whose rights, benefits, obligations or responsibilities are assigned or transferred to provincial health corporations by transitional orders;

(c) by repealing clause (x) and substituting the following:

- (x) requiring provincial health corporations to provide records, reports and returns to provincial health agencies, including regulations
 - (i) respecting the information the records, reports and returns must contain,
 - (ii) respecting the time at which and the form and manner in which the records, reports and returns must be provided, and
 - (iii) authorizing provincial health agencies to specify the information referred to in subclause (i) or the matters referred to in subclause (ii);

(d) by repealing clause (aa) and substituting the following:

(13) Section 1.975 presently reads in part:

1.975 The Lieutenant Governor in Council may make regulations

- (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;*
- (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;*
- (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;*

- (aa) respecting annual reports of provincial health corporations required under section 14(2)(b), including regulations
- (i) respecting the information annual reports must contain for the purposes of section 14(2.1) and (2.2),
- (ii) respecting the time within which and the form and manner in which annual reports must be provided, and
- (iii) authorizing responsible Ministers to specify the information referred to in subclause (i) or the matters referred to in subclause (ii);

(e) in clause (cc)

- (i) **by striking out** “regional health authorities,”;
- (ii) **by striking out** “community health councils,”.

(14) Section 1.976 is amended by striking out “, regional health authority”.

(15) The following is added after section 1.976:

Part 2.2 Management and Operation of Approved Hospitals

Definitions

1.9761 In this Part,

- (a) “administrator” means, except where the context requires otherwise, the person appointed under section 1.9768, regardless of any other title or name used for the position;
- (b) “appeal” means an appeal under section 1.976997;

(14) Section 1.976 presently reads:

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.

(15) Part 2.2 Management and Operation of Approved Hospitals.

- (c) “Appeal Board” means the Hospital Privileges Appeal Board continued under section 1.976996(1);
- (d) “continuing care home” means a continuing care home as defined in the *Continuing Care Act*;
- (e) “general bylaws” means the bylaws made by a hospital operator under section 1.9769;
- (f) “hospital services” means health services delivered in an approved hospital by the medical staff or professional staff of the health services sector in the approved hospital;
- (g) “hospital staff” means the medical staff, professional staff and other employees and persons engaged for services by a hospital operator in the health services sector in an approved hospital;
- (h) “individually identifying health information” means individually identifying health information within the meaning of the *Health Information Act*;
- (i) “medical staff” means the physicians appointed by a hospital operator as the medical staff of a health services sector in an approved hospital under section 1.97698;
- (j) “medical staff bylaws” means the bylaws made by medical staff under section 1.97691;
- (k) “patient” means a person
 - (i) admitted as an in-patient to a health services sector in an approved hospital, or
 - (ii) to whom hospital services are delivered as an out-patient in a health services sector in an approved hospital;
- (l) “personal information” means personal information as defined in the *Freedom of Information and Protection of Privacy Act*;
- (m) “professional organization” means
 - (i) The Alberta Medical Association (C.M.A. – Alberta Division),

- (ii) the College of Registered Nurses of Alberta,
- (iii) the Alberta College of Pharmacy, and
- (iv) any college under the *Health Professions Act* or professional association within the meaning of the *Health Professions Act* that is representative of a group of employees or of the medical staff or professional staff of a health services sector in an approved hospital;
- (n) “professional staff” means persons who deliver health services, other than physicians, who are regulated under a health profession statute and have been granted by the hospital operator of a health services sector in an approved hospital the authority to admit, attend or treat patients at and use the facilities, equipment and resources of the health services sector in the approved hospital.

Application of Part

1.9762 Except as otherwise provided in the regulations made under this Part, this Part and the regulations made under this Part apply in respect of a facility as defined in the *Mental Health Act*.

Approved Hospitals and Hospital Operators

Designation of approved hospitals

1.9763 The oversight Minister, by order, may designate a hospital as an approved hospital in accordance with the regulations.

Designation of hospital operators

1.9764 The oversight Minister, by order, may designate one of the following as the hospital operator of a health services sector in an approved hospital:

- (a) the provincial health agency established for the health services sector;
- (b) a provincial health corporation whose responsible Minister is the sector Minister for the health services sector;
- (c) a person other than a provincial health agency or provincial health corporation if
 - (i) the oversight Minister is satisfied that

- (A) the person is capable of delivering hospital services in the health services sector in the approved hospital, and
 - (B) it is appropriate to designate the person based on any other factors determined by the oversight Minister,
- and
- (ii) the oversight Minister has considered any recommendation by the provincial health agency established for the health services sector with respect to whether the person should be designated.

Agreements

1.9765(1) A provincial health agency that arranges for the delivery of hospital services in the health services sector in an approved hospital by a hospital operator shall enter into an agreement with the hospital operator to carry out the responsibilities referred to in section 1.9767.

(2) A sector Minister that arranges for the delivery of hospital services in the health services sector in an approved hospital by a hospital operator that is a provincial health agency may require the hospital operator to enter into an agreement with the sector Minister to carry out the responsibilities referred to in section 1.9767.

Responsibilities of sector Minister

1.9766 The sector Minister shall, with respect to a hospital operator that is a provincial health agency,

- (a) oversee the hospital operator in carrying out its responsibilities under section 1.9767, and
- (b) ensure the accountability of the hospital operator.

Responsibilities of hospital operators

1.9767 A hospital operator is responsible for

- (a) the delivery of hospital services in the health services sector in the approved hospital in accordance with
 - (i) the agreement referred to in section 1.9765(1), if the hospital operator is not a provincial health agency, or

- (ii) an agreement referred to in section 1.9765(2) or any directives issued by the sector Minister, if the hospital operator is a provincial health agency,
- (b) the management and operation of the health services sector in the approved hospital,
- (c) the oversight of the medical staff and matters relating to the medical staff, and
- (d) the oversight of the professional staff and matters relating to the professional staff.

Governance of Approved Hospitals

Administrator

1.9768(1) A hospital operator shall appoint a person as the administrator of the health services sector in the approved hospital.

(2) The administrator is

- (a) the most senior official in the administrative organization of the health services sector in the approved hospital, and
- (b) responsible for the day-to-day management and operation of the health services sector in the approved hospital.

General bylaws

1.9769(1) A hospital operator shall make general bylaws respecting the organization, management and operation of the health services sector in the approved hospital that address the following matters:

- (a) the making of rules respecting the powers, duties, responsibilities and functions of the administrator and hospital staff;
- (b) the organization and administration of departments in the health services sector in the approved hospital;
- (c) any other matters the hospital operator considers necessary.

(2) General bylaws have no effect until approved in writing by the sector Minister.

(3) The sector Minister shall not approve general bylaws without consulting the oversight Minister.

(4) Where a hospital operator submits general bylaws to the sector Minister for approval, the sector Minister may, after consulting the oversight Minister,

- (a) approve the general bylaws as submitted, or
- (b) refer the general bylaws back to the hospital operator with directions to make changes.

(5) General bylaws referred back to a hospital operator under subsection (4)(b) must be resubmitted as directed by the sector Minister.

(6) Subsection (4) applies with respect to general bylaws resubmitted to the sector Minister.

(7) The oversight Minister or sector Minister may issue a directive requiring a hospital operator to amend or repeal its general bylaws in accordance with the directive.

Medical staff bylaws

1.97691(1) A hospital operator shall require the medical staff to make bylaws respecting the organization and conduct of the medical staff and procedures respecting appointments and hospital privileges.

(2) The bylaws must address the following matters:

- (a) the making of rules respecting the day-to-day management of medical affairs in the health services sector in the approved hospital;
- (b) procedures respecting recommendations by the medical staff to the hospital operator with respect to
 - (i) the appointment and reappointment of members of the medical staff,
 - (ii) the suspension and termination of the appointments of members of the medical staff, and

- (iii) the delineation of hospital privileges of members of the medical staff;
 - (c) procedures respecting the review of decisions made by the hospital operator or the medical staff respecting the hospital privileges of members of the medical staff;
 - (d) procedures ensuring that applications for appointment to the medical staff reach the hospital operator in the time prescribed in the bylaws, whether or not the appointment is recommended by the medical staff;
 - (e) procedures ensuring that the hospital operator gives notice to an applicant for an appointment to the medical staff within a reasonable time after the hospital operator makes a decision with respect to the application;
 - (f) mechanisms ensuring that the hospital operator considers medical staff input respecting patient care and that the medical staff have input into strategic planning, community-needs assessment, facility-use management and quality assurance activities of the hospital operator;
 - (g) mechanisms promoting ethical behaviour, evidence-based decision making and participation in continuing medical education by the medical staff;
 - (h) any other matters the hospital operator considers necessary.
- (3)** Medical staff bylaws have no effect until approved in writing by the hospital operator and the sector Minister in accordance with section 1.97692.
- (4)** The sector Minister shall not approve medical staff bylaws without consulting the oversight Minister.

Approval of medical staff bylaws

1.97692(1) Where a hospital operator approves the medical staff bylaws, the hospital operator shall submit the medical staff bylaws to the sector Minister for approval.

(2) Where a hospital operator refuses to approve the medical staff bylaws,

- (a) the hospital operator shall refer the medical staff bylaws and the matters in dispute to the sector Minister,
 - (b) the hospital operator and the medical staff may make independent written representations to the sector Minister on the matters in dispute, and
 - (c) the sector Minister, after consulting the oversight Minister, shall decide the matters in dispute, and the sector Minister's decision is final.
- (3)** Where a hospital operator submits the medical staff bylaws for approval by the sector Minister under subsection (1), the sector Minister may, after consulting the oversight Minister,
- (a) approve the medical staff bylaws as submitted, or
 - (b) refer the medical staff bylaws back to the hospital operator with directions to the medical staff to make changes.
- (4)** After the sector Minister makes a decision under subsection (2)(c), the sector Minister may, after consulting the oversight Minister,
- (a) approve the medical staff bylaws as submitted, or
 - (b) refer the medical staff bylaws back to the hospital operator with directions to the medical staff to make changes in accordance with the decision made under subsection (2)(c).
- (5)** Medical staff bylaws referred back to a hospital operator under subsection (3)(b) or (4)(b) must be resubmitted as directed by the sector Minister.
- (6)** Subsection (3) applies with respect to medical staff bylaws referred back to the hospital operator under subsection (3)(b) when resubmitted to the sector Minister.
- (7)** Where medical staff bylaws are referred back to the hospital operator under subsection (4)(b),
- (a) the hospital operator shall approve the bylaws after the medical staff make changes to the bylaws in accordance with the direction made under subsection (2)(c), and

- (b) subsection (3) applies with respect to the bylaws when resubmitted to the sector Minister.

Amendment or repeal of medical staff bylaws

1.97693(1) A hospital operator may require the medical staff to amend or repeal the medical staff bylaws and specify the manner in which the bylaws are to be amended.

(2) Sections 1.97691(3) and (4) and 1.97692 apply to amendments to the medical staff bylaws.

Model bylaws

1.97694(1) A sector Minister, after consulting the oversight Minister and the professional organizations, may establish

- (a) model general bylaws for the guidance of hospital operators in the health services sector, and
- (b) model medical staff bylaws for the guidance of hospital operators and the medical staff in the health services sector.

(2) The sector Minister, by notice in writing, may direct

- (a) one or more hospital operators in the health services sector to make general bylaws based on the model general bylaws referred to in subsection (1)(a), or
- (b) the medical staff of the health services sector in one or more approved hospitals to make medical staff bylaws based on the model medical staff bylaws referred to in subsection (1)(b).

(3) Where bylaws are required to be made under subsection (2) or bylaws made under subsection (2) are amended, the sector Minister may direct that the bylaws or amendments be sent to the sector Minister within 6 months of the date on which the bylaws are made or amended.

(4) The sector Minister may, after consulting the oversight Minister, withdraw approval of a bylaw required to be made under subsection (2) at any time by notice in writing to the hospital operator.

(5) A bylaw required to be made under subsection (2) ceases to have effect on the withdrawal of the sector Minister's approval.

Hospital utilization committee

1.97695(1) The general bylaws may

- (a) provide for the establishment of a hospital utilization committee for a health services sector in an approved hospital, and
- (b) prescribe the powers, duties, responsibilities and functions of the hospital utilization committee.

(2) In addition to the powers, duties, responsibilities and functions prescribed under the general bylaws, a hospital utilization committee

- (a) shall conduct a continuing review of the utilization of all hospital services delivered in the health services sector in the approved hospital,
 - (b) shall provide to the provincial health agency any information or records required by the provincial health agency that relate to
 - (i) a review conducted under clause (a), or
 - (ii) to any other function of the committee,
- and
- (c) may require the hospital operator, its employees and any persons engaged for services by the hospital operator to provide
 - (i) any information the committee reasonably requires for the purposes of carrying out its duties, and
 - (ii) access to the relevant records of the hospital operator for those purposes.

Hospital staff review committee

1.97696(1) A hospital operator or the medical staff may establish a hospital staff review committee for a health services sector in an approved hospital for the purposes of

- (a) evaluating and controlling clinical practice in the health services sector in the approved hospital on a continuing

basis for the purpose of maintaining and improving the safety and quality of patient care, and

- (b) performing any functions in relation to the appraisal and control of the quality of patient care in the health services sector in the approved hospital.

(2) The hospital operator or medical staff may appoint persons as members of the hospital staff review committee.

(3) A hospital staff review committee may give advice and make statements, decisions and recommendations relating to the committee's functions under subsection (1) to the provincial health agency or hospital operator.

(4) No action for defamation may be commenced against a member of a hospital staff review committee in respect of

- (a) advice given or statements, decisions or recommendations made in good faith by the committee to the provincial health agency or hospital operator, or
- (b) anything done or not done by the member in good faith while exercising powers or carrying out duties, responsibilities or functions under this Act, the regulations, the general bylaws or the medical staff bylaws.

Staff and Facilities

Hospital staff

1.97697(1) Subject to section 1.97698, a hospital operator is responsible for appointing or engaging the services of hospital staff and officers of the hospital operator

- (a) in accordance with this Act, the regulations, the general bylaws, the medical staff bylaws and other relevant legislation, and
- (b) as required for the efficient operation of the health services sector in the approved hospital.

(2) A hospital operator shall prescribe the duties, remuneration and other terms of employment or engagement of hospital staff and officers appointed or engaged under subsection (1).

Appointment of medical staff

1.97698(1) A hospital operator is responsible for appointing the medical staff in accordance with the medical staff bylaws and any requirements established under subsection (2).

(2) The provincial health agency may establish requirements respecting the appointment of medical staff that hospital operators in the health services sector must follow.

Standards for medical and professional staff

1.97699 The sector Minister may establish standards respecting the delivery of hospital services that must be followed by the medical staff and professional staff.

Access to facilities of approved hospital

1.976991(1) A hospital operator may grant to physicians and other health practitioners access to the facilities in the health services sector in the approved hospital.

(2) The hospital operator must grant access under subsection (1) in accordance with the general bylaws, the medical staff bylaws and any applicable employment contract or contract for services.

Hospital Charges, Discharge and Transfer**Liability for proper charges**

1.976992(1) In this section, “proper charges” means

- (a) charges for services not delivered as insured services under Part 1 of the *Alberta Health Care Insurance Act* or the regulations made under that Part,
- (b) charges for services not delivered as insured services under Part 3 of the *Hospitals Act* or the regulations made under that Part, and
- (c) charges for the payment of which patients are liable under Part 3 of the *Hospitals Act* or the regulations made under that Part.

(2) Where a hospital operator delivers hospital services to a person in the health services sector in an approved hospital, the following persons are liable to the hospital operator for the payment of any proper charges:

- (a) if the person is a minor and is unmarried and not in an adult interdependent relationship, that person and the person's parents or guardians and their respective executors and administrators;
- (b) if the person is a minor and is married or in an adult interdependent relationship, that person and the person's spouse or adult interdependent partner and their respective executors and administrators;
- (c) if the person is an adult, that person and the person's spouse or adult interdependent partner, if any, and their respective executors and administrators;
- (d) if the person or another person signs an agreement, admission form or other document assuming responsibility for the payment of charges as a result of which that person is admitted to or receives services described in subsection (1) in the health services sector in the approved hospital, that person or the other person who signed the document and their respective executors and administrators, notwithstanding the *Guarantees Acknowledgment Act*.

(3) Notwithstanding subsection (2), where a hospital operator delivers hospital services in the health services sector in an approved hospital to a person who is married or in an adult interdependent relationship, that person's spouse or adult interdependent partner is not liable for the payment of any proper charges incurred by that person if

- (a) the person has deserted the spouse or adult interdependent partner and has not contributed to the spouse's or adult interdependent partner's support for at least 6 months immediately preceding the date on which the person is admitted to or receives hospital services in the health services sector in the approved hospital,
- (b) the spouses are legally separated from each other, or
- (c) the spouses or adult interdependent partners are living separate and apart and one spouse or adult interdependent partner has not contributed to the other spouse's or adult interdependent partner's support for at least 6 months immediately preceding the date on which the person is

admitted to or receives hospital services in the health services sector in the approved hospital.

(4) A hospital operator may recover from a person liable for the payment of proper charges under this section the amount of those charges by bringing an action in debt in a court of competent civil jurisdiction.

Discharge or transfer of patients

1.976993(1) A sector Minister, provincial health agency, hospital operator or administrator may, in accordance with subsections (3) to (5), declare that

- (a) a patient is no longer in need of the hospital services delivered in the health services sector in the approved hospital or in a particular ward, section or unit in the health services sector in the approved hospital, and
- (b) the patient is eligible for transfer or discharge.

(2) When a declaration is made under subsection (1), the sector Minister, provincial health agency, hospital operator or administrator may

- (a) transfer the patient
 - (i) to another ward, section or unit in the health services sector in the approved hospital,
 - (ii) to a ward, section or unit in another health services sector of the approved hospital, after consulting the hospital operator of that health services sector, or
 - (iii) to another location that the sector Minister, provincial health agency, hospital operator or administrator considers appropriate,

or

- (b) discharge the patient
 - (i) to a health services sector in another approved hospital, after consulting the hospital operator of the health services sector in that approved hospital,

- (ii) to a continuing care home or other accommodation,
- (iii) to another location that the sector Minister, provincial health agency, hospital operator or administrator considers appropriate, or
- (iv) from the approved hospital entirely.

(3) A sector Minister may act under this section only on the basis of the reports of the attending physician or the attending professional staff of the patient.

(4) A provincial health agency may act under this section only after consulting

- (a) the attending physician of the patient,
- (b) the attending professional staff of the patient, or
- (c) the hospital operator, if the provincial health agency is not the hospital operator.

(5) A hospital operator or administrator may act under this section only after consulting

- (a) the attending physician of the patient,
- (b) the attending professional staff of the patient, or
- (c) a committee established to consider matters referred to in this section.

Removal of discharged patients

1.976994(1) When a patient has been declared eligible for discharge under section 1.976993(1), the hospital operator or a representative of the hospital operator may require that the patient be removed by

- (a) a person liable under section 1.976992(2) for the payment of proper charges incurred by the patient, or
- (b) the sector Minister of the health services sector in which the patient received hospital services, if the patient is a tourist, transient or visitor in Alberta.

(2) The hospital operator or administrator shall notify the person responsible for the removal of a patient under subsection (1) to remove the patient from the approved hospital within 10 days after the date on which notice was given.

(3) Where notice is given to a person referred to in subsection (1)(a), the hospital operator or administrator shall send a copy of the notice to the sector Minister responsible for the health services sector in which health services were delivered to the patient.

(4) A person referred to in subsection (1)(a) who fails to comply with a notice given under subsection (2) is guilty of an offence and liable to a fine of not more than \$50 and, in default of payment, to imprisonment for a term not exceeding 10 days.

(5) Notwithstanding any other Act, a person referred to in subsection (1)(a) who fails to comply with a notice given under subsection (2) is liable to the hospital operator for the payment of an amount equal to

- (a) the daily rate for a patient who is not entitled to receive insured services under Part 3 of the *Hospitals Act*,

multiplied by

- (b) the number of days during which the patient remained in the approved hospital after the date on which the notice was given.

(6) Where a dispute arises in respect of this section between a person referred to in subsection (1)(a) and the hospital operator, the person or hospital operator may refer the matter to the sector Minister, and the sector Minister's decision on the matter is final.

Trespass

1.976995(1) Any patient declared eligible for transfer or discharge under section 1.976993(1) who refuses or fails to move or to leave when requested to do so is deemed to be a trespasser.

(2) Any other person who remains on hospital premises without the consent of the hospital operator or a representative of the hospital operator and who refuses or fails to leave the premises when ordered to do so is deemed to be a trespasser.

Appeals

Hospital Privileges Appeal Board

1.976996(1) The Hospital Privileges Appeal Board established under the *Hospitals Act* is continued.

(2) The Appeal Board consists of the following members appointed by the oversight Minister:

- (a) 2 physicians;
- (b) one member of The Law Society of Alberta or of the judiciary;
- (c) one person with significant public sector administration experience at a senior level as determined by the sector Minister responsible for the acute care health services sector;
- (d) one person with significant public sector administration experience at a senior level as determined by the sector Minister responsible for the mental health and addiction health services sector;
- (e) one member of the College of Registered Nurses of Alberta;
- (f) 2 other persons.

(3) The oversight Minister, after consulting the sector Ministers responsible for the acute care health services sector and the mental health and addiction health services sector, shall designate a member as chair.

(4) In the event of the chair's absence or inability to act, the members of the Appeal Board may elect one of the members to be chair during the chair's absence or inability to act.

(5) A member of the Appeal Board may be appointed for a term not exceeding 3 years and may be reappointed for additional terms each not exceeding 3 years.

(6) The sector Minister may determine the remuneration and expenses payable to the members of the Appeal Board.

Appeals

1.976997(1) A member or former member of the medical staff may appeal a decision of the hospital operator referred to in subsection (2) by giving written notice of the appeal to the Appeal Board within 90 days after receiving notice of the hospital operator's decision.

(2) The following decisions of a hospital operator may be appealed:

- (a) a decision not to reappoint the member or former member as a member of the medical staff;
- (b) a decision to reappoint the member or former member with different hospital privileges than those the member or former member had immediately prior to the reappointment;
- (c) a decision to terminate or suspend
 - (i) the member's or former member's appointment as a member of the medical staff, or
 - (ii) the member's or former member's hospital privileges;
- (d) a decision to vary the member's or former member's hospital privileges.

(3) For the purposes of an appeal, a hospital operator that does not reappoint a member of the medical staff who has applied for reappointment to the medical staff is deemed to have made a decision not to reappoint the member.

(4) For the purposes of this section, a regulated member of the College of Dental Surgeons of Alberta who has or had hospital privileges in a health services sector in an approved hospital is deemed to be a member or former member of the medical staff, as the case may be.

Rules re appeal hearings

1.976998(1) The Appeal Board may make rules respecting the hearing of appeals.

(2) A quorum for an appeal hearing is 3 members of the Appeal Board, at least one of whom must be a member appointed under section 1.976996(2)(a), (b) or (c).

(3) A party to an appeal may be represented by counsel at the hearing of the appeal.

(4) For the purposes of an appeal, the Appeal Board has the powers, privileges and immunities of a commissioner under sections 3 and 4 of the *Public Inquiries Act*.

(5) For the purposes of an appeal, the Appeal Board may inspect and make copies of records containing a patient's individually identifying health information or personal information and may admit a copy of the record containing the information in evidence of the appeal, but all proceedings related to the information must be held in private.

Decision on appeal

1.976999 On hearing an appeal, the Appeal Board may, by order,

- (a) confirm the decision of the hospital operator,
- (b) direct that a former member be reappointed to the medical staff or that a member's hospital privileges on reappointment be varied,
- (c) direct the reinstatement of
 - (i) a former member's appointment as a member of the medical staff, or
 - (ii) a member's hospital privileges,
- (d) remove or vary the suspension, or
- (e) direct that a member's hospital privileges be varied.

Appeal to Court of King's Bench

1.976999(1) The hospital operator or the member or former member who appealed the hospital operator's decision may appeal the order of the Appeal Board to the Court of King's Bench on a matter of law only.

(2) An application for appeal must be filed and served within 30 days after the person making the application is notified in writing of the order of the Appeal Board.

(3) The Court of King's Bench may make any order that the Appeal Board may make under section 1.976999 or may refer the matter back to the Appeal Board with any directions that the Court considers appropriate.

Information and Records Management

Records of delivery of hospital services

1.9769992(1) A hospital operator shall ensure that the attending physician and other persons delivering hospital services to a patient in the health services sector in the approved hospital keep records in accordance with the *Health Information Act* with respect to the hospital services delivered to the patient.

(2) A provincial health agency may establish, in accordance with the *Health Information Act*, requirements respecting record keeping for the purposes of subsection (1) that hospital operators, attending physicians and other persons delivering hospital services to patients must follow.

Disclosure of information

1.9769993(1) In this section, "authorized person" means a person authorized by the oversight Minister or a sector Minister to collect or disclose individually identifying health information or personal information under this section.

(2) The oversight Minister, a sector Minister or an authorized person may require that individually identifying health information or personal information be disclosed to the oversight Minister, sector Minister or authorized person for the following purposes:

- (a) assessing the standard of hospital services delivered to patients;
- (b) improving hospital or medical procedures;
- (c) compiling medical statistics;
- (d) conducting medical research;
- (e) enforcing the Crown's right of recovery under the *Crown's Right of Recovery Act*;

- (f) any other purpose considered by the oversight Minister or sector Minister to be in the public interest.

(3) The oversight Minister, a sector Minister, an authorized person, a hospital operator, an employee of a hospital operator, a physician or a member of the professional staff may disclose a patient's individually identifying health information or personal information without the patient's consent

- (a) to a provincial health agency, workers' compensation board or other provincial hospital insurance authority, where the information is required to establish responsibility for payment by the organization or insurer,
- (b) to the operator of another hospital to which the patient may be transferred or admitted or to other attending physicians or attending professional staff, and
- (c) to the ABC Benefits Corporation, where the information is required to administer the Alberta Blue Cross Plan.

(4) The oversight Minister or a sector Minister may, for the purposes referred to in subsection (2) and without the consent of any other person, disclose a patient's individually identifying health information or personal information to or collect that information from

- (a) a Director of Medical Services appointed under the *Occupational Health and Safety Act*,
- (b) The Alberta Medical Association (C.M.A. – Alberta Division),
- (c) the Department of Health (Canada) for purposes in connection with the *Canada Health Act* (Canada), or
- (d) the government of a province or territory of Canada or an agent of that government for purposes in connection with any health services or hospital care insurance plan administered by that government or its agent.

(5) A hospital operator shall, after the discharge of a patient from the health services sector in the approved hospital for the purpose of transferring the patient to another hospital inside or outside Alberta, a nursing home outside Alberta or a continuing care home,

disclose the patient's individually identifying health information to that other hospital, nursing home or continuing care home for the use of the staff of that other hospital, nursing home or continuing care home.

(6) A hospital operator may disclose a patient's individually identifying health information or personal information to a board of review appointed under the *Criminal Code* (Canada) to review the case of the person to whom the records relate.

Records, reports and returns

1.9769994(1) A hospital operator shall, on the written request of the oversight Minister or sector Minister, provide to the oversight Minister or sector Minister records, reports and returns relating to the health services sector in the approved hospital as specified in the request.

(2) The records, reports and returns must be provided

- (a) at the times and in the manner specified in the request, and
- (b) in accordance with the *Health Information Act*.

Registration of births, stillbirths and deaths

1.9769995 A hospital operator shall ensure that the documents required under the *Vital Statistics Act* are provided to the Registrar of Vital Statistics in accordance with that Act with respect to the following:

- (a) each birth that occurs in the health services sector in the approved hospital;
- (b) each stillbirth or death that occurs in the health services sector in the approved hospital in respect of which the hospital operator issues a burial and disposition permit.

Inquiries, Investigations and Mediation

Inquiry re management and operation

1.9769996(1) In this section, "authorized employee" means,

- (a) with respect to the oversight Minister, an employee of the department administered by the oversight Minister who is

authorized by the oversight Minister for the purposes of this section,

- (b) with respect to a sector Minister, an employee of the department administered by the sector Minister who is authorized by the sector Minister for the purposes of this section, and
- (c) with respect to a provincial health agency, an employee of the provincial health agency who is authorized by the provincial health agency for the purposes of this section.

(2) For the purposes of verifying the accuracy of records, reports and returns referred to in section 1.9769994 and ensuring compliance with this Act and the regulations, the oversight Minister, a sector Minister, a provincial health agency or their authorized employees may, in accordance with subsections (3) to (5),

- (a) make necessary inquiries into the management and operation of a health services sector in an approved hospital,
- (b) visit and inspect a health services sector in an approved hospital, and
- (c) examine the hospital records of a health services sector in an approved hospital.

(3) The oversight Minister or the oversight Minister's authorized employees may act under subsection (2) with respect to any health services sector in an approved hospital.

(4) A sector Minister or the sector Minister's authorized employees may act under subsection (2) with respect to the health services sector for which the sector Minister is responsible in an approved hospital.

(5) A provincial health agency or its authorized employees may act under subsection (2) with respect to the health services sector for which the provincial health agency was established, except with respect to the health services sector in an approved hospital for which the provincial health agency is the hospital operator.

Investigation or mediation committee

1.9769997(1) A sector Minister may authorize

- (a) an investigation into the management or operation of the health services sector in an approved hospital, or
- (b) the mediation of a dispute arising in the course of the management or operation of the health services sector in an approved hospital.

(2) Where a sector Minister authorizes an investigation or mediation under subsection (1), the sector Minister

- (a) may designate any person or body to conduct or participate in the investigation or mediation, and
- (b) shall establish a committee to conduct the investigation or mediation.

(3) Where a sector Minister designates one or more professional organizations to conduct or participate in an investigation or mediation, the governing body of each designated professional organization shall appoint one or more of the professional organization's members to the committee and shall inform the sector Minister accordingly.

(4) The committee

- (a) shall elect a member as chair, if there are 2 or more members on the committee,
- (b) shall conduct the investigation or mediation authorized by the sector Minister, and
- (c) may require from the hospital operator and its employees the individually identifying health information, personal information and other information the committee reasonably requires for the purposes of the investigation or mediation and may access the records of the hospital operator containing that information for that purpose.

(5) On completion of the investigation or mediation, the committee shall prepare and submit a report to the hospital operator, the sector Minister and the persons and bodies designated under subsection (2).

(6) No action may be commenced against a person or body designated under subsection (2)(a) or a member of a committee established under this section in respect of

- (a) advice given or statements made in the committee's report, or
- (b) anything done or not done by the committee or a member of the committee in good faith in the course of conducting the investigation or mediation.

Committee of inquiry

1.9769998(1) A sector Minister may establish a committee for the purposes of making an inquiry into any matter referred to it by the sector Minister relating to the management or operation of the health services sector in an approved hospital.

(2) The sector Minister shall appoint the members of the committee.

(3) The committee and any member of the committee have all the powers of a commissioner appointed under the *Public Inquiries Act*.

(4) The sector Minister may determine the remuneration and expenses payable to the members of the committee.

(5) On completion of the inquiry, the committee shall prepare and submit a report to the sector Minister.

Financial Matters

Grants and other payments

1.9769999 A sector Minister or provincial health agency may provide grants or other payments to a hospital operator with respect to the management and operation of the health services sector in the approved hospital.

Withholding of grants and other payments

1.97699991 If a hospital operator fails to comply with this Act or the regulations, the sector Minister or provincial health agency may suspend or adjust any grants or other payments that the sector Minister or provincial health agency may pay to the hospital

operator under section 1.9769999 until the hospital operator complies with this Act or the regulations.

Hospital Foundations

Hospital foundations

1.97699992(1) A hospital operator other than a provincial health agency or provincial health corporation may establish, by bylaw, a hospital foundation in accordance with the regulations.

(2) A foundation that exists immediately before the coming into force of this section may be continued as a hospital foundation under this Act in accordance with the regulations if the foundation is

- (a) a foundation established under Part 4 of the *Hospitals Act* as it read before the coming into force of this section,
- (b) a foundation exempted under section 58 of the *Hospitals Act* as it read before the coming into force of this section, or
- (c) a foundation established, continued or exempted under any other enactment as a foundation to benefit a hospital.

Regulations

Lieutenant Governor in Council regulations

1.97699993 The Lieutenant Governor in Council may make regulations

- (a) respecting the non-application or variation of the application of this Part or the regulations made under this Part, in whole or in part, to facilities for the purposes of section 1.9762;
- (b) respecting the application, non-application or variation of the application of this Part or the regulations, in whole or in part;
- (c) respecting the designation of approved hospitals for the purposes of section 1.9763;
- (d) respecting the designation of hospital operators for the purposes of section 1.9764;

- (e) respecting the responsibilities of hospital operators for the purposes of section 1.9767;
- (f) respecting the approval of the locations, design and construction of approved hospitals and the conditions under which approval will be granted;
- (g) respecting the standards of hospital services to be delivered by hospital operators;
- (h) respecting the admission policies of approved hospitals and the types of patients that may be admitted;
- (i) respecting the powers and duties of hospital operators with respect to the appointment and reappointment of members of the medical staff, the suspension and termination of the appointments of members of the medical staff and the delineation of hospital privileges of members of the medical staff;
- (j) respecting procedures for the mediation of decisions of hospital operators to refuse the appointment of physicians to the medical staff;
- (k) respecting hospital foundations, including regulations
 - (i) respecting the establishment of hospital foundations as corporations to benefit approved hospitals, hospital operators and communities,
 - (ii) respecting the continuation of foundations referred to in section 1.9769992(2) as hospital foundations under this Act and any transitional matters related to the continuation of such foundations as hospital foundations,
 - (iii) respecting prohibitions, exemptions and terms and conditions relating to the establishment and operation of hospital foundations, including regulations authorizing sector Ministers to grant or amend exemptions and establish or amend terms and conditions,
 - (iv) respecting the management, functions, powers and duties of hospital foundations,

- (v) respecting the manner in which and the purposes for which hospital foundations may be established,
- (vi) respecting the bylaws required to establish hospital foundations and the bylaws of hospital foundations, including regulations respecting the approval of bylaws and authorizing the oversight Minister or the chair of a provincial health corporation responsible for hospital foundations to give directions with respect to bylaws,
- (vii) respecting the governing bodies of hospital foundations and the members of governing bodies, including regulations respecting the appointment, election and nomination of members, eligibility for membership, types of members, the terms of office of members, the termination of members and the remuneration and expenses payable to members,
- (viii) authorizing the chair of a provincial health corporation responsible for hospital foundations to delegate any power given to the chair by the regulations made under this clause,
- (ix) respecting the fiscal year and annual reports of hospital foundations,
- (x) respecting the transfer of property by hospital foundations,
- (xi) respecting the transfer of property by hospital operators to hospital foundations,
- (xii) providing for the non-application of the *Loan and Trust Corporations Act* to hospital foundations,
- (xiii) requiring hospital foundations to provide records, reports and returns to the oversight Minister or the chair of a provincial health corporation responsible for hospital foundations, specifying the information the records, reports and returns must contain, and respecting the time at which and the form and manner in which the records, reports and returns must be provided,
- (xiv) requiring hospital foundations to consult with the oversight Minister, specifying the subject-matter of the

consultations, and respecting the time at which and the manner in which the consultations must take place, and

- (xv) respecting the winding up of the affairs of hospital foundations, including regulations authorizing the oversight Minister or the chair of a provincial health corporation responsible for hospital foundations to wind up or provide for the winding up of the affairs of hospital foundations;
- (l) respecting the establishment and operation of schools, centres or other facilities for the education or training of nurses or other hospital staff;
- (m) respecting the establishment of central placement offices for admission to continuing care homes;
- (n) respecting the disposal of human tissues, whether removed during an operation, autopsy or otherwise;
- (o) defining terms that are used but not defined in this Part for the purposes of this Part and the regulations;
- (p) respecting any other matters that in the opinion of the Lieutenant Governor in Council are necessary in order to carry out the purposes of this Part.

Transitional regulations

1.97699994(1) In this section, “former Act and regulations” means

- (a) Parts 1, 2 and 4 of the *Hospitals Act*,
- (b) the *Operation of Approved Hospitals Regulation* (AR 247/90), and
- (c) the *Hospitals Foundation Regulation* (AR 27/2007).

(2) The Lieutenant Governor in Council may make regulations

- (a) respecting the transition to this Act of anything provided for under the former Act and regulations;

(b) remedying any confusion, difficulty, inconsistency or impossibility resulting from the transition to this Act from the former Act and regulations.

(3) A regulation made under subsection (2) is repealed 5 years after the regulation comes into force or on the date specified in the regulation, whichever is earlier.

(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.

(5) A regulation made under subsection (2) that is in force on or after the repeal of this section remains in force until it is repealed in accordance with subsection (3).

(6) A regulation may not be made under subsection (2) extending the 5-year period set out in subsection (3).

(7) This section is repealed 5 years after this section comes into force, but the repeal does not affect anything done, incurred or acquired under the authority of a regulation made under subsection (2) before the repeal of this section.

Validation of regulation

1.97699995(1) The *Operation of Approved Hospitals Regulation* (AR 247/90) is validated and declared for all purposes to have been validly made.

(2) Everything done under or in reliance of the *Operation of Approved Hospitals Regulation* (AR 247/90) is validated and declared for all purposes to have been validly done.

(16) Section 5.01(b) is amended by striking out “and” at the end of subclause (iii) and adding the following after subclause (iii):

(iii.1) the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for the *Public Health Act*, and

(17) Divisions 1 and 2 of Part 3 are repealed.

(16) Section 5.01(b) presently reads in part:

(b) “successor” means

(iii) the oversight Minister, and

(17) Divisions 1 and 2 of Part 3 presently read:

Division 1
Regional Health Authorities

2(1) The Minister may by order establish one or more health regions in Alberta.

(2) An order under subsection (1)

(a) shall name the health region and describe its boundaries, and

(b) may be made effective on a date that is before the date on which the order is made.

(6) The Regulations Act does not apply to an order under this section.

3(1) Each health region shall be administered by a regional health authority.

(2) A regional health authority shall consist of the number of persons determined by the Minister who are appointed or elected in accordance with the regulations.

(3) A regional health authority is a corporation consisting of its members.

4(1) Notwithstanding section 3, where a health region is established, the Minister shall by order appoint the number of persons the Minister considers appropriate as the first members of the regional health authority for the health region.

(2) The terms of office of the first members of a regional health authority continue until their successors are appointed or elected in accordance with the regulations.

(3) The Minister may provide in the order for the payment of remuneration and expenses to the first members of a regional health authority.

5(1) Subject to this Act and the regulations, a regional health authority shall, in accordance with subsection (2),

(a) plan for the delivery of health services in the health region, and

(b) deliver health services in the health region.

(2) Subject to this Act and the regulations, in carrying out its responsibilities under subsection (1), a regional health authority shall

- (a) promote and protect the health of the population in the health region and work toward the prevention of disease and injury,*
- (b) assess on an ongoing basis the health needs of the health region,*
- (d) support reasonable access to quality health services in the health region, and*
- (e) promote the delivery of health services in a manner that is responsive to the needs of individuals and communities and supports the integration of services and facilities in the health region.*

Division 2

Winding Up and Dissolution of Regional Health Authorities

5.01 In this Division,

- (a) “agreement” includes an agreement, contract, instrument or other written or oral arrangement or commitment;*
- (b) “successor” means*
 - (i) one or more provincial health agencies,*
 - (i.1) one or more provincial health corporations,*
 - (ii) one or more sector Ministers,*
 - (iii) the oversight Minister, and*
 - (iv) the Minister determined under section 16 of the Government Organization Act as the Minister responsible for the Real Property Governance Act.*

5.02(1) The oversight Minister may order that the affairs of a regional health authority be wound up.

(2) The affairs of a regional health authority must be wound up in accordance with this Division.

(3) When the oversight Minister is satisfied that the affairs of the regional health authority have been wound up, the oversight Minister, by order, may

- (a) terminate the appointment of*
 - (i) the members of the regional health authority, or*
 - (ii) the official administrator, if one was appointed under section 11,*

and

- (b) dissolve the regional health authority.*

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

- (a) providing for the transfer to one or more successors of any powers, duties, responsibilities or functions of the regional health authority,*
- (b) providing for the transfer to one or more successors of any property or assets of the regional health authority,*
- (c) providing for the transfer to one or more successors of any liabilities or obligations of the regional health authority,*
- (d) assigning or transferring to one or more successors any rights, benefits, obligations or responsibilities under any agreements to which the regional health authority is a party other than employment contracts, collective agreements or agreements relating to collective agreements,*
- (e) transferring to one or more successors the custody and control of any records of the regional health authority,*
- (f) determining by or against which successor or successors any civil, criminal or administrative actions or proceedings pending by or against the regional health authority are to be continued,*
- (g) providing that any existing causes of action, claims or liabilities to prosecution of, by or against the regional health authority are unaffected and determining by or against which successor or successors they may be continued,*

- (h) *determining in favour of or against which successor or successors any rulings, orders or judgments in favour of or against the regional health authority are to be enforced,*
- (i) *authorizing the collection, use and disclosure by the regional health authority or a successor or successors of*
 - (i) *personal information as defined in the Freedom of Information and Protection of Privacy Act, or*
 - (ii) *health information, as defined in the Health Information Act, including individually identifying health information within the meaning of the Health Information Act,*
- (j) *providing for the protection of the interests of the creditors and debenture holders of the regional health authority,*
- (k) *requiring the regional health authority to amend or repeal the bylaws of the regional health authority and specifying the manner in which the bylaws are to be amended, and*
- (l) *providing for any other matters the oversight Minister considers necessary.*

(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.

(2) An order made under subsection (1) may provide that

- (a) an order made under this Act, or*
- (b) a direction given under section 8 as it read immediately before the coming into force of this section*

that was in force immediately before the coming into force of this section is continued and applies to a successor to the extent set out in the order made under subsection (1).

(3) An order made under subsection (1) may be made retroactive to the extent set out in the order.

(4) The Regulations Act does not apply to an order made under this section.

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

- (a) providing for the transfer to another successor or successors of any powers, duties, responsibilities or functions previously transferred by an order made under section 5.03(1)(a),*
- (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),*
- (c) providing for the transfer to another successor or successors of any liabilities or obligations previously transferred by an order made under section 5.03(1)(c),*
- (d) assigning or transferring to another successor or successors any rights, benefits, obligations or responsibilities under any agreements previously assigned or transferred by an order made under section 5.03(1)(d),*
- (e) transferring to another successor or successors the custody and control of any records of the regional health authority previously transferred by an order made under section 5.03(1)(e),*
- (f) determining that any civil, criminal or administrative actions or proceedings previously continued under an order made under section 5.03(1)(f) are to be continued by or against another successor or successors,*
- (g) determining that any existing causes of action, claims or liabilities to prosecution previously continued by an order made under section 5.03(1)(g) are to be continued by or against another successor or successors,*
- (h) determining that any rulings, orders or judgments are to be enforced in favour of or against a successor or successors other than or in addition to a successor or successors referred to in an order made under section 5.03(1)(h),*
- (i) authorizing the collection, use and disclosure by a successor or successors of any information referred to in section 5.03(1)(i) that was previously collected, used or disclosed by a successor or successors,*

- (j) *providing for the protection of the interests of creditors and debenture holders where any obligations or liabilities of the regional health authority that were previously transferred by an order made under section 5.03(1)(c) are transferred to another successor or successors by an order made under clause (c), and*
- (k) *requiring a successor to amend or repeal the bylaws of the successor and specifying the manner in which the bylaws are to be amended.*

(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.

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

(3) The Regulations Act does not apply to an order made under this section.

5.05 The oversight Minister may from time to time give any directions the oversight Minister considers appropriate with respect to the winding up of the affairs of a regional health authority.

5.06(1) The oversight Minister may appoint a person in a transitional order to carry out some or all of the activities set out in the order.

(2) The oversight Minister may give directions under section 5.05 requiring a person appointed under subsection (1) to carry out some or all of the activities set out in the direction.

(3) A person appointed under subsection (1) shall carry out the activities set out in the order or direction in accordance with

- (a) the order or direction,*
- (b) any other relevant transitional orders, and*
- (c) any other relevant directions given under section 5.05.*

(4) Subject to the order, all powers conferred on the regional health authority, with respect to an order made under section 5.03, or on a successor, with respect to an order made under section 5.04, are

transferred to and vested in the person to the extent necessary to carry out the activities.

5.07(1) Where any rights, benefits, obligations or responsibilities under an agreement are assigned or transferred to a successor by a transitional order, the agreement continues to have full effect as an agreement of the successor with respect to those rights, benefits, obligations and responsibilities.

(2) An assignment or transfer under subsection (1) is valid notwithstanding a provision in the agreement that

- (a) prohibits the assignment or transfer of the agreement or of any rights, benefits, obligations or responsibilities under the agreement, or*
- (b) requires the consent of or notice to a party or parties to the agreement to the assignment or transfer.*

(3) Notwithstanding any provision in an agreement to the contrary, neither of the following give rise to any legal or equitable right, remedy or penalty under the agreement:

- (a) the assignment or transfer of any rights, benefits, obligations or responsibilities under the agreement;*
- (b) anything done under a transitional order or a direction made under section 5.05.*

5.08(1) During the period in which a regional health authority is being wound up,

- (a) sections 1.95 and 1.96(1) do not apply to a provincial health agency with respect to any health services in the health services sector that have not been transferred to the provincial health agency by a transitional order, and*
- (b) section 5 does not apply to a regional health authority with respect to any health services that have been transferred from the regional health authority by a transitional order.*

(2) Section 1.96(2) does not apply in respect of any health services that a regional health authority was responsible for delivering immediately before the coming into force of this section until the responsibility for delivering those health services is transferred by an order made under section 5.03.

(18) Section 5.09(1) is amended by adding the following after clause (a):

- (a.1) “regional health authority” means a regional health authority referred to in section 3 as it read immediately before the coming into force of this clause;

(19) Section 5.094(1) is amended by adding the following after clause (f):

- (f.1) “regional health authority” means a regional health authority referred to in section 3 as it read immediately before the coming into force of this clause;

(20) Section 5.1 is amended

(a) in subsection (1)

(i) by striking out “or regional health authority” wherever it occurs;

(ii) by striking out “or 5, respectively”;

(b) in subsections (2), (3) and (4) by striking out “or regional health authority”.

(18) Adds definition.

(19) Adds definition.

(20) Section 5.1 presently reads in part:

5.1(1) Subject to the regulations, if a provincial health agency or regional health authority enters into an agreement with a person for the purposes of carrying out its responsibilities under section 1.95 or 5, respectively, the agreement must

(b) conform with any accountability framework established under section 8.1 that applies to the provincial health agency or regional health authority, as amended from time to time, and

(c) subject to subsection (2), conform with any directives that must be followed by

(i) the provincial health agency or regional health authority, and

(2) A provincial health agency or regional health authority that enters into an agreement referred to in subsection (1) is not absolved from carrying out its responsibilities under this Act in respect of the subject matter of the agreement.

(3) The sector Minister may direct a provincial health agency or regional health authority to terminate an agreement if the sector Minister is of the opinion that it fails to meet any of the requirements set out in subsection (1).

(4) Subsection (1)(c) applies only in respect of agreements entered into by a provincial health agency or regional health authority on or after the coming into force of this section.

(21) Section 6 is amended

(a) in subsection (1) by striking out “or regional health authority”;

(b) in subsection (2)

(i) by striking out “A provincial health agency or regional health authority” and substituting “A provincial health agency”;

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

(a) a committee of the members of the provincial health agency, or

(iii) in clause (b) by striking out “or regional health authority, or”;

(iv) by repealing clause (c).

(22) Sections 6.1, 6.2 and 7(1) are amended by striking out “or regional health authority” wherever it occurs.

(21) Section 6 presently reads:

6(1) Subject to this Act and the regulations, a provincial health agency or regional health authority has the rights, powers and privileges of a natural person.

(2) A provincial health agency or regional health authority may delegate, unless the power to delegate is limited in the regulations, any powers, duties, responsibilities or functions conferred or imposed on it under this or any other Act to

- (a) a committee of the members of the provincial health agency or regional health authority,*
- (b) any of the employees, officers or agents of the provincial health agency or regional health authority, or*
- (c) a community health council of the provincial health agency or regional health authority.*

(22) Sections 6.1, 6.2 and 7(1) presently read in part:

6.1 A provincial health agency or regional health authority shall exercise its powers and carry out its duties, responsibilities and functions under this Act in accordance with the following:

- (f) the approved health plan of the provincial health agency or regional health authority;*
- (h) any approved additional plans of the provincial health agency or regional health authority.*

6.2(1) A provincial health agency or regional health authority 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 by a provincial health agency or regional health authority on behalf of the Crown in right of Alberta, whether in the name of the provincial health agency or regional health authority or in the name of the Crown in right of Alberta, may be brought by or taken against the provincial health agency or regional health authority in the name of the provincial health agency or regional health authority.

(23) Section 8 is amended

(a) in subsection (1)

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

(a.1) a hospital operator and its board or members,

(ii) by repealing clause (b);

(b) in subsection (2)(a) by adding “, including a provincial health corporation that is a hospital operator,” after “provincial health corporation”.

(24) Section 8.1 is amended by striking out “or regional health authorities” wherever it occurs.

(25) Section 9 is amended

(a) by repealing subsection (3);

(b) in subsection (4) by striking out “referred to in subsection (2) or (3)”;

(c) in subsection (5) by striking out “or regional health authority”.

7(1) A provincial health agency or regional health authority shall make bylaws governing conflict of interest in respect of members, agents, officers and employees of the provincial health agency or regional health authority.

(23) Section 8 presently reads in part:

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

(b) a regional health authority or its members,

(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

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

(24) Section 8.1 presently reads:

8.1 A sector Minister, by order, may

(a) establish an accountability framework in respect of one or more provincial health agencies or regional health authorities for which the sector Minister is responsible, and

(b) establish reporting requirements in respect of the accountability framework that apply to one or more of the provincial health agencies or regional health authorities referred to in clause (a).

(25) Section 9 presently reads in part:

(3) A regional health authority shall prepare the following plans:

(a) a health plan;

(b) any additional plans required by the sector Minister.

(4) A plan referred to in subsection (2) or (3) must be submitted to the sector Minister within the time specified by the sector Minister.

(26) Section 9.01 is amended

(a) by repealing subsection (2);

(b) by repealing subsection (3) and substituting the following:

(3) In preparing a health plan, a provincial health agency shall consult the oversight Minister, sector Ministers, other provincial health agencies and any other persons or bodies that the provincial health agency considers necessary to ensure that the health plan is coordinated with the health plans of other provincial health agencies.

(c) by repealing subsection (4)(b);

(d) by repealing subsection (5).

(5) The sector Minister may extend the time for submitting a plan on the request of a provincial health agency or regional health authority.

(26) Section 9.01 presently reads in part:

(2) Where a health region is established, a regional health authority shall prepare and submit a health plan for the health region.

(3) In preparing a health plan, a provincial health agency or regional health authority shall consult with the oversight Minister, sector Ministers, provincial health agencies, regional health authorities and any other persons or bodies that the provincial health agency or regional health authority considers necessary to ensure that the health plan is coordinated with the health plans of other provincial health agencies and regional health authorities.

(4) A health plan submitted by a provincial health agency with respect to a health services sector must contain the following:

(b) where the provincial health agency intends to establish one or more community health councils,

(i) provisions for the establishment of the community health councils, and

(ii) provisions setting out the role of each community health council and its relationship to the provincial health agency, including a statement as to whether the community health council is to do one or both of the following:

(A) act in an advisory capacity to the provincial health agency with respect to the delivery of health services in the health services sector;

(B) enter into agreements with the provincial health agency;

(5) A health plan submitted by a regional health authority must contain the following:

(a) a statement as to how the regional health authority proposes to

(i) carry out its responsibilities under section 5, and

(27) Sections 9.04(1)(c), (2) and (4) and 9.1(1) are amended by striking out “or regional health authority”.

(28) Section 10 is repealed.

- (ii) *measure its performance in carrying out those responsibilities;*
- (b) *provisions for the establishment of one or more community health councils;*
- (c) *provisions setting out the role of each community health council and its relationship to the regional health authority, including a statement as to whether the community health council is to do one or both of the following:*
 - (i) *act in an advisory capacity to the regional health authority with respect to the delivery of health services in the health region or a part of it;*
 - (ii) *enter into agreements with the regional health authority;*
- (d) *information respecting the health services to be delivered and the anticipated cost of delivering those health services;*
- (e) *any other information required by the regulations or by the sector Minister in a notice in writing to the regional health authority.*

(27) Sections 9.04 and 9.1(1) presently read in part:

9.04(1) When a plan is submitted to a sector Minister, the sector Minister may

- (c) *refer the plan back to the provincial health agency or regional health authority with directions to take any further action the sector Minister considers appropriate.*

(2) A plan that is referred back to a provincial health agency or regional health authority under subsection (1)(c) must be resubmitted as directed by the sector Minister.

(4) A provincial health agency or regional health authority

9.1(1) A provincial health agency or regional health authority shall, as directed under subsection (2), submit its annual budget to the sector Minister for approval.

(28) Section 10 presently reads:

10(1) A provincial health agency or regional health authority may establish a community health council if the sector Minister has

(29) Section 11 is amended

(a) in subsection (1)

- (i) by striking out “, regional health authority” wherever it occurs;**
- (ii) by striking out “or community health council” wherever it occurs;**

(b) in subsection (2)

(i) in clauses (a) and (b)

- (A) by striking out “, regional health authority”;**
- (B) by striking out “, provincial health corporation or community health council” and substituting “or provincial health corporation”;**

(ii) in clause (c)(i)

- (A) by striking out “, regional health authority”;**

approved a health plan that addresses the matters referred to in section 9.01(4)(b) or (5)(b) and (c).

(2) A community health council must be established in accordance with the approved health plan of the provincial health agency or regional health authority and the regulations.

(3) A community health council may be established as a corporation.

(4) The members of a community health council must be appointed or elected in accordance with the regulations.

(5) A sector Minister may direct a provincial health agency or regional health authority to disestablish one or more community health councils.

(6) Subject to the regulations, where a community health council is disestablished, the instrument disestablishing the community health council must contain any provisions necessary to protect the interests of creditors and to otherwise provide for the winding up of the affairs of the community health council.

(29) Section 11 presently reads in part:

11(1) A sector Minister, by order, may dismiss all of the members of a provincial health agency, regional health authority or community health council and appoint an official administrator if the sector Minister considers that

(a) the provincial health agency, regional health authority or community health council is not properly exercising its powers or carrying out its duties, responsibilities or functions under this Act, or

(2) An official administrator appointed under this section

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

(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

(B) by striking out “or community health council”;

(c) in subsection (3)

(i) by striking out “, regional health authority” wherever it occurs;

(ii) by striking out “or community health council” wherever it occurs;

(iii) by striking out “or election”.

(30) Section 11.1(2) is amended by striking out “Section 24 of the *Hospitals Act*” and substituting “Sections 1.9769992 and 1.9769993”.

(31) Section 11.2 is repealed.

(32) Section 12(1), (2) and (3) are amended

(a) by striking out “, regional health authority” wherever it occurs;

(b) by striking out “or community health council” wherever it occurs.

- (i) *determined by the sector Minister as an operating expense of the provincial health agency, regional health authority or community health council, or*

(3) Where, in the opinion of the sector Minister, an official administrator is no longer required with respect to a provincial health agency, regional health authority or community health council, 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.

(30) Section 11.1(2) presently reads:

(2) Section 24 of the Hospitals Act does not apply to information in the cancer registry.

(31) Section 11.2 presently reads:

11.2 The Alberta Cancer Foundation established under the Cancer Programs Act, RSA 2000 cC-2, is continued and is deemed to be a foundation established under section 23(1)(s).

(32) Section 12 presently reads in part:

12(1) Subject to subsection (5), 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*

(2) In determining whether to hold a meeting or part of a meeting in private, a provincial health agency, regional health authority or community health council shall take the following considerations into account:

- (b) whether holding the meeting or part of the meeting in private is justified in order to permit the provincial health agency, regional health authority or community health council to carry out its responsibilities in an effective and efficient manner;*

(33) Section 13 is amended

- (a) by repealing subsection (1);**
- (b) in subsection (2)**
 - (i) by striking out “, a regional health authority”;**
 - (ii) by striking out “, a subsidiary health corporation and a community health council” and substituting “and a subsidiary health corporation”;**
- (c) in subsection (3)**
 - (i) by striking out “, a regional health authority” wherever it occurs;**
 - (ii) by striking out “, a subsidiary health corporation other than a provincial health corporation subsidiary or a community health council” wherever it occurs and substituting “or a subsidiary health corporation other than a provincial health corporation subsidiary”;**
- (d) in subsection (4)**
 - (i) by striking out “, a regional health authority”;**
 - (ii) by striking out “, a subsidiary health corporation other than a provincial health corporation subsidiary or a community health council” and substituting “or a subsidiary health corporation other than a provincial health corporation subsidiary”.**

(34) Section 14 is amended

- (a) in subsection (1)**

(3) If a provincial health agency, regional health authority or community health council decides to hold a meeting or part of a meeting in private, the provincial health agency, regional health authority or community health council shall ensure that the minutes of the meeting indicate

(b) the reasons why the provincial health agency, regional health authority or community health council considers it necessary to hold the meeting or part of the meeting in private.

(33) Section 13 presently reads in part:

13(1) This section, insofar as it applies to community health councils, only applies to community health councils that are corporations.

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

(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 other than a provincial health corporation subsidiary or a community health council, a provincial health agency, a regional health authority, a subsidiary health corporation other than a provincial health corporation subsidiary 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 other than a provincial health corporation subsidiary or a community health council shall provide 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.

(34) Section 14 presently reads in part:

- (i) **by striking out** “a regional health authority,”;
 - (ii) **by striking out** “, a subsidiary health corporation other than a provincial health corporation subsidiary and a community health council” **and substituting** “and a subsidiary health corporation other than a provincial health corporation subsidiary”;
- (b) **in subsections (2)(a) and (2.1)(b)(i) by striking out** “or regional health authority”.

(35) Section 15 is amended

- (a) **in subsection (1) by striking out** “, provincial health agency or regional health authority” **and substituting** “or provincial health agency”;
- (b) **in subsection (3) by striking out** “or regional health authority”.

(36) Section 16.1 is amended

- (a) **in subsection (1)**
 - (i) **by striking out** “or regional health authority” **wherever it occurs**;
 - (ii) **in clause (a) by adding** “1.9765(2) or” **after** “section”;
- (b) **by adding the following after subsection (2.2):**

(2.3) Where the sector Minister is of the opinion that a hospital operator other than a provincial health agency or provincial health corporation has failed to comply with a directive, the

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

(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

(2.1) An annual report must

(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

(35) Section 15 presently reads in part:

15(1) Subject to subsection (3), a sector Minister, provincial health agency or regional health authority may enter into an agreement with the government of another jurisdiction for the purposes of this Act.

(3) A provincial health agency or regional health authority shall not enter into an agreement under subsection (1) without the prior approval of the sector Minister.

(36) Section 16.1(1) presently reads:

16.1(1) Where a sector Minister is of the opinion that a provincial health agency or regional health authority, or one or more members of a provincial health agency or regional health authority, has failed to comply with a directive or an applicable accountability framework, the sector Minister may

(a) direct the provincial health agency or regional health authority to terminate an agreement referred to in section 5.1,

(b) dismiss one or more members of the provincial health agency or regional health authority, or

sector Minister may direct the hospital operator to terminate the agreement referred to in section 1.9765(1).

(37) Section 18 is repealed.

(38) Section 19(1) is amended by striking out “or regional health authority”.

(39) Section 20 is amended

- (a) by striking out** “an existing health authority” **and substituting** “a hospital operator”;
- (b) by striking out** “or regional health authority” **wherever it occurs.**

(40) Section 21(1) is amended

- (a) in clause (a)**
 - (i) by striking out** “an existing health authority, provincial health agency” **and substituting** “a provincial health agency, hospital operator”;
 - (ii) by striking out** “, regional health authority”;
 - (iii) by striking out** “, community health council”;
 - (iv) by adding “and” at the end of clause (a);**
- (b) in clause (b)**

- (c) *dismiss all of the members of the provincial health agency or regional health authority and appoint an official administrator.*

(37) Section 18 presently reads:

18 Except as otherwise provided in the regulations, Parts 2 and 3 of the Hospitals Act apply in respect of a mental health hospital within the meaning of the regulations.

(38) Section 19(1) presently reads:

19(1) 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 or regional health authority to assist it in carrying out its duties, responsibilities and functions.

(39) Section 20 presently reads:

20 Notwithstanding any other enactment, where an enactment provides that the sector Minister shall or may provide grants or payments of any kind to any person including, without limitation, an existing health authority, the sector Minister may instead provide those grants or payments to a provincial health agency or regional health authority and, subject to any terms and conditions the sector Minister considers appropriate, delegate to the provincial health agency or regional health authority the sector Minister's power in respect of the provision of the grants or payments.

(40) Section 21(1) presently reads:

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 other than a provincial health corporation subsidiary in the health services sector for which the sector Minister is responsible,*
- (b) *require the production for examination of any documents or records in the possession of the existing health authority, provincial health agency, regional health authority,*

- (i) **by striking out** “existing health authority, provincial health agency” **and substituting** “provincial health agency, hospital operator”;
- (ii) **by striking out** “, regional health authority”;
- (iii) **by striking out** “, community health council”;
- (c) **by striking out “and” at the end of clause (b) and repealing clause (c).**

(41) Section 22 is amended by striking out “, regional health authority”.

(42) Section 23 is amended

- (a) **in subsection (1)**
 - (i) **in clause (a)**
 - (A) **by striking out** “, regional health authorities”;
 - (B) **by striking out** “and community health councils”;
 - (ii) **in clause (b) by striking out** “and regional health authorities”;
 - (iii) **by repealing clause (c);**
 - (iv) **in clause (d)**
 - (A) **by striking out** “, election”;
 - (B) **by striking out** “, regional health authorities”;
 - (C) **by striking out** “and community health councils”;
 - (D) **by striking out** “or election”;
 - (v) **by repealing clause (e);**

community health council or subsidiary health corporation, and make copies of them or temporarily remove them for the purpose of making copies, and

- (c) require the production for examination of any documents or records that are in the possession of a person who is or was a candidate in an election for membership on a provincial health agency or regional health authority and that relate to that person's election finances, and make copies of them or temporarily remove them for the purpose of making copies.*

(41) Section 22 presently reads:

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

(42) Section 23 presently reads in part:

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

- (a) respecting the powers, duties, responsibilities, functions and jurisdiction of provincial health agencies, regional health authorities and community health councils;*
- (b) respecting the composition of provincial health agencies and regional health authorities;*
- (c) respecting the establishment of community health councils;*
- (d) respecting the appointment, election and nomination of members of provincial health agencies, regional health authorities and community health councils, eligibility for membership, the terms of office of members, the termination of members, the filling of vacancies and the appointment or election of officers;*
- (e) respecting matters relating to the election finances of candidates for election for membership on provincial health agencies or regional health authorities including regulations*

(vi) by repealing clause (f);

(vii) in clause (g)

**(A) by striking out “, regional health authorities”
wherever it occurs;**

**(B) by striking out “and community health councils”
wherever it occurs;**

(viii) in clause (h)

(A) by striking out “, regional health authorities”;

**(B) by striking out “, subsidiary health corporations
other than provincial health corporation subsidiaries
and community health councils” and substituting
“and subsidiary health corporations other than
provincial health corporation subsidiaries”;**

**(ix) in clauses (i) and (j) by striking out “and regional
health authorities” wherever it occurs;**

(x) by repealing clauses (k) and (l);

**(xi) by repealing clause (o) and substituting the
following:**

**(o) authorizing sector Ministers, provincial health
agencies and community health councils to make
payments directly to individuals to enable individuals
to acquire health services or health related services,
and respecting terms and conditions under which
those payments may be made and to which they are
subject;**

**(xii) by repealing clause (o) and substituting the
following:**

**(o) authorizing sector Ministers and provincial health
agencies to make payments directly to individuals to
enable individuals to acquire health services or health
related services, and respecting terms and conditions
under which those payments may be made and to
which they are subject;**

- (i) *respecting who may make and accept contributions to candidates, the maximum amounts of contributions and the time and manner in which they may be made,*
- (ii) *respecting the disposition of contributions that are made in contravention of the regulations,*
- (iii) *requiring a person who makes a contribution in excess of the maximum amount permitted in the regulations to pay a penalty, and respecting the amount of the penalty, the person to whom it is payable and the manner in which it may be recovered,*
- (iv) *respecting the manner in which contributions are to be held and accounted for, and the disposition of a surplus where the candidate decides not to contest the next election,*
- (v) *respecting the keeping of election finances records, and*
- (vi) *providing that a member of a provincial health agency or regional health authority who fails to submit audited financial statements in respect of election finances as required by the regulations ceases to be a member, subject to any appeal provisions in the regulations;*
- (f) *respecting conflicts of interest of members of community health councils;*
- (g) *respecting the bylaws of provincial health agencies, regional health authorities and community health councils, including regulations*
- (i) *authorizing or requiring provincial health agencies, regional health authorities and community health councils to make bylaws relating to their general conduct, operation, management and financial matters, and*
- (h) *determining or providing for the manner of determining the fiscal year of provincial health agencies, regional health authorities, subsidiary health corporations other than provincial health corporation subsidiaries and community health councils;*

(xiii) in clause (q) by striking out “and regional health authorities”;

(xiv) in clause (s)

(A) by striking out “respecting foundations” and substituting “respecting health foundations”;

(B) by repealing subclause (i) and substituting the following:

- (i) respecting the establishment of health foundations as corporations to benefit facilities, provincial health agencies, community health councils and communities,

(C) by repealing subclause (i) and substituting the following:

- (i) respecting the establishment of health foundations as corporations to benefit facilities, provincial health agencies and communities,

(D) by adding the following after subclause (i):

- (i.1) respecting the continuation of foundations referred to in section 1.951(2) and providing for any transitional matters related to the continuation of such foundations as health foundations,

(E) in subclauses (ii) and (iii) by adding “health” before “foundations”;

(F) by repealing subclause (iv) and substituting the following:

- (iv) respecting the bylaws required to establish health foundations and the bylaws of health foundations, including regulations respecting the approval of bylaws and authorizing the oversight Minister or the chair of a provincial health corporation responsible for health foundations to give directions with respect to bylaws,

- (i) *respecting the appointment of the Auditor General as the auditor for provincial health agencies and regional health authorities;*
- (j) *respecting the financial matters of provincial health agencies and regional health authorities, including regulations respecting*
 - (i) *the borrowing and investment powers of provincial health agencies and regional health authorities and matters relating to borrowing and investment by provincial health agencies and regional health authorities,*
 - (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 respecting any terms and conditions applicable to indemnities and guarantees,*
 - (iii) *the acquisition and disposal of land, buildings, assets and equipment by provincial health agencies and regional health authorities,*
 - (iv) *requirements relating to agreements and projects entered into by provincial health agencies and regional health authorities,*
 - (v) *the transfer of property 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 delivery of health services,*
 - (vii) *surpluses and deficits of provincial health agencies and regional health authorities, and*
 - (viii) *money donated to provincial health agencies and regional health authorities;*
- (k) *respecting the borrowing and investment powers of community health councils;*
- (l) *respecting the budgets of community health councils, including regulations*

- (G) in subclause (v) by adding “health” before “foundations”;**
- (H) by adding the following after subclause (v):**
- (v.1) authorizing the chair of a provincial health corporation responsible for health foundations to delegate any power given to the chair by the regulations made under this clause,
 - (v.2) respecting the fiscal year and annual reports of health foundations,
- (I) in subclause (vi) by adding “health” before “foundations”;**
- (J) in subclause (vii) by striking out “foundations to provide records, reports and returns to the oversight Minister or sector Ministers” and substituting “health foundations to provide records, reports and returns to the oversight Minister or the chair of a provincial health corporation responsible for health foundations”;**
- (K) by striking out “and” at the end of subclause (vii) and adding the following after subclause (vii):**
- (vii.1) requiring health foundations to consult with the oversight Minister, specifying the subject-matter of the consultations, and respecting the time at which and the manner in which the consultations must take place, and
- (L) by repealing subclause (viii) and substituting the following:**
- (viii) respecting the winding up of the affairs of health foundations, including regulations authorizing the oversight Minister or the chair of a provincial health corporation responsible for health foundations to wind up or provide for the winding up of the affairs of health foundations;
- (xv) in clause (u) by striking out “and regional health authorities”;**

- (i) *requiring community health councils to submit budgets to sector 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) *authorizing sector Ministers, provincial health agencies, regional health authorities and community health councils to make payments directly to individuals to enable individuals to acquire health services or health related services, 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 agencies and regional health authorities from paying taxes or fees under any other enactment, notwithstanding that other enactment;*
- (s) *respecting foundations, including regulations*
 - (i) *respecting the establishment of foundations as corporations to benefit facilities, provincial health agencies, regional health authorities or community health councils,*
 - (ii) *respecting the management, functions, powers and duties of foundations,*
 - (iii) *respecting the manner in which and the purposes for which foundations may be established,*
 - (iv) *respecting the bylaws required to establish the foundation and the bylaws of the foundation, including regulations respecting the approval of bylaws and authorizing the oversight Minister or sector Ministers to give directions with respect to bylaws,*
 - (v) *respecting the governing bodies of foundations and the members of governing bodies, including regulations respecting the appointment, election and nomination of members, eligibility for membership, types of members, the terms of office of members, the termination of members and the remuneration and expenses payable to members,*
 - (vi) *respecting the transfer of property by foundations,*

(b) by repealing subsections (2), (3) and (4).

(43) Section 24(1) is amended

(a) in clause (b) by striking out “and health regions”;

- (vii) *requiring foundations to provide records, reports and returns to the oversight Minister or sector Ministers, 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, and*
 - (viii) *respecting the winding up of the affairs of foundations, including regulations authorizing the oversight Minister or sector Ministers to wind up or provide for the winding up of the affairs of foundations;*
 - (u) *respecting drugs that provincial health agencies and regional health authorities may provide for the treatment of cancer;*
- (2) *The Lieutenant Governor in Council may make regulations providing for the continuance of*
- (a) *existing foundations established under the Hospitals Act in cases where the order or enactment establishing the hospital board is rescinded or repealed and the hospital is located in a health region under this Act,*
 - (b) *existing foundations established by a board under the Provincial General Hospitals Act, RSA 1980 cP 21, in cases where the board under that Act is wound up under section 1.1 of that Act,*
 - (c) *the Alberta Hospital Edmonton Foundation revived under section 4 of the Health Statutes Amendment Act, 1996, or*
 - (d) *the University Hospitals Foundation, where the University Hospitals Foundation Act, RSA 1980 cU 9, is repealed.*
- (3) *A regulation under subsection (2) may provide for any of the matters referred to in subsection (1)(s).*
- (4) *Where a regulation under subsection (1) provides that some or all of the members of a provincial health agency, regional health authority or community health council are to be elected in conjunction with a general election under the Local Authorities Election Act, the regulations may make that Act and the regulations under it, with all necessary modifications, applicable to the election.*
- (43) Section 24(1) presently reads in part:
- 24(1) *The oversight Minister may make regulations*

(b) by repealing clause (c) and substituting the following:

(c) respecting the remuneration and expenses payable to members of community health councils;

(c) by repealing clause (c);

(d) in clause (e)

(i) **by striking out** “and regional health authorities”
wherever it occurs;

(ii) **by striking out** “sections 1.95 and 5” **and substituting**
“section 1.95”;

(e) in clause (f) by striking out “and regional health authorities”;

(f) in clause (g) by striking out “and (5)(e)”;

(g) by repealing clause (i) and substituting the following:

(i) respecting agreements between provincial health agencies and community health councils;

(h) by repealing clause (i);

(i) in clause (j)

(i) **by striking out** “, regional health authorities”;

(ii) **by striking out** “and community health councils”;

(j) in clause (k) by striking out “and regional health authorities”;

(k) in clause (l)

(i) **by striking out** “, regional health authorities”;

(ii) **by striking out** “and community health councils”;

(l) in clause (m)

(i) **by striking out** “, regional health authorities”;

- (b) *respecting the health services or health related services to be delivered in health services sectors and health regions;*
- (c) *respecting the remuneration and expenses payable to members of regional health authorities and community health councils;*
- (e) *respecting agreements entered into by provincial health agencies and regional health authorities for the purposes of carrying out responsibilities under sections 1.95 and 5, including regulations*
 - (i) *respecting the persons with whom provincial health agencies and regional health authorities enter into agreements,*
- (f) *respecting limitations on the powers of provincial health agencies and regional health authorities to delegate powers, duties, responsibilities and functions under section 6(2);*
- (g) *respecting other information to be included in health plans for the purposes of section 9.01(4)(d) and (5)(e);*
- (i) *respecting agreements between provincial health agencies or regional health authorities and community health councils;*
- (j) *respecting the standards and guidelines to be observed by provincial health agencies, regional health authorities and community health councils in the delivery of health services or health related services, the undertaking of capital construction projects and the operation of facilities;*
- (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;*
- (l) *respecting meetings of provincial health agencies, regional health authorities and community health councils, including regulations*
- (m) *respecting the qualifications of and eligibility requirements for persons who may be appointed as auditor of provincial health agencies, regional health authorities, subsidiary*

- (ii) **by striking out** “, subsidiary health corporations, other than provincial health corporation subsidiaries, and community health councils” **and substituting** “and subsidiary health corporations, other than provincial health corporation subsidiaries,”;

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

- (m.1) requiring provincial health agencies to provide records, reports and returns to sector Ministers, including regulations
 - (i) respecting the information the records, reports and returns must contain,
 - (ii) respecting the time at which and the form and manner in which they must be provided, and
 - (iii) authorizing sector Ministers to specify the information referred to in subclause (i) or the matters referred to in subclause (ii);

(n) in clause (n)

- (i) **by striking out** “existing health authorities” **and substituting** “hospital operators”;
- (ii) **by striking out** “, community health councils”;
- (iii) **by striking out** “and regional health authorities”;

(o) in clauses (o) and (p) by striking out “and regional health authorities”;

(p) by repealing clause (q) and substituting the following:

- (q) respecting annual reports of provincial health agencies required under section 14(2)(a), including regulations
 - (i) respecting the information annual reports must contain for the purposes of section 14(2.1) and (2.2),
 - (ii) respecting the time within which and the form and manner in which annual reports must be provided, and

health corporations, other than provincial health corporation subsidiaries, and community health councils under section 13(3);

- (n) requiring existing health authorities, community health councils and committees established under section 1.3(d) to provide records, reports and returns to provincial health agencies and regional health authorities, 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;*
- (o) respecting the disclosure of the remuneration and benefits paid to the members and employees of provincial health agencies and regional health authorities;*
- (p) respecting requirements relating to the preparation of the financial records of provincial health agencies and regional health authorities;*
- (q) respecting annual reports of provincial health agencies and regional health authorities required under section 14(2)(a), including regulations*
 - (i) specifying the information the annual reports must contain for the purposes of section 14(2.1) and (2.2);*
 - (ii) respecting the time within which and the form and manner in which annual reports must be submitted;*
- (r) requiring provincial health agencies, regional health authorities and community health councils to keep records and respecting the form and manner in which the records must be kept and the information they must contain;*
- (s) respecting the sharing of information between provincial health agencies, regional health authorities, provincial health corporations, community health councils, health services delivery organizations and other health services providers;*
- (t) respecting the types of electronic systems that must be used by provincial health agencies and regional health authorities for data transmission and storage and the standards that those systems must meet;*

- (iii) authorizing sector Ministers to specify the information referred to in subclause (i) or the matters referred to in subclause (ii);

(q) in clause (r)

- (i) **by striking out** “, regional health authorities”;
- (ii) **by striking out** “and community health councils”;

(r) in clause (s)

- (i) **by striking out** “regional health authorities,”;
- (ii) **by striking out** “community health councils,”;

(s) in clause (t) by striking out “and regional health authorities”;

(t) in clause (u)

- (i) **by striking out** “, regional health authorities”;
- (ii) **by striking out** “and community health councils”;

(u) in clause (v) by striking out “and community health councils” **wherever it occurs.**

(44) Section 25(1) is amended

- (a) by striking out** “, regional health authority” **wherever it occurs;**
- (b) by striking out** “or community health council” **wherever it occurs;**
- (c) by striking out** “, regional health authorities”;
- (d) by striking out** “or community health councils”.

(45) Section 26 is amended by striking out “or regional health authority”.

- (u) *authorizing provincial health agencies, regional health authorities and community health councils 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;*
- (v) *respecting the winding up of the affairs of provincial health agencies and community health councils, including regulations authorizing the oversight Minister or sector Ministers to wind up or provide for the winding up of the affairs of provincial health agencies and community health councils;*

(44) Section 25(1) presently reads:

25(1) 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.

(45) Section 26 presently reads:

26 The Public Service Employee Relations Act does not apply to a provincial health agency or regional health authority.

Provincial Priorities Act

Amends SA 2024 cP-35.5

46(1) The *Provincial Priorities Act* is amended by this section.

(2) Section 1(d)(v) is amended

- (a) by striking out “, regional health authority”;**
- (b) by adding “, provincial health corporation” before “and subsidiary health corporation”.**

Public Health Act

Amends RSA 2000 cP-37

47(1) The *Public Health Act* is amended by this section.

(2) Section 1(1) is amended

- (a) in clause (g) by striking out “regional health authority” and substituting “provincial health agency”;**
- (b) in clause (p) by striking out “9 or 16” and substituting “16”;**
- (c) by adding the following after clause (r):**
 - (r.1) “health services delivery organization” means a health services delivery organization under the *Provincial Health Agencies Act*;**
- (d) by repealing clause (s);**
- (e) by repealing clause (t) and substituting the following:**
 - (t) “hospital” means an approved hospital under the *Provincial Health Agencies Act*;**
- (f) in clause (bb) by striking out “or a regional health authority”;**
- (g) by adding the following after clause (hh):**

Provincial Priorities Act

46(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 provincial health agency, regional health authority or subsidiary health corporation under the Provincial Health Agencies Act;

Public Health Act

47(1) Amends chapter P-37 of the Revised Statutes of Alberta 2000.

(2) 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 corporation under the Provincial Health Agencies Act or the Department to provide public health services;

(p) “executive officer” means an executive officer within the meaning of section 9 or 16;

(s) “health region” means a health region under the Provincial Health Agencies Act;

(t) “hospital” means an approved hospital as defined in the Hospitals Act;

(bb) “medical officer of health” means a physician appointed by the Minister or a regional health authority under this Act as a medical officer of health, and includes the Chief Medical Officer and the Deputy Chief Medical Officer;

- (hh.01) “provincial health agency” means a provincial health agency under the *Provincial Health Agencies Act*;
 - (hh.02) “provincial health corporation” means a provincial health corporation under the *Provincial Health Agencies Act*;
 - (h) **by repealing clause (kk);**
 - (i) **in clause (nn) by striking out** “regional health authority” **and substituting** “provincial health agency”.
- (3) Section 2 is repealed.**

(4) Section 5 is amended

- (a) **in subsection (1)**
 - (i) **by striking out** “decision of a regional health authority” **and substituting** “decision”;

- (kk) “regional health authority” means a regional health authority under the Provincial Health Agencies Act;
- (nn) “sexually transmitted infections clinic” means a clinic operated by the Minister or a regional health authority for the purposes of prevention and treatment of sexually transmitted infections;

(3) Section 2 presently reads:

2(1) Where a health unit is disestablished and the health unit is located in a health region under the Provincial Health Agencies Act, then, subject to the regulations under subsection (2), for the purpose of administering this Act in that part of the health region that formerly constituted the health unit, the regional health authority has the power, authority and jurisdiction and is subject to the duties and obligations that the local board of the health unit had and was subject to.

(2) The Lieutenant Governor in Council may make regulations

- (a) providing for the non-application of provisions of this Act or the regulations under it in a case where subsection (1) applies,*
- (b) varying the application of provisions of this Act or the regulations under it in a case where subsection (1) applies, and*
- (c) respecting any other matters the Lieutenant Governor in Council considers necessary in a case where subsection (1) applies*

for the purposes of facilitating the administration of this Act in such a case.

(4) Section 5 presently reads in part:

5(1) In this section, “decision of a regional health authority” means

- (a) an order issued under section 62, and*

- (ii) **in clause (b) by striking out** “, whether any of those decisions is made by the regional health authority itself or one of its employees or agents”;
- (b) by repealing subsections (2) and (3) and substituting the following:**
 - (2)** A person who is directly affected by a decision may appeal the decision to the Board.
 - (3)** A person referred to in subsection (2) shall commence the appeal by serving a notice of appeal in the prescribed form on the Board and the Minister within 10 days after receiving notice of the decision.
 - (3.1)** Notice under subsection (3) is sufficiently served if it is left at an office of the Board or the Minister.
- (c) in subsection (4) by striking out** “the requirements of subsection (2) have been met” **and substituting** “the person making the appeal is directly affected by the decision”;
- (d) by repealing subsection (5) and substituting the following:**
 - (5)** If the Board is satisfied that the appellant or the Minister, or both, have not made a reasonable effort to resolve the matter in dispute, it may refer the matter to the Minister for further consideration and redetermination.
- (e) in subsection (6)**
 - (i) **by striking out** “Where the Board” **and substituting** “If the Board”;
 - (ii) **by striking out** “regional health authority” **wherever it occurs and substituting** “Minister”;
- (f) by repealing subsections (7) and (8) and substituting the following:**
 - (7)** The Board shall provide the appellant and the Minister an opportunity to appear and make representations orally, in writing or both.

(b) a decision to issue or to cancel, suspend or refuse to issue a licence, permit or other approval provided for in the regulations, and any other decision in respect of which an appeal to the Board is permitted under the regulations, whether any of those decisions is made by the regional health authority itself or one of its employees or agents.

(2) A person who

(a) is directly affected by a decision of a regional health authority, and

(b) feels himself or herself aggrieved by the decision

may appeal the decision to the Board.

(3) The person referred to in subsection (2) shall commence the appeal by serving a notice of appeal in the prescribed form on the Board and the regional health authority within 10 days after receiving notice of the decision complained of, and the notice of appeal is sufficiently served if it is left at an office of the Board or regional health authority.

(4) Subject to subsections (5) and (6), the Board shall, if it is satisfied that the requirements of subsection (2) have been met, hear the appeal within 30 days after receiving the notice of appeal.

(5) Where the Board is satisfied that the appellant and the regional health authority, or either of them, have not made a reasonable effort to resolve the matters in dispute between them, it may refer the matter to the regional health authority for further consideration and redetermination.

(6) Where the Board refers a matter to the regional health authority under subsection (5), the Board may prescribe a time period within which the regional health authority must deal with the matter and may give to the regional health authority any other directions it considers appropriate.

(7) The Board shall provide the appellant, the regional health authority and, in a case where the decision or order appealed from was made by an employee or agent of the regional health authority, that employee or agent, an opportunity to appear and make representations orally or in writing, or both orally and in writing.

(8) The appellant and the Minister may be represented by counsel.

(g) in subsection (11)

(i) **by striking out** “of the regional health authority”;

(ii) **by striking out** “and the regional health authority” **and substituting** “and the Minister”.

(5) Sections 8 and 9 are repealed.

(8) The appellant, the regional health authority and, where the decision or order appealed from was made by an employee or agent of the regional health authority, that employee or agent, may be represented by counsel.

(11) The Board may confirm, reverse or vary the decision of the regional health authority and shall give written notice of its decision to the appellant and the regional health authority.

(5) Sections 8 and 9 presently read:

8 The order disestablishing a health unit may contain any provisions the Lieutenant Governor in Council considers necessary

- (a) to provide for the transfer of the assets and property of the local board of the health unit to a regional health authority under the Provincial Health Agencies Act,*
- (b) to provide for the assumption of liabilities and obligations of the local board of the health unit by a regional health authority under the Provincial Health Agencies Act, and*
- (c) to facilitate the taking over of the affairs of the health unit by a regional health authority under the Provincial Health Agencies Act.*

9(1) A regional health authority shall appoint one or more persons as medical officers of health and one or more persons as executive officers for the regional health authority for the purpose of carrying out this Act and the regulations.

(2) The Minister may appoint one or more persons as medical officers of health for a regional health authority if the Minister is of the opinion that the number of medical officers of health appointed by the regional health authority is insufficient.

(3) A person who is appointed as a medical officer of health under this section is, by virtue of the appointment, also an executive officer.

(4) A medical officer of health and an executive officer appointed under this section must have the qualifications, if any, set out in the regulations.

(6) Section 10 is amended by striking out “regional health authority” and substituting “provincial health agency or provincial health corporation”.

(7) Section 14 is amended

(a) in subsection (1)

(i) in clause (a) by striking out “and regional health authorities” and substituting “, provincial health agencies, provincial health corporations and health services delivery organizations”;

(ii) in clauses (b) to (d) by striking out “regional health authorities” and substituting “provincial health agencies, provincial health corporations, health services delivery organizations”;

(b) in subsection (3) by adding “and” at the end of clause (a) and repealing clause (b).

(8) Section 16 is amended

(a) in subsection (1) by striking out “for the purpose of Part 3”;

(6) Section 10 presently reads:

10 A regional health authority shall provide the health promotional, preventive, diagnostic, treatment, rehabilitative and palliative services, supplies, equipment and care that the regulations require it to provide.

(7) Section 14 presently reads in part:

14(1) The Chief Medical Officer

- (a) shall, on behalf of the Minister, monitor the health of Albertans and make recommendations to the Minister and regional health authorities on measures to protect and promote the health of the public and to prevent disease and injury,*
- (b) shall act as a liaison between the Government and regional health authorities, medical officers of health and executive officers in the administration of this Act,*
- (c) shall monitor activities of regional health authorities, medical officers of health and executive officers in the administration of this Act, and*
- (d) may give directions to regional health authorities, medical officers of health and executive officers in the exercise of their powers and the carrying out of their responsibilities under this Act.*

(3) Where the Chief Medical Officer decides to act under subsection (2), the Chief Medical Officer shall forthwith give a notice in writing setting out the reasons why the Chief Medical Officer has so decided to

- (a) the medical officer of health or executive officer,*
- (b) where applicable, the regional health authority by whom the medical officer or executive officer is employed or for whom the medical officer of health or executive officer acts as agent, and*

(8) Section 16 presently reads in part:

16(1) The Minister may appoint one or more physicians as medical officers of health for the purpose of Part 3.

(b) in subsection (3) by striking out “for the purposes of this Act”.

(9) Section 17(a) to (c) are amended by striking out “regional health authority” **and substituting** “provincial health agency, provincial health corporation or health services delivery organization”.

(10) Section 21 is amended by striking out “of a regional health authority”.

(11) Section 25 is repealed and the following is substituted:

Disease notification

25 If a medical officer of health receives notification of a suspected case of a communicable disease referred to in section 20(1) or sexually transmitted infection referred to in section 20(2) located outside the area of Alberta over which the medical officer of health has jurisdiction, that medical officer of health shall immediately notify a medical officer of health having jurisdiction over the area of Alberta where the suspected case is located.

(12) Section 26 is amended by striking out “of a regional health authority”.

(3) The Minister may designate one or more persons employed in the Department as executive officers for the purposes of this Act.

(9) Updates terminology.

(10) Section 21 presently reads:

21 During a period in which a person or a minor under the person's custody, care or control is required by section 20 to submit to treatment or to comply with conditions, that person shall immediately notify the consulting physician, the clinic or a medical officer of health of a regional health authority of any change in the person's address or the address of the minor, as the case may be.

(11) Section 25 presently reads:

25 Where a medical officer of health receives notification of a suspected case of a communicable disease referred to in section 20(1) or (2) that occurs outside the boundaries of the health region, that medical officer of health shall immediately notify a medical officer of health of the regional health authority of the health region in which the case occurred.

(12) Section 26 presently reads:

26 A health practitioner, a teacher or a person in charge of an institution who knows of or has reason to suspect the existence of

- (a) a communicable disease in epidemic form,*
- (b) another illness or health condition occurring at an unusually high rate, or*
- (c) a communicable disease or another illness or health condition that is caused by a nuisance or other threat to the public health*

shall immediately notify a medical officer of health of a regional health authority by the fastest means possible.

(13) Section 28 is repealed.

(14) Section 29 is amended

- (a) in subsection (1) by striking out** “within the boundaries of the health region in which the medical officer of health has jurisdiction” **and substituting** “in an area of Alberta over which the medical officer of health has jurisdiction”;
- (b) in subsection (4) by striking out** “within the boundaries of the health region” **and substituting** “in an area of Alberta over which the medical officer of health has jurisdiction”.

(15) Section 36 is amended by striking out “of the regional health authority of the health region in which the person is being transported” **and substituting** “having jurisdiction over the area of Alberta in which the person is being transported”.

(16) Section 37(2)(a) is amended by striking out “board of an approved hospital as defined in the *Hospitals Act*” **and substituting** “hospital operator under the *Provincial Health Agencies Act*”.

(17) Section 39 is amended

- (a) in subsection (1) by striking out** “of a regional health authority” **and substituting** “having jurisdiction over the area of Alberta in which the person is located”;

(13) Section 28 presently reads:

28 A regional health authority shall submit to the Chief Medical Officer a weekly summary in the prescribed form of all cases of communicable disease referred to in section 20 occurring within the health region.

(14) Section 29 presently reads in part:

29(1) A medical officer of health who knows of or has reason to suspect the existence of a communicable disease or a public health emergency within the boundaries of the health region in which the medical officer of health has jurisdiction may initiate an investigation to determine whether any action is necessary to protect the public health.

(4) The jurisdiction of a medical officer of health extends to any person or animal, whether or not the person resides or the animal is located within the boundaries of the health region,

(15) Section 36 presently reads:

36 A person transporting another person who that person knows or has reason to believe is suffering from a communicable disease requiring isolation or quarantine under the regulations shall inform a medical officer of health of the regional health authority of the health region in which the person is being transported and comply with any conditions respecting the transportation that are prescribed by the medical officer of health.

(16) Section 37(2)(a) presently reads:

(2) On the recommendation of the Minister, the Lieutenant Governor in Council

(a) may order a board of an approved hospital as defined in the Hospitals Act to provide isolation or quarantine accommodation in the amount and manner prescribed in the order, and

(17) Section 39 presently reads in part:

39(1) Where a physician, community health nurse, midwife or nurse practitioner knows or has reason to believe that a person

- (b) **in subsection (4) by striking out** “in the health region in which the alleged infected person is located” **and substituting** “having jurisdiction over the area of Alberta in which the allegedly infected person is located”.

(18) Section 52.2 is repealed and the following is substituted:

Local state of public health emergency

52.2 If, on the advice of a medical officer of health and in consultation with the Chief Medical Officer, the Minister is of the opinion that

- (a) a public health emergency exists or may exist in an area of Alberta, and
- (b) prompt coordination of action or special regulation of persons or property is required in order to protect the public health,

the Minister may make an order declaring a local state of public health emergency relating to all or part of that area of Alberta.

(a) *is infected with a disease prescribed in the regulations for the purposes of this section, and*

(b) *refuses or neglects*

(i) *to submit*

(A) *to a medical examination for the purpose of ascertaining whether the person is infected with that disease, or*

(B) *to medical, surgical or other remedial treatment that has been prescribed by a physician and that is necessary to render the person non-infectious, or*

(ii) *to comply with any other conditions that have been prescribed by a physician as being necessary to mitigate the disease or limit its spread to others,*

the physician, community health nurse, midwife or nurse practitioner shall immediately notify a medical officer of health of a regional health authority in the prescribed form.

(4) Where the physician referred to in subsection (1) is a medical officer of health in the health region in which the alleged infected person is located, the physician may issue the certificate referred to in subsection (2).

(18) Section 52.2 presently reads:

52.2(1) Where, on the advice of a medical officer of health and in consultation with the Chief Medical Officer, a regional health authority is satisfied that

(a) *a public health emergency exists or may exist in the health region, and*

(b) *prompt co-ordination of action or special regulation of persons or property is required in order to protect the public health,*

the regional health authority may make an order declaring a local state of public health emergency relating to all or part of the health region.

(2) Where the number of members of a regional health authority who attend a meeting for the purpose of making an order under

(19) Section 52.4 is repealed and the following is substituted:

Publication of order

52.4 The Minister shall publish and make available the details of an order under section 52.1 or 52.2 in the manner the Minister considers appropriate.

(20) Section 52.5 is repealed.

(21) Section 52.6 is amended

- (a) in subsection (1) by striking out “the Minister or a regional health authority” and substituting “, the Minister, a provincial health agency or a provincial health corporation”;**
- (b) in subsection (1.01) by striking out “the Minister or the regional health authority” and substituting “, the Minister, provincial health agency or provincial health corporation”.**

(22) Section 52.7(1) is amended

- (a) by striking out “or a regional health authority” and substituting “, a provincial health agency or provincial health corporation”;**
- (b) by striking out “or regional health authority” and substituting “, provincial health agency or provincial health corporation”.**

(23) Section 52.81 is amended

subsection (1) is less than the quorum required under the bylaws of the regional health authority, the Minister may, notwithstanding the bylaws, order that the number of members attending constitutes a quorum for the purposes of the meeting.

(19) Section 52.4 presently reads:

52.4 The following persons shall publish and make available the details of an order under section 52.1 or 52.2 in the manner the person considers appropriate:

- (a) if the order is made under section 52.1, the Minister;*
- (c) if the order is made under section 52.2, the regional health authority that made the order.*

(20) Section 52.5 presently reads:

52.5 A regional health authority shall, forthwith on making an order under section 52.2, provide a copy of the order to the Minister.

(21) Updates terminology.

(22) Section 52.7(1) presently reads:

52.7(1) Where the Minister or a regional health authority acquires or uses real or personal property under section 52.6 or where real or personal property is damaged or destroyed due to the exercise of any powers under that section, the Minister or regional health authority shall pay reasonable compensation in respect of the acquisition, use, damage or destruction.

(23) Section 52.81 presently reads in part:

- (a) **in subsection (1) by striking out “cancel” and substituting “terminate”;**
- (b) **in subsection (2) by striking out “the health region” and substituting “Alberta”;**
- (c) **by repealing subsection (3)(a) and substituting the following:**
 - (a) it is terminated earlier by the Minister, or
- (d) **in subsection (4) by striking out “Sections 52.4 and 52.5 apply” and substituting “Section 52.4 applies”;**
- (e) **by repealing subsection (5) and substituting the following:**

(5) If, on the advice of a medical officer of health and in consultation with the Chief Medical Officer, the Minister is of the opinion that a public health emergency no longer exists in an area for which an order under section 52.2 was made, the Minister shall make an order terminating the declaration in respect of that area.

(24) Section 52.82 is amended by striking out “or regional health authority” wherever it occurs.

(25) Section 53 is amended

- (a) **in subsections (1) and (3) by striking out “or by a regional health authority or an employee or agent on its behalf” and substituting “, a provincial health agency, a provincial health corporation, a health services delivery organization or an employee or agent acting on behalf of a provincial health agency, provincial health corporation or health services delivery organization”;**
- (b) **in subsection (4)**

52.81(1) The Minister may cancel an order made under section 52.2 at any time the Minister considers appropriate in the circumstances.

(2) An order under section 52.2 ceases to be of any force or effect on the making of an order under section 52.1 relating to the same area of the health region.

(3) An order under section 52.2 lapses at the end of 30 days unless

(a) it is sooner cancelled by the Minister or terminated by the regional health authority, or

(4) Sections 52.4 and 52.5 apply to the renewal of an order under section 52.2.

(5) Where, on the advice of a medical officer of health and in consultation with the Chief Medical Officer, a regional health authority considers that a public health emergency no longer exists in an area in relation to which an order under section 52.2 was made, the regional health authority shall make an order terminating the declaration in respect of that area.

(24) Section 52.82 presently reads:

52.82 Immediately after an order is made under section 52.8(2) or 52.81(5), the Minister or regional health authority shall cause the details of the order to be published by any means of communication that the Minister or regional health authority considers will make the details of the order known to the majority of the population of the area affected by the termination order.

(25) Section 53 presently reads in part:

53(1) Information contained in any file, record, document or paper maintained by the Chief Medical Officer or by a regional health authority or an employee or agent on its behalf that comes into existence through anything done under this Part and that indicates that a person is or was infected with a communicable disease shall be treated as private and confidential in respect of the person to whom the information relates and shall not be published, released or disclosed in any manner that would be detrimental to the personal interest, reputation or privacy of that person.

- (i) **by striking out the portion preceding clause (a) and substituting the following:**

(4) Information obtained by the Chief Medical Officer, a provincial health agency, a provincial health corporation, a health services delivery organization or an employee or agent acting on behalf of a provincial health agency, provincial health corporation or health services delivery organization may be disclosed by the Chief Medical Officer, provincial health agency, provincial health corporation, health services delivery organization, employee or agent

- (ii) **in clause (a.1) by striking out “regional health authority” and substituting “provincial health agency, provincial health corporation, health services delivery organization”;**

- (c) **in subsection (5)(a.1) by striking out “regional health authority” and substituting “provincial health agency, provincial health corporation, health services delivery organization”.**

(26) Section 58.1(c) is amended

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

(iii) a provincial health agency;

- (b) **in subclause (iv) by striking out “under the *Provincial Health Agencies Act*”;**

- (c) **by repealing subclause (v) and substituting the following:**

(v) a hospital operator other than a hospital operator that is a provincial health agency or provincial health corporation;

- (d) **in subclause (vi) by striking out “regional health authority” and substituting “provincial health agency, provincial health corporation or health services delivery organization”.**

(3) Information obtained by the Chief Medical Officer or by a regional health authority or an employee or agent on its behalf pursuant to this section shall be treated as private and confidential and, subject to subsections (4) and (4.1), shall not be published, released or disclosed in any manner that would be detrimental to the personal interest, reputation or privacy of the patient.

(4) Information obtained by the Chief Medical Officer or by a regional health authority or an employee or agent on its behalf may be disclosed by the Chief Medical Officer or the regional health authority, employee or agent

(a.1) to any person where the Chief Medical Officer, regional health authority, employee or agent believes on reasonable grounds that the disclosure will avert or minimize an imminent danger to the health or safety of any person;

(5) Subsection (1) does not prohibit the disclosure of information

(a.1) to any person where the Chief Medical Officer, regional health authority, employee or agent believes on reasonable grounds that the disclosure will avert or minimize an imminent danger to the health or safety of any person,

(26) Section 58.1(c) presently reads in part:

58.1 In this Part

(c) “public body” means

(iii) a regional health authority;

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

(v) the board of a hospital other than a hospital that is owned and operated by a regional health authority;

(vi) the operator of a continuing care home as defined in the Continuing Care Act other than a continuing care home that is owned and operated by a regional health authority;

(27) Section 58.2(3) is repealed and the following is substituted:

(3) The Minister may require in an order under subsection (1) that the public body consult on the proposed public health plan with

- (a) each government specified in the order having jurisdiction in the geographic area to which the proposed public health plan applies, and
- (b) the provincial health agency established for each health services sector to which the proposed public health plan applies.

(28) Section 62(8) is repealed and the following is substituted:

(8) The Minister shall

- (a) maintain a record of all orders issued under subsection (4)(a), (b) or (c), and
- (b) subject to subsection (8.1), publish the orders or make the orders publicly available.

(8.1) An order published or made publicly available must not include individually identifying health information within the meaning of the *Health Information Act*.

(29) Section 63 is amended

(a) in subsection (3)

- (i) **by striking out** “a regional health authority” **and substituting** “the Crown in right of Alberta”;
- (ii) **by striking out** “the regional health authority” **and substituting** “the Crown in right of Alberta”;

(b) in subsection (4)

- (i) **by striking out** “a regional health authority” **and substituting** “the Crown in right of Alberta”;
- (ii) **by striking out** “by the regional health authority” **and substituting** “by the Crown in right of Alberta”;

(27) Section 58.2(3) presently reads:

(3) The Minister may require in an order under subsection (1) that the public body consult on the proposed public health plan with

(a) any governments specified in the order, and

(b) the regional health authority

having jurisdiction in the geographic area to which the proposed public health plan applies.

(28) Section 62(8) presently reads:

(8) A regional health authority shall maintain a record of all orders issued under subsection (4)(a), (b) or (c) and shall make the record available for inspection by the public during the business hours of the main office of the regional health authority.

(29) Section 63 presently reads in part:

(3) The expenses incurred by a regional health authority in carrying out an order under section 62.1 constitute a debt owing to the regional health authority from the person to whom the order is directed.

(4) Where a regional health authority carries out an order under section 62.1 and the person to whom the order is directed fails, within 60 days after a demand for payment, to pay the expenses incurred by the regional health authority, the secretary of the regional health authority may transmit to the clerk of the municipality in which the land concerned is located a statement setting out

(7) Any amount collected by the municipality by virtue of subsection (5) shall be paid to the regional health authority.

- (iii) **by striking out** “the secretary of the regional health authority” **and substituting** “an employee of the Government”;
- (c) **in subsection (7) by striking out** “regional health authority” **and substituting** “Crown in right of Alberta”;
- (d) **in subsections (8) and (9) by striking out** “a regional health authority” **and substituting** “the Crown in right of Alberta”.

(30) Sections 64(1) and (2) and 65(1) and (2) are amended by striking out “regional health authority” and substituting “Minister”.

(31) Section 66(1) is amended

- (a) **in clause (m) by striking out** “regional health authorities” **and substituting** “provincial health agencies or provincial health corporations”;
- (b) **by repealing clause (m.1) and substituting the following:**
 - (m.1) authorizing the Minister, a provincial health agency or a provincial health corporation to charge fees for goods and services provided by or on behalf of the Minister, provincial health agency or provincial health corporation in respect of carrying out duties and exercising powers under this Act, and respecting the amounts of the fees that may be charged;

(32) Section 66.1(1) is amended

- (a) **by repealing clause (b);**
- (b) **by adding the following after clause (c):**
 - (c.1) a provincial health agency or a member, employee or agent of a provincial health agency,

(8) Where an amount recovered under this section by a regional health authority from a person other than the registered owner of the land to which the order relates is, as between that person and the registered owner, the responsibility of the registered owner, that person is entitled to recover the amount from the registered owner or to deduct the amount from any other amount due from that person to the registered owner.

(9) Where an amount recovered under this section by a regional health authority from the registered owner of land is, as between the registered owner and another person, the responsibility of that other person, the registered owner is entitled to recover the amount from that other person or to deduct the amount from any other amount due from the registered owner to that other person.

(30) Transfers duties re notice of health hazards to Minister.

(31) Section 66(1) presently reads in part:

66(1) The Lieutenant Governor in Council may make regulations

(m) respecting the kinds and basic standards of health promotional, preventive, diagnostic, treatment, rehabilitative and palliative services, supplies, equipment and care that must be provided by regional health authorities and the conditions under which they are to be provided;

(m.1) authorizing a regional health authority to charge fees for goods and services provided by or on behalf of the regional health authority in respect of its carrying out its duties and exercising its powers under this Act, and respecting the amounts of the fees that may be charged;

(32) Section 66.1(1) presently reads in part:

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

(b) a regional health authority or a member, employee or agent of a regional health authority,

(h) a provincial health corporation under the Provincial Health Agencies Act

(c) in clause (h) by striking out “under the *Provincial Health Agencies Act*” and substituting “or a member, employee or agent of a provincial health corporation”;

(d) by adding the following after clause (h):

- (i) a health services delivery organization or a member, employee or agent of a health services delivery organization

(33) Section 66.2(1) is amended by striking out “, a regional health authority”.

(34) Section 74 is amended by striking out the portion preceding clause (a) and substituting the following:

74 The Minister may publish the following documents in the manner the Minister considers appropriate:

(35) In this subsection and in subsections (36) to (42), “former Act” means the *Public Health Act* as it read immediately before the coming into force of this section.

(36) On the coming into force of this section,

- (a) a decision referred to in section 5(1)(b) of the former Act is deemed to be a decision of the Minister,
- (b) a regional health authority must, as soon as practicable, provide the Minister with any existing notice of appeal served on the regional health authority in accordance with section 5(3) of the former Act, and
- (c) an appeal commenced under the former Act continues under section 5 of the *Public Health Act* as it reads on the coming into force of this section.

(33) Section 66.2(1) presently reads:

66.2(1) The Court of King's Bench may, on application by the Minister, a regional health authority or, in the case of section 59, 60 or 61, an executive officer, make any order it considers necessary to enforce this Act.

(34) Section 74 presently reads:

74 A regional health authority or the Minister may publish the following documents in the manner the regional health authority or the Minister, as the case may be, considers appropriate:

- (a) a report arising from an inspection under this Part;*
- (b) an order issued under section 62.*

(35) Transitional.

(36) Transitional.

(37) On the coming into force of this section, an appointment made under section 9 of the former Act that was in effect immediately before the coming into force of this section continues in effect as if it were made by the Minister under section 16 of the *Public Health Act*.

(38) On the coming into force of this section, an order made by a regional health authority under section 52.2 of the former Act that was in effect immediately before the coming into force of this section continues in effect as if it were made by the Minister under section 52.2 of the *Public Health Act* as it reads on the coming into force of this section.

(39) On the coming into force of this section, a regional health authority must, as soon as practicable, provide the Minister with the record of all orders issued as referred to in section 62(8) of the former Act.

(40) On the coming into force of this section, any debt owing to a regional health authority under section 63 of the former Act becomes a debt owing to the Crown in right of Alberta under section 63 of the *Public Health Act* as it reads on the coming into force of this section.

(41) On the coming into force of this section, a notice of health hazard

- (a) filed under section 64 of the former Act that was in effect immediately before the coming into force of this section continues in effect as if it were filed by the Minister under section 64 of the *Public Health Act* as it reads on the coming into force of this section, and
- (b) submitted by a regional health authority under section 65 of the former Act that was in effect immediately before the coming into force of this section continues in effect as if it were submitted by the Minister under section 65 of the *Public Health Act* as it reads on the coming into force of this section.

(42) On the coming into force of this section,

- (a) an application to the Court of King's Bench by a regional health authority under section 66.2 of the former Act made before the coming into force of this section that was not

(37) Transitional.

(38) Transitional.

(39) Transitional.

(40) Transitional.

(41) Transitional.

(42) Transitional.

decided on the coming into force of this section continues as if it were made by the Minister, and

- (b) an order made by the Court of King's Bench under section 66.2 of the former Act that was in effect immediately before the coming into force of this section continues in effect and
 - (i) a reference in the order to a regional health authority is deemed to be a reference to the Minister, and
 - (ii) the order may be enforced by the Minister.

Public Inquiries Act

Amends RSA 2000 cP-39

48(1) The *Public Inquiries Act* is amended by this section.

(2) Section 7(2)(b) is amended

- (a) in subclause (ii) by striking out “*Hospitals Act*” and substituting “*Provincial Health Agencies Act*”;
- (b) in subclause (ii.1) by striking out “other hospital,”;
- (c) by repealing subclause (ii.2).

Public Sector Compensation Transparency Act

Amends SA 2015 cP-40.5

49(1) The *Public Sector Compensation Transparency Act* is amended by this section.

Public Inquiries Act

48(1) Amends chapter P-39 of the Revised Statutes of Alberta 2000.

(2) Section 7(2)(b) presently reads in part:

(2) In this section,

(b) “public building” includes

(ii) an approved hospital under the Hospitals Act,

(ii.1) any other hospital, institution or other facility for the treatment and care of persons that is owned and operated by the Government of Alberta, except those operated under the administration of the Minister of Seniors, Community and Social Services or those that receive their current operating funds or part of them from a supply vote that is under the administration of a member of the Executive Council other than the Minister of Health,

(ii.2) a hospital under the jurisdiction of a provincial health corporation under the Provincial Health Agencies Act,

Public Sector Compensation Transparency Act

49(1) Amends chapter P-40.5 of the Statutes of Alberta, 2015.

(2) Section 5(3)(b) is amended

- (a) by striking out** “, regional health authority”;
- (b) by adding** “, provincial health corporation” **before** “and subsidiary health corporation”.

Public Sector Employers Act

Amends SA 2019 cP-40.7

50(1) The *Public Sector Employers Act* is amended by this section.

(2) Section 1(1)(a.2)(vi) is amended by striking out “, regional health authority”.

Public Service Act

Amends RSA 2000 cP-42

51(1) The *Public Service Act* is amended by this section.

(2) Section 25.1(1)(d) is amended

- (a) by striking out** “, regional health authority”;
- (b) by adding** “, provincial health corporation” **before** “and subsidiary health corporation”.

(2) Section 5(3)(b) presently reads:

(3) The Lieutenant Governor in Council may, by regulation, require the following health entities to disclose to the public and the Minister, in the form and manner determined by the Minister or under the regulations, information, documents and records, including health service providers' personal information, with respect to any funding received, payments made or benefits provided by that health entity in respect of publicly funded health services and in respect of health service providers:

(b) a provincial health agency, regional health authority and subsidiary health corporation under the Provincial Health Agencies Act;

Public Sector Employers Act

50(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, regional health authority or provincial health corporation under the Provincial Health Agencies Act;

Public Service Act

51(1) Amends chapter P-42 of the Revised Statutes of Alberta 2000.

(2) Section 25.1(1)(d) presently reads:

25.1(1) In this Part,

(d) "provincial agency" means a Provincial agency as defined in the Financial Administration Act, and includes a management body within the meaning of the Alberta Housing Act and a provincial health agency, regional health authority

Public Utilities Act

Amends RSA 2000 cP-45

52(1) The *Public Utilities Act* is amended by this section.

(2) Section 1(d) is amended by striking out “or regional health authority”.

Regulations Act

Amends RSA 2000 cR-14

53(1) The *Regulations Act* is amended by this section.

(2) Section 1(1)(b) is amended by striking out “or regional health authority”.

Residential Tenancies Act

Amends SA 2004 cR-17.1

54(1) The *Residential Tenancies Act* is amended by this section.

(2) Section 47.4(4)(a)(ii) is amended by striking out “and Association”.

and subsidiary health corporation under the Provincial Health Agencies Act.

Public Utilities Act

52(1) Amends chapter P-45 of the Revised Statutes of Alberta 2000.

(2) Section 1(d) presently reads:

1 In this Act,

(d) “local authority” means a city, town, village, municipal district or Metis settlement, a school division, a comprehensive community college, a provincial health agency or regional health authority under the Provincial Health Agencies Act, an irrigation district and a drainage district;

Regulations Act

53(1) Amends chapter R-14 of the Revised Statutes of Alberta 2000.

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

1(1) In this Act,

(b) “local authority” means a city, town, village, municipal district, improvement district, specialized municipality, Metis settlement, provincial health agency or regional health authority under the Provincial Health Agencies Act, irrigation district, drainage district, special area or school division;

Residential Tenancies Act

54(1) Amends chapter R-17.1 of the Statutes of Alberta, 2004.

(2) Section 47.4(4)(a)(ii) presently reads:

Sustainable Fiscal Planning and Reporting Act

Amends SA 2015 cS-29

55(1) The *Sustainable Fiscal Planning and Reporting Act* is amended by this section.

(2) Section 1(1)(b) is amended

- (a) in subclause (iii) by striking out “or regional health authorities”;**
- (b) by striking out “and” at the end of subclause (iii) and adding the following after subclause (iii):**
 - (iii.1) in the case of a responsible Minister as defined in the *Provincial Health Agencies Act*, the provincial health corporations for which that Minister is responsible under the *Provincial Health Agencies Act*, and**

(3) Section 10(1) is amended

- (a) by repealing clause (c) and substituting the following:**
 - (c) a provincial health agency, regional health authority or provincial health corporation under the *Provincial Health Agencies Act*.**
- (b) by repealing clause (c) and substituting the following:**
 - (c) a provincial health agency or provincial health corporation under the *Provincial Health Agencies Act*.**

Vital Statistics Act

Amends SA 2007 cV-4.1

56(1) The *Vital Statistics Act* is amended by this section.

(4) The following persons may provide a statement in accordance with subsection 2(a)(ii):

(a) a regulated member of the

(ii) College and Association of Registered Nurses of Alberta,

Sustainable Fiscal Planning and Reporting Act

55(1) Amends chapter S-29 of the Statutes of Alberta, 2015.

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

1(1) In this Act,

(b) “ministry” of a particular Minister consists of

(iii) in the case of a sector Minister as defined in the Provincial Health Agencies Act, the provincial health agencies or regional health authorities for which the sector Minister is responsible under the Provincial Health Agencies Act, and

(3) Section 10(1)(c) presently reads:

10(1) In this section, “accountable organization” means

(c) a provincial health agency or regional health authority under the Provincial Health Agencies Act.

Vital Statistics Act

56(1) Amends chapter V-4.1 of the Statutes of Alberta, 2007.

(2) Section 1(1) is amended

(a) by renumbering clause (a) as clause (a.2) and adding the following before clause (a.2):

- (a) “administrator” means the administrator of an approved hospital under the *Provincial Health Agencies Act*;
- (a.1) “approved hospital” means an approved hospital under the *Provincial Health Agencies Act*;

(b) by repealing clause (l).

(3) Section 4 is amended

(a) in subsections (3) and (3.1)

- (i) **by striking out** “a hospital as defined in section 1 of the *Hospitals Act*” **and substituting** “an approved hospital”;
- (ii) **by striking out** “hospital administrator” **wherever it occurs and substituting** “administrator”;

(b) in subsection (7) by striking out “hospital administrator” **and substituting** “administrator”.

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

1(1) In this Act,

(a) *“birth” means the complete expulsion or extraction from its birth mother as defined in section 1(b.1) of the Family Law Act, irrespective of the duration of the pregnancy, of a product of conception in which, after the expulsion or extraction, there is*

(i) breathing,

(ii) beating of the heart,

(iii) pulsation of the umbilical cord, or

(iv) unmistakable movement of voluntary muscle,

whether or not the umbilical cord has been cut or the placenta is attached;

(l) *“hospital administrator” means the administrator who is responsible for the day to day operation and management of the affairs of a hospital as defined in section 9(a) of the Hospitals Act;*

(3) Section 4 presently reads in part:

(3) If a birth takes place in a hospital as defined in section 1 of the Hospitals Act and the hospital administrator is satisfied that a notice of birth will not be completed and delivered under subsection (1) or (2), the notice must be completed and delivered to the Registrar by or on behalf of the hospital administrator in accordance with the regulations.

(3.1) If a birth does not take place in a hospital as defined in section 1 of the Hospitals Act and the hospital administrator is satisfied that the birth occurred in Alberta, a notice of birth may be completed and delivered to the Registrar by or on behalf of the hospital administrator in accordance with the regulations.

(7) The Registrar may accept any other document or information provided by or on behalf of a hospital administrator in connection with the delivery of a notice of birth under subsection (3) or (3.1).

(4) Section 13(2) is amended by striking out “the local medical officer of health” **and substituting** “a medical officer of health as appointed by the Minister of Health”.

(5) Section 77(b) is amended by striking out “hospital administrators” **and substituting** “administrators”.

Water Act

Amends RSA 2000 cW-3

57(1) The *Water Act* is amended by this section.

(2) Section 1(1)(ee)(viii) is amended by striking out “or regional health authority”.

Workers' Compensation Act

Amends RSA 2000 cW-15

58(1) The *Workers' Compensation Act* is amended by this section.

(2) Section 1(1) is amended by adding the following after clause (l):

(l.1) “hospital operator” means,

- (i) in the case of an approved hospital under the *Provincial Health Agencies Act*, the hospital operator of the health

(4) Section 13(2) presently reads in part:

(2) The Registrar, on receipt of the information referred to in subsection (1), and on being satisfied that every reasonable effort has been made to identify the child without success, shall require the person who has charge of the child to

(c) cause the child to be examined by the local medical officer of health or a physician with a view to determining as nearly as possible the date of birth of the child.

(5) Section 77(b) presently reads:

77 The Minister may make regulations

(b) respecting the duties and functions under this Act of hospital administrators and funeral directors;

Water Act

57(1) Amends chapter W-3 of the Revised Statutes of Alberta 2000.

(2) Section 1(1)(ee)(viii) presently reads:

1(1) In this Act,

(ee) “local authority” means

(viii) a provincial health agency or regional health authority under the Provincial Health Agencies Act, and

Workers’ Compensation Act

58(1) Amends chapter W-15 of the Revised Statutes of Alberta 2000.

(2) Adds definition.

services sector in the approved hospital in which the worker receives treatment, or

- (ii) in the case of any other hospital, the operator of that hospital;

(3) Section 34 is amended

(a) by repealing subsection (3) and substituting the following:

(3) Notwithstanding subsection (1), where an injured worker is attended to in a hospital or other treating agency, the Board may request that the hospital operator or treating agency provide it with a report and, on receiving that request, the hospital operator, administrator or person in charge of the treating agency shall ensure that the request is forthwith complied with.

(b) in subsection (4) by striking out “physician or a hospital or other treating agency” and substituting “physician, hospital operator or treating agency”.

(4) Section 41 is amended by striking out “the hospital authority” and substituting “the hospital operator”.

(5) Section 83(1)(a) is amended by striking out “hospitals” and substituting “hospital operators”.

Coming into force

59 This Act, except sections 4(1) to (3) and (5)(b), 27(1) and (5) to (11), 29, 37(1), (2)(c) and (3)(b), 43(1) and (3), 45(1), (8), (13)(a) to (d), (29)(c)(iii), (40)(c), (42)(a)(iv)(A) and (D) and (v), (43)(m) and 54, comes into force on Proclamation.

(3) Section 34(3) and (4) presently read:

(3) Notwithstanding subsection (1), where an injured worker is attended to in a hospital or other treating agency, the Board may request the hospital or treating agency to furnish it with a report and, on receiving that request, the administrator or person in charge of the hospital or treating agency shall ensure that the request is forthwith complied with.

(4) A report made or submitted to the Board under this Act by a physician or a hospital or other treating agency is for the use and purpose of the Board only, and is a privileged communication of the person making or submitting it and, unless it is proved that it was made maliciously, is not admissible in evidence or subject to production in any court in an action or proceeding against that person.

(4) Section 41 presently reads:

41 If the death of a worker to whom this Act applies occurs while the worker is confined to a hospital, the hospital authority shall immediately report the death to the Board.

(5) Section 83(1)(a) presently reads:

83(1) The Board may do any or all of the following:

- (a) contract with physicians, nurses and hospitals or any other persons or institutions for any medical aid that is required by injured workers;*

59 Coming into force.

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
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