



Province of Alberta

PROTECTION FOR PERSONS IN CARE ACT

# PROTECTION FOR PERSONS IN CARE REGULATION

**Alberta Regulation 97/2010**

With amendments up to and including Alberta Regulation 17/2018

Office Consolidation

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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](mailto:qp@gov.ab.ca)  
Shop on-line at [www.qp.alberta.ca](http://www.qp.alberta.ca)

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(Consolidated up to 17/2018)

## ALBERTA REGULATION 97/2010

### Protection for Persons in Care Act

#### PROTECTION FOR PERSONS IN CARE REGULATION

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##### **Definition**

**1** In this Regulation, “Act” means the *Protection for Persons in Care Act*, SA 2009 cP-29.1.

##### **Prescribed Act**

**2** The *Health Disciplines Act* is prescribed for the purposes of sections 1(4)(c) and 7(4) of the Act.

##### **Designated service providers**

**3** The following persons are designated as service providers for the purpose of section 1(1)(m) of the Act:

- (a) the operator of a supportive living accommodation licensed under the *Supportive Living Accommodation Licensing Act* that receives part or all of its operating funds, directly or indirectly, from the Government of Alberta;
- (b) a person that provides care or support services, other than family-managed supports, to individuals with developmental disabilities and receives funding under the *Persons with Developmental Disabilities Community Governance Act* for the provision of those services;
- (c) a person that provides day programs, residential and care or support services funded by Alberta Health Services, including, without limitation, addictions and mental health treatment and rehabilitation centres.

**Circumstances not constituting abuse**

**4** For the purpose of section 1(3)(e) of the Act, the following circumstances do not constitute abuse:

- (a) decisions made by a guardian or trustee under the *Adult Guardianship and Trusteeship Act*;
- (b) decisions made by a review panel under the *Mental Health Act*;
- (c) decisions made by a person described in section 28(1) of the *Mental Health Act*;
- (d) actions taken under the *Emergency Medical Aid Act*.

**Expiry**

**5** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on June 30, 2023.

AR 97/2010 s5;50/2015;17/2018

**Coming into force**

**6** This Regulation comes into force on the coming into force of section 26 of the Act.









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