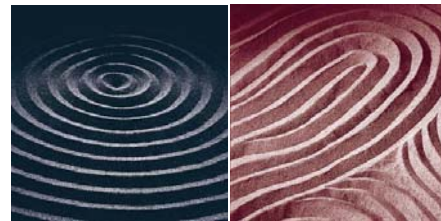


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B.C. legislative update 2006

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CBA National Health Law Section Newsletter

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By Ryan Morasiewicz

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2006 – B.C. Acts in force

Health Professions Amendment Act, 2003, S.B.C. 2003, C. 57 (Bill 62)

Section 58(d)-(e) (repealing the *Nurses (Registered) Act*, R.S.B.C. 1996, c. 335 and the *Supplement to the Nurses (Registered) Act*, R.S.B.C. 1996, c. 335) came into force April 1, 2006.

Section 6 (amends the *Health Professions Act*, R.S.B.C. 1996, c. 183 to specify that a board member who has resigned from the board or whose term expires may continue to serve as a member of a committee) came into force March 9, 2006.

Sections 13(a) (correcting a reference error in the *Health Professions Act*) and 29 (amends the *Health Professions Act* to specify the types of determinations and subsequent orders that a discipline committee may make) came into force July 13, 2006.

Section 27 (specifies the time in which an inquiry committee must investigate a complaint) came into force July 21, 2006.

Miscellaneous Statutes Amendment Act (No. 2), 2004, S.B.C. 2004, C. 51 (Bill 54)

Section 18(a) (a consequential amendment to the *Health Professions Act* made as a result of ss. 9 and 29 of the *Health Professions Amendment Act, 2003*) came into force July 13, 2006.

Health Statutes Amendment Act, 2006, S.B.C. 2006, C. 23 (Bill 29)

Section 21 (amendment to the *Health Professions Act* regarding bylaws applicable to health profession corporations) came into force May 19, 2006.

2006 – B.C. bills

Health Statutes Amendment Act, 2006, S.B.C. 2006 C. 23 (Bill 29)

The *Health Statutes Amendment Act* amends the *Health Act* and the *Medicare Protection Act* to alter the legislative framework for electronic health records in B.C. The amendments create rules for the collection, use, and disclosure of personal health information contained in Ministry of Health and Health Authority databases. The changes to the *Health Act* will permit the minister of health to designate or create databases that contain personal health information as “health information banks.”

The *Health Statutes Amendment Act* also amends the *Health Professions Act*, the *Health Professions Amendment Act, 2003* and the *Health Professions Amendment Act (No. 2), 2003* to continue the legal existence of four of the current regulatory colleges, alter the current ownership restrictions that apply to personal service corporations of some health professionals, clarify that the right to recover debts for services extends to corporations that are entitled to provide the services of regulated health professions, and correct drafting errors.

The *Health Statutes Amendment Act* also amends the *Evidence Act*, *Interpretation Act*, and *Pharmacy Operates and Drug Scheduling Act* to correct some drafting errors and omissions.

The *Health Statutes Amendment Act* received royal assent on May 18, 2006. The amendments to the *Evidence Act*, *Health Act*, *Interpretation Act*, *Medicare Protection Act* and certain sections of the *Health Professions Act* come into force by regulation of the lieutenant-governor-in-council.

2006 - Consultation

Adult Guardianship and Personal Planning Statutes Amendment Act (Bill 32)

In April 2006, the B.C. government introduced Bill 32 in the legislature. This bill updates the statutes related to adult guardianship and to personal planning instruments. On May 10, 2006, the government announced that Bill 32 would not proceed in the spring 2006 legislative session in order to allow for further review and consultation.

The government has [released a consultation document](#) to invite comment on the policy and provisions of Bill 32 related to advance directives.