

2008

CHAPTER 32

An Act to amend *The Medical Profession Act, 1981*

(Assented to December 3, 2008)

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

Short title

1 This Act may be cited as *The Medical Profession Amendment Act, 2008*.

S.S. 1980-81, c.M-10.1, section 60 amended

2(1) Section 60 of *The Medical Profession Act, 1981* is amended in the manner set forth in this section.

(2) Subsection (2) is repealed and the following substituted:

“(2) No witness in a legal proceeding shall be asked any question about proceedings before or by, or information or evidence given to, a committee appointed by the council for the purpose of reviewing matters relating to morbidity, mortality or the cause, prevention, treatment or incidence of disease, but the witness is not excused from answering questions or producing documents that the witness is otherwise bound to answer or produce”.

(3) Subsection (5) is repealed and the following substituted:

“(5) All proceedings of a committee described in subsection (2) shall be held *in camera*, and all information and evidence given to that committee in any proceedings shall be treated by the committee and its members as confidential, and, in any report or publication by the committee or a member of that committee relating to its reviews, the names of the physicians or podiatric surgeons and patients connected in any way with the matters under review shall not be disclosed.

“(6) Notwithstanding subsections (2) to (5), the council may:

(a) receive from a committee mentioned in subsection (2) any information given to the committee, including the names of physicians, podiatric surgeons and patients; and

(b) if the council considers that it is in the public interest to do so, release any information obtained pursuant to clause (a) to:

(i) another person or organization that is involved in reviewing a matter related to that which was reviewed by the committee;

(ii) another person or organization that provides or regulates health services in Saskatchewan if the council is of the opinion that releasing the information is likely to improve health care delivery in Saskatchewan; and

(iii) the minister:

(A) if the council is of the opinion that releasing the information is likely to improve health care delivery in Saskatchewan;

(B) for the purpose of informing the minister of a review by the committee if, in the opinion of the council, there is a compelling public interest in releasing that information; or

(C) for the purpose of confirming that the committee is reviewing a member.

“(7) The council may delegate its powers pursuant to subsection (6) to the registrar subject to any terms and conditions established by the council”.

Coming into force

3 This Act comes into force on assent.