

2020 Bill 24

Second Session, 30th Legislature, 69 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 24

**COVID-19 PANDEMIC RESPONSE
STATUTES AMENDMENT ACT, 2020**

THE MINISTER OF HEALTH

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 24

BILL 24

2020

COVID-19 PANDEMIC RESPONSE STATUTES AMENDMENT ACT, 2020

(Assented to _____, 2020)

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

Apprenticeship and Industry Training Act

Amends RSA 2000 cA-42

**1(1) The *Apprenticeship and Industry Training Act* is amended
by this section.**

(2) The following is added after section 5:

Extension of term of office

5.1 Notwithstanding section 5(4)(c), where the actual term of a person's appointment as a member of the Board ends during the period beginning on March 17, 2020 and ending 60 days after the day on which the state of public health emergency declared by Order in Council numbered O.C. 80/2020 terminates or lapses, the period referred to in that clause is extended to 5 months.

(3) This section has effect on March 17, 2020.

Child Care Licensing Act

Amends SA 2007 cC-10.5

2(1) The *Child Care Licensing Act* is amended by this section.

(2) Section 27 is amended

Explanatory Notes

Apprenticeship and Industry Training Act

1(1) Amends chapter A-42 of the Revised Statutes of Alberta 2000.

(2) Extension of term of office.

(3) Coming into force.

Child Care Licensing Act

2(1) Amends chapter C-10.5 of the Statutes of Alberta, 2007.

(2) Section 27 presently reads in part:

- (a) in subsection (1)(e) by striking out “establishing” and substituting “respecting”;
- (b) in subsection (2) by striking out “codes” wherever it occurs and substituting “codes, orders, guidelines”;
- (c) by adding the following after subsection (2):

(2.1) Where the Lieutenant Governor in Council has made an order under section 52.1 of the *Public Health Act* declaring a state of public health emergency, the Minister may, in addition to or instead of making regulations under subsection (1), make any regulations that the Minister considers necessary or advisable to enable the intents and purposes of this Act to be carried out in a safe, practical and sustainable manner despite the public health emergency.

(2.2) Regulations under subsection (2.1) may, without limitation, and without limiting the generality of that subsection,

- (a) provide for the granting of waivers or reductions of the 2-year period referred to in section 4(2), and
- (b) authorize the director to vary the requirements of a child care program, despite the issuance of a licence, and impose the varied requirements as conditions of the licence on reasonable notice to the licence holder.

(2.3) Regulations under subsection (2.1)

- (a) may be made retroactive to a date not earlier than the date on which the state of public health emergency was declared, and
- (b) unless they sooner expire or are repealed, are repealed
 - (i) 60 days after the lapsing of the order declaring the state of public health emergency, or
 - (ii) if the order declaring the state of public health emergency is continued by a resolution of the Legislative Assembly, 60 days after the day on which the continuation ends.

27(1) The Minister may make regulations

(e) establishing categories of child care programs;

(2) A regulation under subsection (1) may adopt or incorporate, in whole or in part or with modifications, standards, codes or other bodies of rules, as they read at a particular time or as amended from time to time, that relate to any matter in respect of which a regulation may be made under subsection (1) if the standards, codes or other bodies of rules have been published and copies are available.

Employment Standards Code

Amends RSA 2000 cE-9

3(1) The *Employment Standards Code* is amended by this section.

(2) The following is added after section 5:

Continuation of order

5.1 Notwithstanding the lapse or termination of the order of the Minister of Labour and Immigration numbered M.O. 2020-26, the terms of the order continue to have effect in relation to this Act for 18 months after the date of the lapse or termination of M.O. 2020-26.

(3) The following is added after section 63:

Termination pay after temporary layoff for reasons related to COVID-19

63.1(1) In this section, “COVID-19” means COVID-19 as described or determined by the World Health Organization.

(2) Notwithstanding section 63, with respect to an employee who is laid off for reasons related to COVID-19, the reference in that section to “one or more periods exceeding, in total, 60 days within a 120-day period” is to be read as “more than 180 consecutive days”.

(3) Subsection (2) applies with respect to

- (a) an employee who, on the coming into force of this section, is on a layoff, and
- (b) an employee who is laid off on or after the coming into force of this section.

(4) This section is repealed on Proclamation.

(4) Subsection (3) has effect on the day on which the Bill to enact the *COVID-19 Pandemic Response Statutes Amendment Act, 2020* receives first reading.

Employment Standards Code

3(1) Amends chapter E-9 of the Revised Statutes of Alberta 2000.

(2) Continuation of order.

(3) Termination pay after temporary layoff for reasons related to COVID-19.

(4) Coming into force.

Validates AR 29/2020

4(1) The *Employment Standards (COVID-19 Leave) Regulation* (AR 29/2020) is validated and declared for all purposes to have been validly made as of the date on which it was made.

(2) Everything done under or in reliance on the *Employment Standards (COVID-19 Leave) Regulation* (AR 29/2020) is validated and declared for all purposes to have been validly done.

Fiscal Planning and Transparency Act

Amends SA 2015 cF-14.7

5(1) The *Fiscal Planning and Transparency Act* is amended by this section.

(2) The following is added after section 8.1:

Deadline for 2019-2020 fiscal year reports

8.2(1) Notwithstanding section 8(1), for the 2019-2020 fiscal year, the responsible Minister must prepare and make public the annual report referred to in that section on or before August 31, 2020.

(2) Notwithstanding section 8.1, for the 2019-2020 fiscal year, the responsible Minister must prepare and make public the annual infrastructure report referred to in that section on or before August 31, 2020.

Guarantees Acknowledgment Act

Amends RSA 2000 cG-11

6(1) The *Guarantees Acknowledgment Act* is amended by this section.

(2) Section 1 is amended by adding the following after clause (b):

(c) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

4 Validates AR 29/2020.

Fiscal Planning and Transparency Act

5(1) Amends chapter F-14.7 of the Statutes of Alberta, 2015.

(2) Deadline for 2019-2020 fiscal year reports.

Guarantees Acknowledgment Act

6(1) Amends chapter G-11 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1 In this Act,

(b) “lawyer” means,

(i) *with reference to an acknowledgment made in Alberta, an active member of The Law Society of Alberta, other than an honorary member, who has not been suspended, and*

(3) Section 3(c) is amended by striking out “section 4” and substituting “section 4(1)”.

(4) The following is added after section 3:

Acknowledgment by video conference

3.1(1) Notwithstanding section 3, during a period prescribed by the regulations, a guarantee has effect if the person entering into the obligation

- (a) appears before a lawyer by two-way video conferencing,
- (b) acknowledges to the lawyer that the person executed the guarantee, and
- (c) can be seen by the lawyer during the two-way video conference to sign the certificate referred to in section 4(1.1).

(2) If a guarantee is acknowledged in accordance with subsection (1) or in accordance with order of the Minister of Justice and Solicitor General numbered M.O. 29/2020, the requirements of section 5 may be fulfilled by signing in counterpart complete, identical copies of the certificate referred to in section 4(1.1) or in the order of the Minister of Justice and Solicitor General, as the case may be, which together constitute the certificate.

(3) For the purposes of subsection (2), copies of the certificate are identical even if there are minor, non-substantive differences in format or layout between the copies.

(ii) with reference to an acknowledgment made in a jurisdiction other than Alberta, a lawyer entitled to practise law in that jurisdiction.

(3) Section 3 presently reads in part:

3 No guarantee has any effect unless the person entering into the obligation

(c) in the presence of the lawyer signs the certificate referred to in section 4.

(4) Acknowledgment by video conference.

(5) Section 4 is amended

(a) in subsection (1) by striking out “The lawyer” and substituting “Where the requirements set out in section 3 are satisfied, the lawyer”;

(b) by adding the following after subsection (1):

(1.1) Where the requirements set out in section 3.1 are satisfied, the lawyer, after being satisfied by examination of the person entering into the obligation that the person is aware of the contents of the guarantee and understands it, must issue a certificate in the prescribed form.

(6) Section 7 is repealed and the following is substituted:

Regulations

7 The Minister may make regulations

- (a) prescribing periods for the purposes of section 3.1(1);
- (b) prescribing forms for the purposes of this Act.

(7) This section has effect on May 8, 2020.

Health Information Act

Amends RSA 2000 cH-5

7(1) The *Health Information Act* is amended by this section.

(2) The following is added after section 56.5:

Alberta EHR information — COVID-19 fatality inquiries

56.51(1) Despite any other provision of this Act or the regulations, the Department may access via the Alberta EHR, or may authorize one or more employees of the Office of the Chief Medical Examiner who are affiliates of the Department to access via the Alberta EHR, any prescribed health information that is accessible via the Alberta EHR regarding individuals who had or are suspected to have had COVID-19, if that information is required to be disclosed by the Department to the Chief Medical Examiner, medical examiners and the Fatality Review Board under the *Fatality Inquiries Act* or a regulation under that Act.

(5) Section 4 presently reads in part:

4(1) The lawyer, after being satisfied by examination of the person entering into the obligation that the person is aware of the contents of the guarantee and understands it, must issue a certificate in the prescribed form.

(6) Section 7 presently reads:

7 The Lieutenant Governor in Council may make regulations prescribing forms for the purposes of this Act.

(7) Coming into force.

Health Information Act

7(1) Amends chapter H-5 of the Revised Statutes of Alberta 2000.

(2) Alberta EHR information — COVID-19 fatality inquiries.

(2) This section is repealed on December 31, 2021.

Labour Relations Code

Amends RSA 2000 cL-1

8(1) The *Labour Relations Code* is amended by this section.

(2) The following is added after section 157:

Continuation of order

157.1 Notwithstanding the lapse or termination of the order of the Minister of Labour and Immigration numbered M.O. 2020-26, the terms of the order continue to have effect in relation to this Act for 18 months after the date of the lapse or termination of M.O. 2020-26.

Personal Directives Act

Amends RSA 2000 cP-6

9(1) The *Personal Directives Act* is amended by this section.

(2) Section 1 is amended by adding the following after clause (h):

(h.1) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

(3) The following is added after section 5:

Deemed presence

5.1(1) Subject to subsection (2), during a period prescribed by the regulations, persons are deemed to be in each other’s presence for the purposes of section 5(1)(c) and (d) while the persons are connected to each other by an electronic method of communication in which they are able to see, hear and communicate with each other in real time.

(2) Subsection (1) applies only if a lawyer who is an active member as defined in the *Legal Profession Act* is providing the maker of a personal directive with legal advice and services respecting the making, signing and witnessing of the personal directive.

Labour Relations Code

8(1) Amends chapter L-1 of the Revised Statutes of Alberta 2000.

(2) Continuation of order.

Personal Directives Act

9(1) Amends chapter P-6 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1 In this Act,

(h) “maker” means a person who makes a personal directive;

(3) Deemed presence.

(3) If a personal directive is executed by an electronic method of communication in which the persons are deemed by subsection (1) or by order of the Minister of Justice and Solicitor General numbered M.O. 39/2020 to be in each other's presence, the requirements of this Act may be fulfilled by the persons signing or initialling complete, identical copies of the personal directive in counterpart, which together constitute the personal directive.

(4) For the purposes of subsection (3), copies of the personal directive are identical even if there are minor, non-substantive differences in format or layout between the copies.

(4) Section 33 is amended by adding the following after clause (c):

(c.1) prescribing periods for the purposes of section 5.1(1);

(5) This section has effect on May 15, 2020.

Powers of Attorney Act

Amends RSA 2000 cP-20

10(1) The *Powers of Attorney Act* is amended by this section.

(2) Section 1 is amended by adding the following after clause (e):

(e.1) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

(3) The following is added after section 2:

Deemed presence

2.1(1) Subject to subsection (2), during a period prescribed by the regulations, persons are deemed to be in each other's presence for the purposes of section 2(1)(b)(i) and (ii) while the persons are connected to each other by an electronic method of communication in which they are able to see, hear and communicate with each other in real time.

(4) Section 33 presently reads in part:

33 The Minister may make regulations

(c) prescribing matters for the purposes of section 1(l);

(5) Coming into force.

Powers of Attorney Act

10(1) Amends chapter P-20 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1 In this Act,

(e) “enduring power of attorney” means a power of attorney provided for under section 2;

(3) Deemed presence.

(2) Subsection (1) applies only if a lawyer who is an active member as defined in the *Legal Profession Act* is providing the donor of an enduring power of attorney with legal advice and services respecting the making, signing and witnessing of the enduring power of attorney.

(3) If an enduring power of attorney is executed by an electronic method of communication in which the persons are deemed by subsection (1) or by order of the Minister of Justice and Solicitor General numbered M.O. 39/2020 to be in each other's presence, the requirements of this Act may be fulfilled by the persons signing or initialling complete, identical copies of the enduring power of attorney in counterpart, which together constitute the enduring power of attorney.

(4) For the purposes of subsection (3), copies of the enduring power of attorney are identical even if there are minor, non-substantive differences in format or layout between the copies.

(4) The following is added after section 16:

Regulations

17 The Minister may make regulations prescribing periods for the purposes of section 2.1(1).

(5) This section has effect on May 15, 2020.

Private Vocational Training Act

Amends RSA 2000 cP-24

11(1) The *Private Vocational Training Act* is amended by this section.

(2) The following is added after section 20:

Limitation period suspension

20.1 The operation of a 15-day limitation period referred to in section 20(4) for appealing the making of a stop order is suspended during the period beginning on March 17, 2020 and ending on the day on which Order in Council numbered O.C. 80/2020 declaring a state of public health emergency lapses or terminates and resumes on the following day.

(3) This section has effect on March 17, 2020.

(4) Regulations.

(5) Coming into force.

Private Vocational Training Act

11(1) Amends chapter P-24 of the Revised Statutes of Alberta 2000.

(2) Limitation period suspension.

(3) Coming into force.

Public Health Act

Amends RSA 2000 cP-37

12(1) The *Public Health Act* is amended by this section.

(2) Section 1 is renumbered as section 1(1) and is amended

(a) in subsection (1) by adding the following after clause (e):

- (e.1) “close contact” means a person
 - (i) who, without the consistent and appropriate use of personal protective equipment, provides care to, lives with or has close physical contact with a person who is confirmed as having COVID-19, or
 - (ii) who comes into contact with the infectious body fluids of a person who is confirmed as having COVID-19;

(b) by adding the following after subsection (1):

(2) Subsection (1)(e.1) ceases to have effect on the lapsing or rescission of Record of Decision — CMOH Order 05-2020.

(3) Section 33 is amended by adding the following after subsection (2):

(2.1) For the purposes of this section, “person infected with a communicable disease” referred to in subsection (1) and a “person who is suffering from a communicable disease” referred to in subsection (2) include the following persons:

- (a) a person returning to Alberta after having travelled internationally;
- (b) a close contact of a person who is confirmed as having COVID-19;
- (c) a person exhibiting any of the following symptoms that are not related to the person’s pre-existing illness or health condition:
 - (i) cough;

Public Health Act

12(1) Amends chapter P-37 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1 In this Act,

(e) “Chief Medical Officer” means the Chief Medical Officer of Health appointed by the Minister under section 13;

(3) Section 33 presently reads in part:

(2) No person who is suffering from a communicable disease for which isolation or quarantine is required under the regulations shall remain or be permitted to remain in any public place, other than a hospital or other place approved under subsection (1), unless a medical officer of health is satisfied that the presence of the person in the public place would involve no risk to the public health.

- (ii) fever;
- (iii) shortness of breath;
- (iv) runny nose;
- (v) sore throat.

(2.2) Subsection (2.1) ceases to have effect on the lapsing or rescission of Record of Decision — CMOH Order 05-2020.

(4) Section 52.6 is amended

(a) in subsection (1) in the portion preceding clause (a) by striking out “or 52.2 and during the state of public health emergency the Minister or the regional health authority” and substituting “and for up to 60 days following the lapsing of that order the Minister or a regional health authority”;

(b) by adding the following after subsection (1):

(1.01) On the making of an order under section 52.2 and during the state of public health emergency the Minister or the regional health authority may exercise any or all of the powers set out in subsection (1)(a) to (e) for the purpose of preventing, combating or alleviating the effects of the public health emergency and protecting the public health.

(c) in subsection (1.1)

(i) in the portion preceding clause (a) by striking out “during the state of public health emergency” and substituting “for up to 60 days following the lapsing of that order”;

(ii) by striking out “or” at the end of clause (a), by adding “or” at the end of clause (b) and by adding the following after clause (b):

(c) whose absence is required in order for the person to comply with an order of the Chief Medical Officer made under section 29(2.1).

(4) Section 52.6 presently reads in part:

52.6(1) On the making of an order under section 52.1 or 52.2 and during the state of public health emergency the Minister or the regional health authority may do any or all of the following for the purpose of preventing, combating or alleviating the effects of the public health emergency and protecting the public health:

- (a) acquire or use any real or personal property;*
- (b) authorize or require any qualified person to render aid of a type the person is qualified to provide;*
- (c) authorize the conscription of persons needed to meet an emergency;*
- (d) authorize the entry into any building or on any land, without warrant, by any person;*
- (e) provide for the distribution of essential health and medical supplies and provide, maintain and co-ordinate the delivery of health services.*

(1.1) On the making of an order under section 52.1(1) in respect of pandemic influenza and during the state of public health emergency, the Chief Medical Officer may, subject to any terms and conditions the Chief Medical Officer may impose, authorize the absence from employment of any persons

- (a) who are ill with pandemic influenza, or*
- (b) who are caring for a family member ill with pandemic influenza.*

(d) by adding the following after subsection (1.1):

(1.2) Subsection (1.1)(c) ceases to have effect on the later of the following:

- (a) the lapsing or rescission of Record of Decision — CMOH Order 10-2020;
- (b) the lapsing or rescission of Record of Decision — CMOH Order 13-2020.

(5) The following is added after section 52.6:

Powers to protect public health

52.61(1) In this section,

- (a) “airport” means an airport as defined in section 52.93;
- (b) “airport authority” means an airport authority as defined in section 52.93;
- (c) “provincial officer” means a provincial officer as defined in section 52.93;
- (d) “traveller” means a traveller as defined in section 52.93.

(2) Irrespective of whether the state of public health emergency declared under Order in Council numbered O.C. 80/2020 remains in effect, the Minister or a regional health authority may exercise the powers set out in section 52.6(1)(a) to (e), notwithstanding any limitation in that subsection on when the powers may be exercised, with respect to any of the following for the purpose of preventing, combating or alleviating the effects of the public health emergency and protecting the public health:

- (a) the entry of executive officers to any area of an airport, without a warrant, and the access by executive officers to every area of an airport that it is possible for travellers to access, including any area that a traveller may access beyond a traveller screening checkpoint, for the purpose of monitoring an airport authority’s compliance with Record of Decision — CMOH Order 11-2020 and this Act;

(5) Powers to protect public health.

- (b) the provision by the Calgary Airport Authority and the Edmonton Regional Airports Authority of an appropriate onsite location for the temporary isolation or quarantine of travellers;
- (c) the entry of provincial officers to any onsite location referred to in clause (b) and the access to and use of the location for the temporary isolation or quarantine of travellers, as required by Record of Decision — CMOH Order 05-2020, until such time as the travellers can arrange for suitable transportation, as determined by a provincial officer, to the respective addresses at which the travellers are to remain in isolation or quarantine for the period required by Record of Decision — CMOH Order 05-2020;
- (d) the premises on or within which is operated a nursing home as defined in the *Nursing Homes Act* or a supportive living accommodation as defined in the *Supportive Living Accommodation Licensing Act*, at or within which premises one or more residents or staff has or may have COVID-19;
- (e) the operation by the Calgary Homeless Foundation and HomeSpace Society of an isolation centre, located at 2622 – 39 Avenue NE in the City of Calgary, serving individuals who
 - (i) are experiencing homelessness or are home insecure, and
 - (ii) have or may have COVID-19

for the purpose of preventing, combating or alleviating the effects of the public health emergency and protecting the public health.

(3) Irrespective of whether the state of public health emergency declared under Order in Council numbered O.C. 80/2020 remains in effect, the Chief Medical Officer may, subject to any terms and conditions the Chief Medical Officer may impose, exercise the power set out in section 52.6(1.1)(c),

notwithstanding any limitation in that subsection on when the power may be exercised, with respect to Record of Decision — CMOH Order 10-2020 and Record of Decision — CMOH Order 13-2020.

(6) Section 52.91(b) is amended by adding “or (1.01)” after “section 52.6(1)(c)”.

(7) The following is added after section 52.91:

Termination of contracted services provider prohibited

52.92(1) No person who retains the services of another person on a basis other than an employment agreement shall terminate the contract of, restrict or in any way discriminate against that person for an absence from or interruption in providing those services that is required in order for the person to comply with an order of the Chief Medical Officer made under section 29(2.1).

(2) Subsection (1) ceases to have effect on the later of the following:

- (a) the lapsing or rescission of Record of Decision — CMOH Order 10-2020;
- (b) the lapsing or rescission of Record of Decision — CMOH Order 13-2020.

Interpretation

52.93 In sections 52.94 to 52.98 and 52.99,

- (a) “airport” means YYC Calgary International Airport or Edmonton International Airport;
- (b) “airport authority” means the Calgary Airport Authority or the Edmonton Regional Airports Authority;

(6) Section 52.91(b) presently reads:

52.91 No employer shall terminate, restrict or in any way discriminate against an employee for an absence from employment

(b) that is by reason only of the employee having been conscripted pursuant to section 52.6(1)(c), or

(7) Termination of contracted services provider prohibited; interpretation; designation of provincial officer; powers of provincial officer; isolation questionnaire and health assessment required; contents of isolation questionnaire; collection, use and disclosure of traveller information; cessation of effect re CMOH Order 05-2020; provision of information by airport authority; cessation of effect re CMOH Order 11-2020; cessation of effect, general.

- (c) “Coutts Provincial Checkpoint” means the provincial checkpoint located in southern Alberta on Highway 4 on the Canadian side of the Coutts Alberta-United States land border port of entry;
- (d) “health assessment” means the assessment as to whether a traveller may be experiencing any of the following symptoms that are not related to the traveller’s pre-existing illness or health condition through physical observation and the taking of a traveller’s temperature using non-invasive methods:
 - (i) cough;
 - (ii) fever;
 - (iii) shortness of breath;
 - (iv) runny nose;
 - (v) sore throat;
- (e) “individually identifying health information” means individually identifying health information within the meaning of the *Health Information Act*;
- (f) “isolation questionnaire” means the isolation questionnaire referred to in section 53.96;
- (g) “provincial officer” means a provincial officer designated by the Minister under section 52.94;
- (h) “traveller” means a person returning to Alberta after having travelled internationally.

Designation of provincial officer

52.94 The Minister may designate any person employed or engaged by the Department or by a regional health authority as a provincial officer for the purposes of sections 52.95 to 52.98.

Powers of provincial officer

52.95 A provincial officer is authorized to do any of the following:

- (a) collect an isolation questionnaire from a traveller;
- (b) conduct a health assessment of a traveller;
- (c) detain for up to 12 hours, and isolate or quarantine during detention, any traveller who does not have suitable transportation, as determined by the provincial officer, to an address where the traveller will be in isolation or quarantine as required by Record of Decision — CMOH Order 05-2020.

Isolation questionnaire and health assessment required

52.96(1) Every traveller arriving at an airport shall, at the request of a provincial officer,

- (a) provide a completed isolation questionnaire, or be identified in a completed isolation questionnaire provided, to a provincial officer in accordance with section 52.97, and
- (b) submit to a health assessment by a provincial officer.

(2) Every traveller arriving at Coutts Provincial Checkpoint shall, at the request of a provincial officer,

- (a) provide a completed isolation questionnaire, or be identified in a completed isolation questionnaire provided, to a provincial officer in accordance with section 52.97, and
- (b) submit to a health assessment by a provincial officer.

Contents of isolation questionnaire

52.97 An isolation questionnaire referred to in section 52.96 shall include the following information, if applicable:

- (a) contact information, including
 - (i) first name,
 - (ii) last name,
 - (iii) date of birth,
 - (iv) contact phone number, and

- (v) email address;
- (b) travel information, including
 - (i) the number of any additional travellers in the traveller's group who are members of the traveller's household and will be in isolation or quarantine, as required by Record of Decision — CMOH Order 05-2020, at the same address as the traveller,
 - (ii) the first name of each additional traveller,
 - (iii) the last name of each additional traveller,
 - (iv) the date of birth of each additional traveller,
 - (v) the traveller's arrival date,
 - (vi) the traveller's airline flight number,
 - (vii) the name of the city and country the traveller is arriving from, and
 - (viii) the name of every city and country the traveller, and each additional traveller in the traveller's group, has visited in the previous 14 days;
- (c) traveller transport information, including the form of transportation the traveller and each additional traveller in the traveller's group will take to the address at which they will be in isolation or quarantine as required by Record of Decision — CMOH Order 05-2020;
- (d) other information respecting the traveller and the traveller's group, including
 - (i) a description of the accommodation the traveller has arranged for the isolation or quarantine period applicable to the traveller and each additional traveller in the traveller's group, including whether the accommodation is at a private residence, with family or at a commercial location (hotel),

- (ii) the name of the city where the traveller and each additional traveller in the traveller's group will be in isolation or quarantine,
- (iii) the address where the traveller and each additional traveller in the traveller's group will be in isolation or quarantine,
- (iv) whether the traveller or any additional traveller in the traveller's group requires accommodation assistance to be in isolation or to quarantine apart from anyone who is 65 years of age or older or who has heart disease, high blood pressure, asthma or other lung disease, diabetes, cancer or immune suppression or is taking prednisone medication, and
- (v) whether the traveller or any additional traveller in the traveller's group is able to make necessary arrangements during the applicable isolation or quarantine period, including food, medication, child care, cleaning supplies and pet care, if applicable.

Collection, use and disclosure of traveller information

52.98(1) Despite section 53, the Department may collect, use and disclose, in accordance with sections 52.95 to 52.97 and this section, individually identifying health information, without the consent of the traveller who is the subject of the information.

(2) The Department may collect and use individually identifying health information collected by a provincial officer in accordance with section 52.96 for the purpose of contacting a traveller to

- (a) provide information to a traveller about available Government of Alberta resources or other health services, and
- (b) collect further information respecting the isolation or quarantine of a traveller or a member of a traveller's group as required by Record of Decision — CMOH Order 05-2020.

(3) The Department may disclose individually identifying health information collected in a traveller's isolation questionnaire to other departments within the Government of Alberta for the purpose of enabling the departments to provide services to support a traveller in complying with the requirement to isolate or quarantine, as required by Record of Decision — CMOH Order 05-2020.

(4) The Department may disclose individually identifying health information collected by a provincial officer under section 52.96 to executive officers for the purpose of determining whether a traveller is acting in compliance with this Act.

(5) The Department may use or disclose individually identifying health information collected in a traveller's isolation questionnaire or collected when a traveller is contacted pursuant to subsection (2)(b) for the purposes of issuing a violation ticket under Part 3 of the *Provincial Offences Procedure Act*.

(6) Section 64 of the *Health Information Act*, as it relates to the requirement to prepare a privacy impact assessment that describes how proposed administrative practices and information systems relating to the collection, use and disclosure of individually identifying health information may affect the privacy of the individual who is the subject of the information, does not apply to administrative practices or information systems that may be required in relation to the collection, use or disclosure of information described in this section.

Cessation of effect re CMOH Order 05-2020

52.981 Sections 52.94 to 52.98 cease to have effect on the lapsing or rescission of Record of Decision — CMOH Order 05-2020.

Provision of information by airport authority

52.99 On the request of the Chief Medical Officer, an airport authority shall provide to the Chief Medical Officer, in the form and manner, and within the time specified, any information the Chief Medical Officer may request respecting

- (a) the specific measures an airport authority is taking to implement public health measures set out in sections 2, 3 and 5 of Record of Decision — CMOH Order 11-2020, and
- (b) the effectiveness of such public health measures.

Cessation of effect re CMOH Order 11-2020

52.991 Section 52.99 ceases to have effect on the lapsing or rescission of Record of Decision — CMOH Order 11-2020.

Cessation of effect, general

52.992 Section 52.93 ceases to have effect on the later of the following:

- (a) the lapsing or rescission of Record of Decision — CMOH Order 05-2020;
- (b) the lapsing or rescission of Record of Decision — CMOH Order 11-2020.

(8) Section 53 is amended by adding the following after subsection (4.1):

(4.2) Despite subsections (1) and (3), information obtained by the Chief Medical Officer may, on request by a police service, as defined in the *Police Act*, be disclosed by the Chief Medical Officer to the police service to enable a police officer, as defined in the *Police Act*, who has come in contact with the body fluids of an individual claiming to have COVID-19 to ascertain whether the individual has tested positive for COVID-19 and whether Record of Decision — CMOH Order 05-2020 applies to the police officer.

(4.3) The Chief Medical Officer may access information via the Alberta EHR, as defined in Part 5.1 of the *Health Information Act*, and use the information accessible via the Alberta EHR for the purposes of disclosing information under subsection (4.2).

(4.4) Subsections (4.2) and (4.3) cease to have effect on the lapsing or rescission of Record of Decision — CMOH Order 05-2020.

(8) Section 53 presently reads in part:

(4.1) Information obtained by the Chief Medical Officer may be disclosed by the Chief Medical Officer to the Government of Canada, the government of another province or territory, the government of a foreign country or an agency of any of those governments for the purpose of addressing public health matters, patient safety, quality of care or the general public interest.

(9) The following is added after section 53:

**Collection, use and disclosure of information re
health care facility staff members**

53.1(1) In this section,

- (a) “contractor” means an individual who, or corporation that, under a contract or a subcontract with the operator of a health care facility, provides or arranges for the provision of health care services or support services within the health care facility;
- (b) “health care facility” means a health care facility as defined in Part 2 of Record of Decision — CMOH Order 10-2020;
- (c) “staff member” means an individual who is employed by, or provides services under a contract with, the operator of a health care facility or a contractor.

(2) The Chief Medical Officer may, by written notice, require an operator of a health care facility or a contractor to disclose to the Chief Medical Officer and the Department any or all of the information set out in section 53.3.

(3) An operator of a health care facility and a contractor shall, as soon as is reasonably possible after receiving a written notice under subsection (2), disclose to the Chief Medical Officer and the Department the information identified in the written notice.

(4) The Chief Medical Officer and the Department may use the information obtained under subsection (3) for the purposes of restricting the movement of staff members among health care facilities as required by Record of Decision — CMOH Order 10-2020.

(5) The Chief Medical Officer and the Department may disclose the information obtained under subsection (3), other than a staff member’s social insurance number, to operators of health care facilities and contractors for the same purposes for which the information may be used under subsection (4).

(9) Collection, use and disclosure of information re health care facility staff members; collection, use and disclosure of information re staff members providing home care services; staff member information; cessation of effect.

**Collection, use and disclosure of information re
staff members providing home care services**

53.2(1) In this section,

- (a) “contractor” means an individual who, or corporation that, under a contract or subcontract with a regional health authority, provides or arranges for the provision of home care services;
- (b) “health care facility” means a health care facility as defined in Part 2 of Record of Decision — CMOH Order 10-2020;
- (c) “home care services” means health care services or support services provided under the *Co-ordinated Home Care Program Regulation* (AR 296/2003);
- (d) “staff member” means an individual who provides home care services as an employee of, or under a contract with, a contractor.

(2) The Chief Medical Officer may, by written notice, require a contractor to disclose to the Chief Medical Officer and the Department any or all of the information set out in section 53.3.

(3) A contractor shall, as soon as is reasonably possible after receiving a written notice under subsection (2), disclose to the Chief Medical Officer and the Department the information identified in the written notice.

(4) The Chief Medical Officer and the Department may use the information obtained under subsection (3) for the purposes of

- (a) identifying any potential impacts to home care staffing, and
- (b) developing options to address any potential gaps in workforce supply in the home care sector

resulting from actions taken for the purposes of restricting the movement of staff members among health care facilities as required by Record of Decision — CMOH Order 10-2020.

(5) The Chief Medical Officer and the Department may disclose the information obtained under subsection (3), other

than a staff member's social insurance number, to contractors for the same purposes for which the information may be used under subsection (4).

Staff member information

53.3 For the purposes of sections 53.1 and 53.2, the following information may be required to be disclosed to the Chief Medical Officer and the Department:

- (a) in respect of every staff member of an operator of a health care facility or of a contractor,
 - (i) the staff member's name;
 - (ii) the staff member's identification number;
 - (iii) the staff member's social insurance number;
 - (iv) the staff member's contact information;
 - (v) a statement that the staff member is an employee of the operator or contractor or that the staff member provides services under a contract with the operator or contractor;
 - (vi) the staff member's job title and professional designation, if any, and any other information about the staff member's role;
 - (vii) the staff member's category and classification;
 - (viii) the number of hours worked by the staff member at the health care facility or in the provision of home care services within the time period specified in the written notice;
 - (ix) if the staff member is an employee who is a member of a union, the name of the union and the collective agreement, if any, covering the staff member;
- (b) any other information that is related to the purpose for which information may be used under section 53.1(4) or 53.2(4).

Cessation of effect

53.4 Sections 53.1 to 53.3 cease to have effect on the lapsing or rescission of Record of Decision — CMOH Order 10-2020.

(10) Section 66(2) is amended by adding the following after clause (q):

- (r) respecting any matter that the Minister considers necessary to carry out the intent of an order of the Chief Medical Officer under section 29.

(11) The following is added after section 75:

Review of Act

76(1) A comprehensive review of this Act must be commenced no later than August 1, 2020.

(2) The review of this Act must determine which, if any, of the new provisions of this Act and the *Health Information Act* enacted by Bill 24, introduced during the 2nd session of the 30th Legislature and entitled the *COVID-19 Pandemic Response Statutes Amendment Act, 2020* are still necessary and which, if any, of those provisions should be modified or repealed.

(3) A report on the review of this Act, including the determinations required under subsection (2) and any recommendations arising from the review, must be submitted to the Legislative Assembly.

Repeals

77 The following provisions are repealed on December 31, 2021:

- section 1(1)(e.1) and (2);
- section 33(2.1) and (2.2);
- section 52.6(1.1)(c) and (1.2);
- section 52.61;
- sections 52.92 to 52.992;
- section 53(4.2) to (4.4);
- sections 53.1 to 53.4;
- section 66(2)(r);
- section 76.

(10) Section 66 presently reads in part:

(2) *The Minister may make regulations*

(q) *prescribing forms for the purposes of regulations under this subsection.*

(11) Review of Act; repeals.

(12) Subsections (4)(a), (b) and (c)(i) and (6) have effect on June 15, 2020.

Safety Codes Act

Amends RSA 2000 cS-1

13(1) The *Safety Codes Act* is amended by this section.

(2) The following is added after section 2.1:

Suspension or modification of Act or regulations

2.2(1) On the making of

- (a) an order under section 52.1(1) or 52.2(1) of the *Public Health Act*, or
- (b) an order under section 18(1) or 21(1) of the *Emergency Management Act*,

and for up to 60 days following the lapsing of that order, the Minister may, by order, modify or suspend any or all provisions of this Act in relation to any thing, process or activity and may attach terms and conditions to the modification or suspension.

(2) An order of the Minister under subsection (1) may be made retroactive to a date not earlier than the date on which the order referred to in subsection (1)(a) or (b) was made.

(3) An order of the Minister under subsection (1) may be made to apply generally or specifically and to all or a particular area of Alberta.

(4) An order of the Minister under subsection (1) lapses 60 days after the order referred to in subsection (1)(a) or (b) lapses, unless

- (a) the order of the Minister provides that the order of the Minister lapses on an earlier date, or
- (b) the Minister terminates the order of the Minister on an earlier date.

(12) Coming into force.

Safety Codes Act

13(1) Amends chapter S-1 of the Revised Statutes of Alberta 2000.

(2) Suspension or modification of Act or regulations.

(5) The Minister shall publish and make available an order of the Minister under subsection (1) in the manner the Minister considers appropriate.

(6) The *Regulations Act* does not apply to an order of the Minister under subsection (1).

Student Financial Assistance Act

Amends SA 2002 cS-20.5

14(1) The *Student Financial Assistance Act* is amended by this section.

(2) The following is added after section 14:

Limitation period suspension

14.1 The operation of a 6-year limitation period referred to in section 14 for making a claim, within the meaning of the *Limitations Act*, arising under this Act is suspended during the period beginning on March 17, 2020 and ending on September 30, 2020 and resumes on October 1, 2020.

(3) This section has effect on March 17, 2020.

Wills and Succession Act

Amends SA 2010 cW-12.2

15(1) The *Wills and Succession Act* is amended by this section.

(2) The following is added after section 19:

Deemed presence

19.1(1) Subject to subsection (2), during a period prescribed by the regulations, persons are deemed to be in each other's presence for the purposes of sections 15 and 19(1) while the persons are connected to each other by an electronic method of communication in which they are able to see, hear and communicate with each other in real time.

Student Financial Assistance Act

14(1) Amends chapter S-20.5 of the Statutes of Alberta, 2002.

(2) Limitation period suspension.

(3) Coming into force.

Wills and Succession Act

15(1) Amends chapter W-12.2 of the Statutes of Alberta, 2010.

(2) Deemed presence.

(2) Subsection (1) applies only if a lawyer who is an active member as defined in the *Legal Profession Act* is providing the testator with legal advice and services respecting the making, signing and witnessing of the will.

(3) If a will is executed by an electronic method of communication in which the persons are deemed by subsection (1) or by order of the Minister of Justice and Solicitor General numbered M.O. 39/2020 to be in each other's presence, the requirements of this Act may be fulfilled by the persons signing or initialling complete, identical copies of the will in counterpart, which together constitute the will.

(4) For the purposes of subsection (3), copies of the will are identical even if there are minor, non-substantive differences in format or layout between the copies.

(3) The following is added after section 112:

Ministerial regulations

112.1 The Minister of Justice and Solicitor General may make regulations prescribing periods for the purposes of section 19.1(1).

(4) This section has effect on May 15, 2020.

(3) Ministerial regulations.

(4) Coming into force.

