

**Bill #55
Medical Act**

**CHANGES RECOMMENDED TO THE LAW AMENDMENTS COMMITTEE
BY THE MINISTER OF HEALTH AND WELLNESS**

PAGE 2, paragraph 2(z), line 1 - delete "licencing" and substitute "licensing".

PAGE 7, paragraph 11(1)(e), line 2 - delete "licencing" and substitute "licensing".

PAGE 11, subclause 20(2), line 2 - delete "licenced" and substitute "licensed".

PAGE 11, subclause 21(1), line 1 - delete "licenced" and substitute "licensed".

PAGE 11, paragraph 21(3)(a), line 1 - delete "licenced" and substitute "licensed".

PAGE 12, subclause 22(5),

- (a) **paragraph (a), line 1** - delete "licenced" and substitute "licensed";
- (b) **paragraph (c), line 2** - add "or" after the semicolon;
- (c) **paragraph (d), line 2** - delete "; or" and substitute a period;
- (d) **paragraph (e)** - delete.

PAGE 12, Clause 22 - add the following:

- (6) For greater certainty, this Section does not affect the right of a person to use any title authorized by an Act of the Province.

PAGE 13, paragraph 27(g), line 2 - delete "practicing" and substitute "practising".

PAGE 15, subclause 33(1), line 3 - add ", with the exception of the powers of contempt, arrest and imprisonment" before the period.

PAGE 15, subclause 33(2), line 2 - delete "the *Public Inquiries Act*" and substitute "subsection (1)".

PAGE 16, subclause 38(2),

- (a) **paragraph (c)** - delete "do so" and substitute "believe there is evidence relevant to the investigation at the member's place of practice";
- (b) **line 5** - delete "and may examine anything" and substitute "to examine the place of practice and any equipment, book, account, report, record or thing"

PAGE 16, paragraph 39(1)(a), lines 1 and 2 - delete "or is the subject of a disciplinary matter" and substitute ", has committed an act of professional misconduct or is incompetent".

PAGE 18, subclause 45(1),

(a) lines 1 to 3 - delete the words before paragraph (a) and substitute the following:

(1) Notwithstanding any provision of this Act or the regulations, where there are reasonable and probable grounds to believe that

(a) a member is exposing or is likely to expose the public, patients, the medical profession or the member to harm or injury; and

(b) intervention is required prior to the disposition of the matter by the investigation committee or hearing committee,

an investigation committee may direct the Registrar to

(b) paragraphs (a) to (c) - renumber as (c) to (e).

PAGE 20, subclause 52(1), line 3 - add ", with the exception of the powers of contempt, arrest and imprisonment" before the period.

PAGE 20, subclause 52(2), line 2 - delete "the *Public Inquiries Act*" and substitute "subsection (1)".

PAGE 23, Clause 61, line 4 - add ", with the exception of the powers of contempt, arrest and imprisonment" before the period.

PAGE 26, subclause 67(2),

(a) paragraph (b) - delete the comma;

(b) lines 7 and 8 - delete "unless authorized to do so by the Registrar when it is consistent with the objects of the College to do so".

PAGE 26, subclause 67(3), lines 1 and 2 - delete "unless authorized by the Registrar when it is consistent with the objects of the College to do so".

PAGE 26, subclause 67(4) - delete and substitute the following:

(4) Subsections (2) and (3) do not apply

(a) with respect to a report, if the report has been made available to the public by the College; or

(b) if the written consent of the member involved in the college proceeding, the witness and all persons whose interests might be affected by the disclosure has been obtained and a court or administrative tribunal of competent jurisdiction authorizes the witness to answer the question or produce the report.

PAGE 27, subclause 68(5), lines 1 and 2 - delete "in circumstances involving the member's conduct, competence or capacity" and substitute "after the medical practitioner has been advised by

the hospital that the hospital has concerns regarding the practitioner's competence, negligence, conduct or capacity".
