

COMMUNIQUÉ

for the Health Industry

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Health Industry Practice Group

NEWS FROM THE SPRING SITTING OF ALBERTA'S 26TH LEGISLATURE

The first session of the 26th legislature began on Tuesday, March 1, 2005. Following are some highlights relating to health from the Throne Speech and a summary of health legislation that will be introduced during the 2005 Spring Session.

2005 Alberta Throne Speech Declares Alberta will be the Healthiest Province in Canada

On March 2, 2005, newly appointed Lieutenant Governor Norman Kwong gave his first Alberta Throne Speech. The Speech announced that Alberta will pioneer a new way of health care by:

- Improving wait list management and allowing electronic referrals between family physicians and specialists;
- Making legislative changes to allow innovation in the health system;
- Hosting an international symposium in May to examine best practices in health care delivery;
- Finding new ways of encouraging Albertans to make health and wellness part of their daily lives;
- Introducing daily physical activity in schools for grades one through nine beginning this fall, as well as a wellness initiative at the kindergarten level;
- Planning to reduce the high number of deaths and injuries on Alberta's streets and highways;
- Investing in water infrastructure to provide a safe, clean water supply;
- Completing an emergency response plan for communicable disease emergencies.

Note:

This *Communiqué* is provided as an information service and is a summary of current legal issues of concern to Health Industry Clients. *Communiqués* are not meant as legal opinions and readers are cautioned not to act on information provided in this *Communiqué* without seeking specific legal advice with respect to their unique circumstances. Your comments and suggestions are most welcome. Please direct them to: MTHealthLaw_AB@millerthomson.ca

New Alberta Health Legislation Proposed

New Bills were introduced in the Alberta Legislature for the First Session, which began on March 1st. Notable are two Government Bills and two Private Members' Bills which are health-related.

Government Bills are public bills, affecting all citizens of Alberta. They have the support of the sitting majority government. The current Government Bills propose the following new legislation:

- *Personal Information Protection Amendment Act* – will make the *Personal Information Protection Act* inapplicable to all health information (as defined in the *Health Information Act*), and clarify who may give consent to the release of a deceased person’s personal information.
- *Health Statutes Amendment Act* – will prevent health professionals from holding themselves out as “specialists” unless authorized to do so by the regulations of the *Health Professions Act*. It will also refine the definitions of certain health services restricted activities (eg. “administration of a drug”; “dispense”).

Private Members’ Bills are bills that are introduced by any member of the legislative assembly. These bills are a means of presenting alternatives to government policy or discussing special concerns of individual members. Current Private Members’ Bills propose the following new legislation:

- *Smoke-free Places Act* – will prohibit smoking in numerous enclosed places in Alberta, some of which include: daycares, schools, libraries, health care facilities, cinemas, recreational facilities where the primary activity is physical recreation, various public transportation vehicles and provincial jails. Certain places of employment will also be designated smoke-free.
- *Protection of Children Abusing Drugs Act* – will create a procedure allowing the guardian, physician, relative, teacher or spiritual advisor of a child to apply to the Alberta Alcohol and Drug Abuse Commission to admit the child into a program for the treatment of alcohol or drug abuse if, in the opinion of the applicant, the child is abusing alcohol or a drug.

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