



HOUSE USE ONLY

CHAIR:

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2nd SESSION, 66th GENERAL ASSEMBLY
Province of Prince Edward Island
70 ELIZABETH II, 2021

(Bill No. 106)

An Act to Amend the Health Services Act

Trish Altass
MLA

PRIVATE MEMBER'S BILL

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Acting Queen's Printer
Charlottetown, Prince Edward Island



AN ACT TO AMEND THE HEALTH SERVICES ACT

BILL NO. 106

2021

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

- 1. Subsections 2(3) and (4) of the *Health Services Act R.S.P.E.I. 1988, Cap. H-1.6*, are repealed.**
- 2. Clauses 3(2)(e.1), (e.2) and (e.3) of the Act are repealed.**
- 3. Section 3.1 of the Act is repealed.**
- 4. Subsection 7(1) of the Act is repealed and the following substituted:**
Board of Directors
 - (1) The affairs of Health PEI shall be controlled and managed by a Board of Directors consisting of the following members appointed by the Minister:
 - (a) the chair of the Community Health Engagement Committee (Western Region);
 - (b) the chair of the Community Health Engagement Committee (Eastern Region);
 - (c) no fewer than seven and no more than nine additional members who shall
 - (i) possess the skills, knowledge, experience and competencies determined by the Minister as necessary to ensure the effective governance of Health PEI; and
 - (ii) be representative of various community perspectives.
- 5(1) Subsection 11(1) of the Act is repealed and the following substituted:**
Appointment of Chief Executive Officer
 - (1) The Board shall appoint a Chief Executive Officer who shall be responsible to the Board for the general management and conduct of the affairs of Health PEI within the policies and directions of the Board.
 - (2) **Subsection 11(2) of the Act is amended by the deletion of the words “the Lieutenant Governor in Council” and the substitution of the words “the Board”.**

- 6. Clauses 12(2)(b) and (c) of the Act are repealed.**
- 7. Subsection 13(1) of the Act is amended by the deletion of the words “Subject to clause 3(2)(e.1), ”.**
- 8. Section 15.1 of the Act is repealed.**



EXPLANATORY NOTES

SECTION 1 repeals two subsections of the *Health Services Act* that were added in 2018, which provide that the Minister of Health and Wellness is responsible for the strategic direction of the health care system in the province and, for the purpose of ensuring that the strategic direction is implemented, may do any thing that the Minister considers advisable, and set out various specific powers that are exercisable by the Minister with respect to the Ministers ability to direct the operation of health services and the health care system.

SECTION 2 repeals three clauses of the Act that give the Minister the power to determine the organization and internal management of Health PEI, including its organizational structures and management responsibilities, the appropriate level of its administrative services, and the percentage of its budget that may be spent on administrative expenses; to require Health PEI to prepare and implement any health services plans and any other plans that the Minister considers appropriate; and to determine the health services to be provided by Health PEI.

SECTION 3 repeals a section of the Act that allows the Minister to give written directives to Health PEI requiring it to take any action that the Minister considers necessary in relation to operations or health services, including the power to require Health PEI to carry out its operations and provide its health services in accordance with strategic directions, plans, priorities or guidelines set by the Minister, or to coordinate its activities and services with any other person or organization in health services or other services, or to make, amend or revoke a bylaw or policy.

SECTION 4 changes the composition of the Board of Directors of Health PEI by increasing its size and requiring the Minister to appoint as members, each of the chairs of the Community Health Engagement Committees for the Western and Eastern Regions.

SECTION 5 removes the power to appoint the Chief Executive Officer of Health PEI from the Lieutenant Governor in Council and gives it to the Board.

SECTION 6 repeals two clauses of the Act which listed among Health PEI's duties and responsibilities the requirements to prepare and regularly update an operational plan at the direction of the Minister, and to provide the health services that the Minister has determined that it is to provide.

SECTION 7 removes a restriction on the Board's ability to employ or otherwise engage such staff or other persons as the Board considers necessary.

SECTION 8 repeals section 15.1 of the Act, which requires Health PEI to prepare an operational plan that is consistent with any guidelines or directions provided by the Minister, and to submit it to the Minister for approval.

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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	
<i>2nd Reading:</i>	
<i>To Committee:</i>	
<i>Reported:</i>	
<i>3rd Reading and Pass:</i>	
<i>Assent:</i>	

SIGNATURES:

Honourable Antoinette Perry, Lieutenant Governor

Honourable Colin LaVie, Speaker

Joseph Jeffrey, Clerk

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