



Province of Alberta

REGIONAL HEALTH AUTHORITIES ACT

Revised Statutes of Alberta 2000
Chapter R-10

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Alberta Queen's Printer
Suite 700, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Regulations

The following is a list of the regulations made under the *Regional Health Authorities Act* that are filed as Alberta Regulations under the Regulations Act

| | Alta. Reg. | <i>Amendments</i> |
|--|-------------------|---|
| Regional Health Authorities Act | | |
| Alberta Cancer Foundation | 70/2009 | 50/2015, 17/2018, 149/2020 |
| Alberta Mental Health Board | 286/94 | 164/96, 274/96, 84/99, 251/2001 |
| Cancer Registry | 71/2009 | 50/2015, 17/2018 |
| Community Health Councils | 202/97 | 252/2000, 251/2001, 326/2002, 109/2003, 288/2009, 173/2012, 178/2013, 153/2014, 147/2016, 17/2018 |
| Community Health Councils (Ministerial) | 193/97 | |
| Health Quality Council of Alberta Repeal..... | 7/2012 | |
| Patient Concerns Resolution Process | 124/2006 | 28/2016 |
| Property and Assets (Transitional)..... | 14/95 | 58/2001, 221/2004 |
| Regional Health Authorities | 15/95 | 167/95, 190/96, 275/96, 59/2001, 27/2002, 127/2002, |

| | | |
|-----------------------------|----------------|--|
| | | <i>164/2004, 68/2008, 31/2012, 115/2012, 62/2013, 150/2019, 163/2020</i> |
| Regional Health Authorities | | |
| Foundations | 28/2007 | <i>50/2015, 17/2018</i> |
| Regional Health Authorities | | |
| (Ministerial) | 17/95 | <i>169/95, 90/96, 251/2001, 143/2002, 79/2008</i> |
| Regional Health Authority | | |
| Membership | 164/2004 | <i>78/2008, 170/2012, 153/2014, 161/2015, 135/2017</i> |

REGIONAL HEALTH AUTHORITIES ACT

Chapter R-10

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Preamble

WHEREAS health care in Alberta has evolved since 1994, when multiple regional health authorities delivered health services, to its current state, with Alberta Health Services as Alberta's single health authority and the first single provincial health authority in Canada;

WHEREAS, Covenant Health is Alberta's largest provider of faith-based health services and a key strategic partner in Alberta's integrated health system, and operates under Agreements with the Minister of Health and Alberta Health Services; and

WHEREAS the Government of Alberta believes that a single regional health authority is the most effective and efficient way to deliver health services to Albertans;

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

Definitions

1 In this Act,

- (a) "community health council" means a community health council referred to in section 10;
- (b) "existing health authority" means
 - (i) an existing non-regional health authority, and
 - (ii) repealed 2008 cH-4.3 s7;
- (c) "existing non-regional health authority" means the board of any approved hospital;
- (d) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (e) "municipality" means a city, town, village, summer village, municipal district, improvement district or special area or a settlement area within the meaning of the *Metis Settlements Act*;

- (f) “provincial health board” means a provincial health board established under section 17;
- (g) “subsidiary health corporation” means a corporation that is a subsidiary of or is controlled by a regional health authority directly or indirectly through one or more intermediary corporations.

RSA 2000 cR-10 s1;2008 cH-4.3 s7

Establishment of health regions

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.

(3) Where the Minister amends or rescinds an order under subsection (1), the order shall contain any provisions the Minister considers are necessary to protect the interests of creditors and debenture holders and, in the case of a rescinding order, to otherwise provide for the winding-up of the affairs of the health region, subject to the regulations.

(4) All the powers conferred on the regional health authority are, to the extent necessary for that purpose, transferred to and vested in the person appointed to wind up the affairs of the health region.

(5) The Minister may from time to time give any directions the Minister considers proper concerning the winding-up of the affairs of a disestablished health region.

(6) The *Regulations Act* does not apply to an order under this section.

1994 cR-9.07 s2

Regional health authorities

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 provided for under the regulations who are appointed or elected in accordance with the regulations.

(3) A regional health authority is a corporation consisting of its members.

1994 cR-9.07 s3

First authority

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.

1994 cR-9.07 s4

Responsibilities of authority

5(1) Subject to this Act and the regulations, a regional health authority shall, in accordance with subsection (2) and any applicable accountability framework established under section 8.1,

- (a) plan for the provision of health services in the health region, and
- (b) provide 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,
- (c) determine priorities in the provision of health services in the health region and allocate resources accordingly,
- (d) ensure that reasonable access to quality health services is provided in and through the health region, and
- (e) promote the provision 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.

RSA 2000 cR-10 s5;2020 c27 s11

Agreements for planning and provision of services

5.1(1) Subject to the regulations, if a regional health authority enters into an agreement with a person for the purposes of carrying out the regional health authority's responsibility under section 5(1) to plan for the provision of or to provide health services in a health region, the agreement must

- (a) be in writing, and
- (b) conform with any accountability framework established under section 8.1 that is applicable to the regional health authority, as amended from time to time.

(2) A regional health authority that enters into an agreement with a person for the purposes of carrying out its responsibility under section 5(1) to plan for the provision of or to provide health services in a health region is not absolved from carrying out its responsibilities under this Act in respect of the subject-matter of the agreement.

2020 c27 s11

Powers of authority

6(1) Subject to this Act and the regulations, a regional health authority has the rights, powers and privileges of a natural person.

(2) Unless the power to delegate is limited in the regulations, a regional health authority may delegate any power or duty conferred or imposed on it under this or any other Act to a committee of the regional health authority, to any of its employees, officers or agents or to a community health council.

1994 cR-9.07 s6;1996 c22 s3

Bylaws

7(1) A regional health authority shall make bylaws governing conflict of interest in respect of members of the authority, agents of the authority and senior officers and employees of the authority.

(2) Bylaws under subsection (1) have no effect until they are approved in writing by the Minister.

SA 2000 cH-3.3 s35

Directions

8 The Minister may give directions to a regional health authority for the purpose of

- (a) providing priorities and guidelines for it to follow in the exercise of its powers, and

- (b) co-ordinating the work of the regional health authority with the programs, policies and work of the Government and public and private institutions in the provision of health services in order to achieve the best health outcome and to avoid duplication of effort and expense.

1994 cR-9.07 s7

Accountability framework**8.1** The Minister may by order

- (a) establish an accountability framework in respect of a regional health authority or regional health authorities, and
- (b) establish reporting requirements applicable to a regional health authority or regional health authorities in respect of an accountability framework.

2020 c27 s11

Health plan proposal

9(1) When a health region is established, the regional health authority shall within the time specified by the Minister prepare and submit to the Minister a proposal for a health plan for the region.

(2) The Minister may on the request of a regional health authority extend the time for submitting a proposal for a health plan.

(3) In the course of preparing a proposal for a health plan, the regional health authority shall consult with any persons and bodies that are appropriate.

(4) A proposal for a health plan must contain

- (a) a statement of how the regional health authority proposes to carry out its responsibilities under section 5 and to measure its performance in the carrying out of those responsibilities,
- (b) provisions for the establishment of one or more community health councils,
- (c) provisions setting out the role of the community health councils and their relationship to the regional health authority including, in particular, a statement as to whether the community health council is to
 - (i) act in an advisory capacity to the regional health authority as to the provision of health services in the health region or a part of it,

- (ii) enter into agreements with the regional health authority,
or
 - (iii) do both (i) and (ii),
 - (d) information respecting the health services to be provided,
and the anticipated cost of providing those health services,
and
 - (e) any other information required in the regulations or by the
Minister in a notice in writing to the regional health
authority.
- (5)** When a proposal for a health plan is submitted to the Minister,
the Minister may
- (a) approve the proposal as submitted,
 - (b) amend the proposal and approve it as amended, or
 - (c) refer the proposal back to the regional health authority with
directions to the regional health authority to take any further
action the Minister considers appropriate.
- (6)** A proposal for a health plan that is referred back to a regional
health authority under subsection (5)(c) must be resubmitted to the
Minister as directed by the Minister, and when it is resubmitted
subsection (5) applies.
- (7)** A regional health authority
- (a) may of its own motion submit to the Minister a proposal to
amend an approved health plan,
 - (b) shall on the written request of the Minister submit to the
Minister a proposal to amend an approved health plan in
respect of matters specified by the Minister, and
 - (c) shall annually in accordance with the regulations submit to
the Minister a proposal to amend an approved health plan.
- (8)** Subsections (5) and (6) apply to a proposal submitted to the
Minister under subsection (7).

1994 cR-9.07 s8

Annual budget

9.1(1) A regional health authority shall, as directed under
subsection (2), submit its annual budget to the Minister for
approval.

(2) The Minister may give directions respecting the form and content of the budget, the time by which the budget must be submitted and any other information that must be submitted.

2014 c8 s7

Establishment of community health councils

10(1) A community health council shall be established, and the members of it shall be appointed or elected, in accordance with the regulations.

(2) A community health council may be established as a corporation.

(2.1) The Minister may, notwithstanding section 9(4)(b) and (c), give directions to a regional health authority to disestablish one or more community health councils.

(2.2) Where the Minister gives a direction to disestablish one or more community health councils, the Minister shall establish one or more bodies to act in an advisory capacity to the Minister as to the provision of health services in the Province or a part of it.

(3) Where a community health council is disestablished, the instrument disestablishing the community health council shall contain any provisions that are necessary to protect the interests of creditors and to otherwise provide for the winding-up of the affairs of the community health council, subject to the regulations.

RSA 2000 cR-10 s10;2014 c8 s7

Dismissal of authority and council

11(1) The Minister may by order dismiss all the members of a regional health authority or community health council and appoint an official administrator in the authority's or council's place if the Minister considers that the regional health authority or community health council is not properly exercising its powers or carrying out its duties under this Act or if for some other reason the Minister considers it is in the public interest to dismiss the members of the regional health authority or community health council.

(2) An official administrator appointed under this section

- (a) has all the power and authority of the regional health authority or community health council,
- (b) shall perform all the duties of the regional health authority or community health council, and
- (c) shall be paid as an operating expense of the regional health authority or community health council the salary and expenses determined by the Minister.

(3) If in the opinion of the Minister an official administrator is no longer required, the Minister may order the appointment or election of a new regional health authority or community health council in accordance with the regulations.

1994 cR-9.07 s10

Cancer registry

11.1(1) The cancer registry established under the *Cancer Programs Act*, RSA 2000 cC-2, is continued in accordance with the regulations.

(2) Section 24 of the *Hospitals Act* does not apply to information in the cancer registry.

(3) If there is an inconsistency or conflict between

- (a) this section or a regulation made under this section, and
- (b) the Health Information Act,

this section or the regulation, as the case may be, prevails.

(4) If a physician or a person responsible for a laboratory is required to provide information under this section, no action or other proceeding for damages lies against the physician or person responsible for a laboratory for providing the information.

(5) The Lieutenant Governor in Council may make regulations

- (a) respecting the continuation and operation of the cancer registry, including the purpose of the registry;
- (b) respecting the information that may be included in the registry;
- (c) prescribing a list of cancers or adopting, in whole or in part, a published list of cancers as reportable cancers;
- (d) respecting the information that is required to be provided to a regional health authority for the purpose of the registry;
- (e) respecting who is required to provide information for the purpose of the registry;
- (f) respecting the use and disclosure of information in the registry;
- (g) providing with respect to any provision of the regulations that its contravention constitutes an offence and prescribing

penalties, including imprisonment, in respect of any such offence.

2008 cH-4.3 s7

Alberta Cancer Foundation

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)(n).

2020 c27 s11

Meetings

12 A meeting of a regional health authority or community health council must be open to the public unless the regional health authority or community health council, based on considerations set out in the regulations, 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 regional health authority or community health council to carry out its responsibilities, or
- (b) information relating to the personal interests, reputation or privacy of any person.

1994 cR-9.07 s11

Audit

13(1) This section, insofar as it applies to community health councils, only applies to community health councils that are corporations.

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

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

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

1994 cR-9.07 s12

Reports and returns

14(1) A regional health authority, a subsidiary health corporation and a community health council shall on the written request of the

Minister forward to the Minister records, reports and returns as specified by the Minister in the request.

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

- (a) be in a form acceptable to the Minister,
- (b) contain audited information respecting the regional health authority and its subsidiary health corporations including
 - (i) financial statements,
 - (ii) information on the remuneration and benefits paid to members, officers and senior employees as specified in the regulations, and
 - (iii) other performance information specified by the regulations,

and

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

(3) The Minister shall present copies of the annual report received by the Minister for each regional health authority under subsection (2) before the Legislative Assembly if it is sitting, and if it is not, within 15 days after the commencement of the next sitting.

1994 cR-9.07 s13

Agreements

15(1) Subject to subsection (3),

- (a) the Minister, and
- (b) a regional health authority

may enter into agreements for the purposes of this Act with the government of another jurisdiction or any person including, without limitation, an existing non-regional health authority.

(2) An agreement under subsection (1) may provide that it is to operate notwithstanding this Act, the regulations or any other enactment.

(3) A regional health authority may not enter into an agreement under subsection (1) with the government of another jurisdiction or an agreement referred to in subsection (2) without the prior approval of the Minister.

1994 cR-9.07 s15

Minister's powers

16 The Minister may if the Minister considers that it is in the public interest to do so

- (a) provide or arrange for the provision of health services in any area of Alberta, whether or not health services are also being provided in that area by any other government, person or authority, and
- (b) do any other thing that the Minister considers necessary to promote and ensure the provision of health services in Alberta.

1994 cR-9.07 s16

Provincial health boards

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

- (a) providing for the establishment of provincial health boards to do any or all of the following on a province-wide basis or in more than one health region:
 - (i) to act in an advisory capacity to the Minister, existing health authorities, regional health authorities, subsidiary health corporations and community health councils;
 - (ii) to deliver or co-ordinate the delivery of health services, diagnostic services or treatment services provided for in the regulations;
 - (iii) to engage in and promote research related to health matters;
 - (iv) to carry out other activities assigned to it in the regulations;
- (b) respecting the management, functions, duties and jurisdiction of provincial health boards;
- (c) respecting the size and composition of provincial health boards;
- (d) respecting the manner in which members of provincial health boards are appointed, the terms of office of members,

the filling of vacancies and the appointment or election of officers;

- (e) respecting the remuneration and expenses payable to members of a provincial health board;
- (f) governing the winding-up of the affairs of a provincial health board;
- (g) making applicable in respect of a provincial health board any of the provisions of this Act or the regulations under this Act, with necessary modifications.

(2) A provincial health board may be established as a corporation.
1994 cR-9.07 s17

Application of Hospitals Act

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.

1996 c22 s3

Grants and other payments

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

1996 c22 s3

Funding

20 Notwithstanding any other enactment, where an enactment provides that the Minister shall or may provide grants or payments of any kind to any person including, without limitation, an existing health authority, the Minister may instead provide those grants or payments to a regional health authority and, subject to any terms and conditions the Minister considers appropriate, delegate to the regional health authority the Minister's power in respect of the provision of the grants or payments.

1994 cR-9.07 s18

Inspection powers

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

- (a) enter and inspect any place under the jurisdiction of an existing health authority, regional health authority, community health council or subsidiary health corporation,

- (b) require the production for examination of any documents or records in the possession of the existing health authority, regional health authority, 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 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.

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

- (a) give a receipt for the items to the person from whom the items were taken,
- (b) on request, provide a copy of the items removed to the person from whom they were taken or to a person who is entitled to custody of them, and
- (c) forthwith return the items to the person from whom they were taken when they have served the purposes for which they were taken.

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

(4) An application under subsection (3) may be made *ex parte* if the judge considers it proper in the circumstances.

RSA 2000 cR-10 s21;2001 c11 s2

Exclusion of liability

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

RSA 2000 cR-10 s22;2014 c8 s7

AMA representation rights

22.1(1) In this section,

- (a) “employee” includes an independent contractor and a dependent contractor;
- (b) “group” means one or more physicians who are employees of Alberta Health Services and who are involved in a similar area of practice or specialty;
- (c) “physician” means a regulated member of the College of Physicians and Surgeons of Alberta under the *Health Professions Act* authorized to use the title “physician” and who holds a practice permit issued under that Act, or a professional corporation registered with the College of Physicians and Surgeons of Alberta.

(2) If a majority of a group formally expresses to the Alberta Medical Association a wish to be represented by the Alberta Medical Association in the negotiation, renewal or extension of a particular contract governing the group’s service with Alberta Health Services and the Alberta Medical Association and Alberta Health Services agree that the group is suitable for that purpose, Alberta Health Services shall, subject to subsection (3), recognize the Alberta Medical Association as the exclusive representative of the group in the negotiation, renewal or extension of that contract.

(3) For the purposes of subsection (2), Alberta Health Services is not required to recognize the Alberta Medical Association as the exclusive representative of the group for contracts or portions of contracts that pertain to

- (a) managerial services,
- (b) services provided by resident physicians or fellows when acting in that capacity, and
- (c) any other services or classes of services prescribed by the regulations.

(4) If Alberta Health Services and the Alberta Medical Association are unable to agree on

- (a) whether services are managerial services for the purposes of subsection (3)(a),
- (b) whether a physician is a member of a suitable group, or
- (c) whether a group is suitable for the purpose under subsection (2),

the dispute shall be arbitrated under the *Arbitration Act*.

(5) Notwithstanding section 10 of the *Arbitration Act*, if the parties are unable to agree on the appointment of an arbitrator, either Alberta Health Services or the Alberta Medical Association may request the Director of Mediation Services under the *Labour Relations Code* to appoint an arbitrator, in which case the Director shall appoint the arbitrator.

(6) If a physician is a member of a group that is represented by the Alberta Medical Association under subsection (2), but is a party to an existing individual contract with Alberta Health Services governing the physician's service with Alberta Health Services, the physician may opt out of representation by the Alberta Medical Association during the term of the physician's existing individual contract.

(7) On the expiry of the physician's existing individual contract referred to in subsection (6), the physician is bound by a contract negotiated between Alberta Health Services and the Alberta Medical Association with respect to a group referred to in subsection (6).

(8) The Minister may make regulations

- (a) respecting the process for formally expressing a physician's wish to be represented by the Alberta Medical Association;
- (b) respecting criteria for determining whether a group is suitable;
- (c) respecting matters relating to the conduct of an arbitration under this section, including the participation of other affected or interested parties;
- (d) respecting the sharing of information between Alberta Health Services and the Alberta Medical Association for the purposes of this section;
- (e) prescribing other services or classes of services for the purpose of subsection (3)(c).

2018 c22 s2

Lieutenant Governor in Council regulations

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

- (a) respecting the management, functions, duties and jurisdiction of regional health authorities and community health councils;
- (b) authorizing or requiring a regional health authority and a community health council to make bylaws regarding the

- general conduct and operation of the affairs of the regional health authority or community health council;
- (c) respecting the size and composition of regional health authorities and community health councils;
 - (d) respecting eligibility for membership on regional health authorities and community health councils;
 - (e) respecting the manner in which members of regional health authorities and community health councils are nominated, appointed or elected, the terms of office of members, the filling of vacancies and the appointment or election of officers;
 - (e.1) governing all matters related to the election finances of candidates for election for membership on a regional health authority including, without limitation, regulations
 - (i) governing 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) governing 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 governing the amount of the penalty, the person to whom it is payable and the manner in which it may be recovered;
 - (iv) governing 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) governing the keeping of election finances records;
 - (vi) providing that a member of a 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 the borrowing and investment powers of regional health authorities and community health councils;
 - (g) requiring community health councils to submit budgets to the Minister and respecting the time in which and the

manner in which a budget must be submitted and what it must contain;

- (h) determining or providing for the manner of determining the fiscal year of regional health authorities, subsidiary health corporations and community health councils;
- (i) authorizing the Minister, a regional health authority or a community health council to make payments directly to an individual to enable the individual 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;
- (j) authorizing the Minister to suspend, adjust or recover all or part of a grant or other payment paid under section 19 where
 - (i) the recipient contravenes this Act, the regulations or any other enactment under which the recipient exercises powers or carries out duties, or contravenes a term or condition to which the grant or other payment is subject, or
 - (ii) the grant or other payment is paid in error or there is an overpayment of the amount of the grant or other payment,and respecting the manner in which those payments may be suspended and adjusted and those payments and overpayments may be recovered;
- (k) exempting a regional health authority from paying taxes or fees under any other enactment, notwithstanding that other enactment;
- (l) respecting the confidentiality requirements to be observed by a person with respect to information obtained in the administration of this Act or in providing health services or health related services under this Act;
- (m) setting out the considerations that regional health authorities and community health councils are to be guided by for the purposes of section 12;
- (n) respecting the establishment of foundations as corporations to benefit a facility, a regional health authority or a community health council including, without limitation, regulations

- (i) respecting the manner in which and the purposes for which foundations may be established,
 - (ii) respecting the manner in which the governing body of a foundation is constituted,
 - (iii) governing the management, functions, powers and duties of foundations, and
 - (iv) governing the winding-up of the affairs of foundations;
 - (o) repealed RSA 2000 cH-5 s124;
 - (p) providing with respect to any provision of the regulations that its contravention constitutes an offence;
 - (q) prescribing penalties in respect of offences created under clause (p);
 - (r) respecting the application of Parts 2 and 3 of the *Hospitals Act* for the purposes of section 18;
 - (s) respecting the drugs that a regional health authority 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,
- (a.1) repealed 2020 c27 s11;
- (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)(n).

(4) Where a regulation under subsection (1) provides that some or all of the members of a 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.

RSA 2000 cR-10 s23;RSA 2000 cH-5 s124;2001 c11 s3;
2008 cH-4.3 s7;2014 c8 s7;2020 c27 s11

Ministerial regulations

24 The Minister may make regulations

- (a) defining terms that are used in this Act but are not defined in this Act;
- (b) governing the health services and health related services that are to be provided by a regional health authority;
- (b.1) respecting agreements entered into by a regional health authority for the purposes of carrying out its responsibility under section 5(1) to plan for the provision of or to provide health services in a health region and the persons with whom a regional health authority enters into such agreements;
- (b.2) providing that section 5.1 does not apply until a particular date in respect of an agreement or class of agreements entered into by a regional health authority for the purposes of carrying out its responsibility under section 5(1) to plan for the provision of or provide health services in a health region;
- (b.3) establishing classes of agreements for the purposes of clause (b.2);
- (c) respecting the standards and guidelines to be observed by regional health authorities and community health councils in the provision of health services and health related services, the undertaking of capital construction projects and the operation of facilities;
- (c.1) respecting the patient concerns resolution process that is to be provided by a regional health authority;
- (d) respecting the information that is to be contained in a proposal for a health plan under section 9;
- (e) respecting the submission of proposals to amend an approved health plan, for the purposes of section 9(7)(c);

- (f) respecting agreements between a regional health authority and a community health council;
- (g) respecting the remuneration and expenses payable to members of regional health authorities and community health councils;
- (h) requiring regional health authorities and community health councils to keep records and respecting the form and manner in which they must be kept and the information they must contain;
- (i) governing the qualifications of and eligibility requirements for persons who may be appointed as auditor of a regional health authority, subsidiary health corporation or community health council under section 13(3);
- (j) requiring an existing health authority and a community health council to provide reports and returns to a regional health authority, and respecting the form and manner in which and the time at which they must be provided and the information they must contain;
- (k) respecting the information that must be contained in an annual report referred to in section 14(2) and the time within which it must be provided to the Minister;
- (l) respecting the sharing of information between regional health authorities and other health service providers;
- (m) respecting the types of electronic systems that must be used by regional health authorities for data transmission and storage and the standards that those systems must meet;
- (n) authorizing regional health authorities and community health councils to charge fees for goods or services they provide and respecting the amounts of the fees that may be charged for those goods and services;
- (o) governing the winding-up of the affairs of regional health authorities and community health councils;
- (p) prescribing forms for the purposes of this Act.

RSA 2000 cR-10 s24;2003 c30 s16;2020 c27 s11

Transitional regulations

24.1(1) The Lieutenant Governor in Council may make regulations

- (a) respecting the transition to section 5.1(1) of any agreement or class of agreements entered into by a regional health authority for the purposes of carrying out its responsibility under section 5(1) to plan for the provision of or to provide health services in a health region before the coming into force of this section, and
 - (b) to remedy any confusion, difficulty, inconsistency or impossibility resulting from the transition.
- (2) A regulation made under subsection (1) may be made retroactive to the extent set out in the regulation.
- (3) A regulation made under subsection (1) is repealed on the earliest of the following:
- (a) the coming into force of an amendment that adds the subject-matter of the regulation to this Act;
 - (b) the coming into force of a regulation that repeals the regulation made under subsection (1);
 - (c) 3 years after the regulation comes into force.
- (4) The repeal of a regulation under subsection (3)(b) or (c) does not affect anything done under the authority of the regulation before the repeal of the regulation.

2020 c27 s11

Application of regulations

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

1994 cR-9.07 s23

Non-application of PSER Act

26 The *Public Service Employee Relations Act* does not apply to a regional health authority.

1996 c22 s3



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