



Province of Alberta

EMERGENCY HEALTH SERVICES ACT

EMERGENCY HEALTH SERVICES (INTERIM) REGULATION

Alberta Regulation 76/2009

With amendments up to and including Alberta Regulation 38/2018

Office Consolidation

© Published by Alberta Queen's Printer

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

Copyright and Permission Statement

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

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.

(Consolidated up to 38/2018)

ALBERTA REGULATION 76/2009

Emergency Health Services Act

EMERGENCY HEALTH SERVICES (INTERIM) REGULATION

Table of Contents

1	Interpretation
2	Scope of the new Act
3	Categories of ambulance attendants
4	Existing licences continued
5	Fees for services
6	Provincial Medical Director
7	Power to delegate
8	Powers, duties and functions of Provincial Medical Director
9	Medical directors
10	Duties of a medical director
11	Direction
12	Functions and duties of Registrar
13	Power to delegate - Registrar
14	Complaints
15	Powers and duties of Registrar regarding complaints
16	Display of the word "ambulance"
17	Safe transport
17.1	New code
18	Modification - dispatch
19	Modification - patient transportation
19.1	Modification - new standards
19.2	Modification - expiry
20	Modification - other
20.1	Modification - expiry
21	Repeal
22	Coming into force

Preamble Repealed AR 11/2011 s2.

Interpretation

1(1) In this Regulation,

- (a) “ambulance service” means ambulance service as defined in the former Act;
- (b) “Department” means the Department of Health;
- (c) “direction” means
 - (i) the medical direction or advice provided by a medical director to an ambulance attendant or ambulance operator, or
 - (ii) the medical protocols provided to an ambulance attendant or ambulance operator;
- (d) “former Act” means the *Ambulance Services Act*, RSA 2000 cA-39;
- (e) “medical director” means a medical practitioner who is employed or engaged by a regional health authority to provide direction and to participate in the development and maintenance of medical protocols;
- (f) “medical protocols” means a set of written rules established by the Provincial Medical Director to direct appropriate patient care by an ambulance attendant or ambulance operator when providing emergency health services to a patient;
- (g) “new Act” means the *Emergency Health Services Act*, SA 2008 cE-6.6;
- (h) “Provincial Medical Director” means the person designated by the Minister in this Regulation.

(2) A reference to licence in the regulations made under the former Act is to be interpreted to mean operator’s licence as defined in the new Act.

(3) A reference to operator in the regulations made under the former Act is to be interpreted to mean ambulance operator as defined in the new Act.

(4) A reference to ambulance attendant in the regulations made under the former Act is to be interpreted to mean ambulance attendant (ambulance) as defined in the new Act and in this Regulation.

(5) If there is a conflict or inconsistency between the regulations made under the former Act and this Regulation, this Regulation prevails.

Scope of the new Act

2(1) The Minister, under section 48(2) of the new Act, hereby restricts the definitions of ambulance and emergency health services as follows:

- (a) “ambulance” means a motor vehicle that is intended to be used for the transportation of patients, but does not include an aircraft or a motor vehicle exempted under the regulations made under the former Act or a motor vehicle used in an inter-hospital transfer service;
- (b) “emergency health services” means
 - (i) dispatch services, and
 - (ii) assessment, stabilization, treatment and transportation services dispatched in response to a request for an ambulance service.

(2) The definitions restricted in subsection (1) apply to the new Act, the regulations made under the former Act and this Regulation.

Categories of ambulance attendants

3(1) The following categories of ambulance attendants are hereby established:

- (a) ambulance attendant (ambulance);
- (b) ambulance attendant (dispatcher).

(2) The category of ambulance attendant (ambulance) established under subsection (1)(a) consists of the following:

- (a) an Emergency Medical Responder as defined in section 1 of the *Staff, Vehicle and Equipment Regulation* (AR 45/99) made under the former Act;
- (b) an Emergency Medical Technician-Ambulance as defined in section 1 of the *Staff, Vehicle and Equipment Regulation* (AR 45/99) made under the former Act;
- (c) an Emergency Medical Technologist-Paramedic as defined in section 1 of the *Staff, Vehicle and Equipment Regulation* (AR 45/99) made under the former Act;
- (d) a registered nurse equivalent as described in section 2(2) of the *Staff, Vehicle and Equipment Regulation* (AR 45/99) made under the former Act.

(3) The category of ambulance attendant (dispatcher) established under subsection (1)(b) consists of those individuals who are employed or engaged to provide dispatch services in a dispatch centre approved under the new Act.

(4) Effective March 31, 2011, every ambulance attendant (dispatcher) referred to in subsection (3) must have the following:

- (a) a cardiopulmonary resuscitation certificate issued by an organization approved by the Provincial Medical Director;
- (b) a restricted radio operator's licence issued by Industry Canada;
- (c) a certificate issued by the National Academy of Emergency Medical Dispatch;
- (d) any other qualifications required by the Provincial Medical Director.

Existing licences continued

4(1) Any licence issued under the former Act that is valid on March 31, 2009 shall be considered to be an operator's licence issued under the new Act and, subject to subsection (2), remains in effect until it expires.

(2) A licence referred to in subsection (1) remains in effect after March 31, 2009 until it expires if

- (a) the ambulance operator holding the licence has a valid contract with a regional health authority for the provision of emergency health services, and
- (b) the Registrar is satisfied that there are no grounds to revoke or suspend that licence.

Fees for services

5(1) Subject to subsection (2), a licensed ambulance operator may charge a patient the fees approved by the Registrar for the services provided.

(2) An ambulance operator must not directly bill a patient who is enrolled in any one of the following programs but instead must bill the entity that corresponds to the program identified by the patient for the payment of fees for the services provided:

- (a) Alberta Blue Cross Coverage for Seniors (Alberta Health);

- (b) Alberta Blue Cross Non-Group Coverage (Alberta Health);
- (c) Alberta Adult Health Benefit (Alberta Human Services);
- (d) Alberta Child Health Benefit (Alberta Human Services);
- (e) Income Support (Alberta Human Services);
- (f) Assured Income for the Severely Handicapped (Alberta Human Services).

AR 76/2009 s5;31/2012;170/2012

Provincial Medical Director

6 The person who holds the position of Provincial EMS Medical Director with the Department is hereby designated as the Provincial Medical Director.

Power to delegate

7 The Provincial Medical Director designated under section 6 may, in writing, delegate to an employee of the Department any of the powers, duties and functions conferred or imposed on the Provincial Medical Director by the new Act and this Regulation.

Powers, duties and functions of Provincial Medical Director

8(1) The Provincial Medical Director must

- (a) in consultation with medical directors, develop, establish and maintain medical protocols,
- (b) oversee the provision of direction provided by medical directors to ambulance attendants (ambulance) and ambulance operators, and
- (c) make recommendations to the Minister, Registrar and regional health authorities on measures to improve the provision of direction and compliance with direction provided to ambulance attendants (ambulance) and ambulance operators.

(2) The Provincial Medical Director may issue directives to, and impose reporting requirements on, medical directors in the exercise of their powers and in the carrying out of their responsibilities under this Regulation.

Medical directors

9(1) Subject to subsection (2), a regional health authority must

- (a) employ or engage a minimum of 5 individuals as medical directors, and
 - (b) ensure that direction is available to an ambulance attendant (ambulance) or an ambulance operator on a 24-hour a day basis, every day of the year.
- (2)** A regional health authority must not employ or engage a person as a medical director unless that person
- (a) is a physician who is registered as a medical practitioner under the *Medical Profession Act* and who is not under suspension,
 - (b) has emergency department privileges in an Alberta hospital, and
 - (c) has completed a National Association of EMS Physicians medical director course, or an equivalent course, or has equivalent experience, as determined by the Provincial Medical Director.

Duties of a medical director

- 10** Every person who is employed or engaged as a medical director under this Regulation must
- (a) consult with the Provincial Medical Director on the development and maintenance of medical protocols when requested to do so by the Provincial Medical Director,
 - (b) provide direction to an ambulance attendant (ambulance) or ambulance operator,
 - (c) monitor compliance with the direction provided to an ambulance attendant (ambulance) or to an ambulance operator in the form and manner required by a regional health authority or the Provincial Medical Director, and
 - (d) comply with any directive issued, or reporting requirement made, by the Provincial Medical Director.

Direction

- 11** Despite any other enactment, emergency health services must be provided by an ambulance attendant (ambulance) or an ambulance operator under direction as defined in this Regulation.

Functions and duties of Registrar

- 12** The Registrar may

- (a) monitor the provision of emergency health services by a regional health authority,
- (b) make recommendations, as the Registrar considers necessary, to the Minister and regional health authorities on measures to maintain and improve the provision of emergency health services, and
- (c) act as a liaison between the Minister, regional health authorities, the Provincial Medical Director and medical directors in the administration of the new Act and this Regulation.

Power to delegate - Registrar

13 The Registrar may, in writing, delegate to an employee of the Department any of the powers, duties and functions conferred or imposed on the Registrar by the new Act, the regulations made under the former Act and this Regulation.

Complaints

14(1) Any person may make a complaint regarding an ambulance operator to the Registrar in the form required by the Registrar.

(2) A complaint made under subsection (1) must be in writing and include the following:

- (a) the name and contact information of the complainant;
- (b) particulars of the complaint;
- (c) any information or facts supporting the complaint;
- (d) the signature of the complainant or of the complainant's authorized representative;
- (e) any other information as may be required by the Registrar.

Powers and duties of Registrar regarding complaints

15(1) Upon receipt of a complaint concerning the provision of an emergency health service, the Registrar may dismiss or investigate the complaint.

(2) If the Registrar decides to investigate a complaint, the Registrar must notify the ambulance operator who is the subject of the complaint of the nature of the complaint and that an investigation will be conducted.

(3) On completing an investigation, the Registrar may dismiss the complaint or may exercise any of the powers set out in Part 5 of the new Act.

Display of the word “ambulance”

16(1) No motor vehicle shall display the word “ambulance” unless the motor vehicle is operated by a licensed ambulance operator and it has been given a unit number by the Registrar under the *Licensing and Ambulance Maintenance Regulation (AR 46/99)* made under the former Act.

(2) Despite subsection (1), the Registrar may, in writing, permit the use of the word “ambulance” on a motor vehicle that does not meet the requirements referred to in subsection (1).

AR 76/2009 s16;21/2010

Safe transport

17 All equipment and supplies in an ambulance must be properly secured and must not be attached to, or hung from, an occupant restraint net or a safety net when an ambulance is moving.

New code

17.1 The *Ambulance Vehicle Standards Code January 2010* published by the Department is hereby declared in force.

AR 21/2010 s3

Modification - dispatch

18 The following is hereby added after section 12 of the *Licensing and Ambulance Maintenance Regulation (AR 46/99)* made under the former Act:

Dispatch centres

12.1 Effective March 31, 2011, every dispatch centre must be equipped with the following:

- (a) an uninterrupted power supply;
- (b) a back-up generator;
- (c) a broadband connection;
- (d) the capacity to record all incoming and outgoing communications related to the provision of dispatch services.

Modification - patient transportation

19 The following is hereby added after section 12(2) of the Staff, Vehicle and Equipment Regulation (AR 45/99) made under the former Act:

(3) Unless access to a patient's upper torso is required for medical or resuscitative procedures, a patient transported on a cot must at all times be secured using a restraint system that includes 3 cross straps and 2 shoulder straps, as supplied and recommended by the manufacturer of the cot.

Modification - new standards

19.1 The following is hereby added after section 15 of the Staff, Vehicle and Equipment Regulation (AR 45/99) made under the former Act:

New ambulance standards

15.1(1) Effective March 15, 2010, a licensed ambulance operator must ensure that all ambulances used to provide ambulance services that receive a unit number from the Registrar on or after March 15, 2010 meet the *Ambulance Vehicle Standards Code January 2010* published by the Department.

(2) Despite subsection (1), if the patient compartment of an ambulance that received its unit number from the Registrar before March 15, 2010 is, after that date, mounted on a new chassis and a new unit number is issued by the Registrar, the following shall apply in respect of that ambulance:

- (a) the Minimum Vehicle Standards for Ambulances set out in the Schedule, but not including section 3(d) to (g);
- (b) section 16 of the *Ambulance Vehicle Standards Code January 2010* published by the Department.

Exception

15.2 If the Registrar is of the opinion that it is in the public interest, the Registrar may, subject to any term or condition that the Registrar considers necessary,

- (a) vary the minimum vehicle standards that apply to an ambulance, or
- (b) exempt any ambulance from the application of any standard or condition that may be contained in either
 - (i) the Minimum Vehicle Standards for Ambulances set out in the Schedule, or

- (ii) the *Ambulance Vehicle Standards Code January 2010* published by the Department.

AR 21/2010 s4

Modification - expiry

19.2 Section 21 of the *Staff, Vehicle and Equipment Regulation* (AR 45/99) made under the former Act is hereby amended by striking out “April 30, 2010” and substituting “March 31, 2011”.

AR 21/2010 s4

Modification - other

20 The *Licensing and Ambulance Maintenance Regulation* (AR 46/99) made under the former Act is hereby amended as follows:

- (a) section 7 is amended by repealing subsections (1) and (2)(a);**
- (b) section 11 is repealed.**

Modification - expiry

20.1 Section 24 of the *Licensing and Ambulance Maintenance Regulation* (AR 46/99) made under the former Act is hereby amended by striking out “April 30, 2010” and substituting “March 31, 2011”.

AR 21/2010 s5

Repeal

21 This Regulation is repealed on March 31, 2021.

AR 76/2009 s21;11/2011;8/2013;21/2014;44/2016;
38/2018

Coming into force

22 This Regulation comes into force on the coming into force of the new Act.



Printed on Recycled Paper 