

# 2016

## CHAPTER 25

### An Act to amend *The Public Health Act, 1994*

(Assented to November 30, 2016)

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 Public Health (Miscellaneous) Amendment Act, 2016*.

**S.S. 1994, c.P-37.1 amended**

**2** *The Public Health Act, 1994* is amended in the manner set forth in this Act.

**Section 2 amended**

**3 Section 2 is amended:**

**(a) by renumbering it as subsection 2(1);**

**(b) in subsection (1):**

**(i) by repealing clause (g) and substituting the following:**

“(g) ‘**clinic nurse**’ means a clinic nurse within the meaning of subsection (2);”

**(ii) in clause (j) by striking out “department” and substituting “ministry”;**

**(iii) by repealing clause (k);**

**(iv) by repealing clause (l);**

**(v) by adding the following clause after clause (v):**

“(v.1) ‘**ministry**’ means the ministry over which the minister presides”; **and**

**(vi) by adding the following clause after clause (y):**

“(y.1) ‘**nurse practitioner**’ means a nurse who is entitled pursuant to *The Registered Nurses Act, 1988* to practise in the nurse practitioner category”; **and**

**(c) by adding the following subsection after subsection (1):**

“(2) For the purposes of this Act, ‘**clinic nurse**’ means a nurse who provides testing, screening, counselling, diagnosis or treatment for category II communicable diseases and who:

- (a) is working in a clinic that is supervised by a physician or is approved by the minister; or
- (b) has the appropriate rights and privileges to carry out those practices pursuant to the bylaws made in accordance with *The Registered Nurses Act, 1988*;

and includes any other person designated by the minister as a clinic nurse”.

**Section 13 amended**

**4 Section 13 is amended by striking out “department” and substituting “ministry”.**

**Section 33 amended**

**5(1) Subsection 33(1) is amended by adding “, a nurse practitioner” after “physician”.**

**(2) Subsections 33(2) to (4) are repealed and the following substituted:**

“(2) Subject to subsection (3), a person who is diagnosed by a physician, a nurse practitioner or a clinic nurse as having a category II communicable disease shall remain under treatment and counselling as long as the physician, nurse practitioner or clinic nurse consulted considers the continued treatment and counselling necessary to control the spread of the disease.

“(3) If a person is diagnosed by a physician, a nurse practitioner or a clinic nurse as having a category II communicable disease for which there is no available treatment that will restore an infected person to a state in which he or she is no longer infectious, the person shall take all reasonable measures to reduce significantly the risk of infecting others, in addition to considering any advice provided by the physician, nurse practitioner or clinic nurse.

“(4) Except as provided in the regulations, a person who is diagnosed by a physician, a nurse practitioner or a clinic nurse as being infected with or being a carrier of a category II communicable disease shall, to the best of his or her ability:

- (a) answer all questions asked by the physician, nurse practitioner or clinic nurse;
- (b) provide the names, addresses, telephone numbers, age and sex of all of his or her contacts to the physician, nurse practitioner or clinic nurse; and

- (c) on being diagnosed:
  - (i) communicate in the prescribed manner with all of his or her contacts; or
  - (ii) ask the physician, nurse practitioner or clinic nurse to communicate in the prescribed manner with the person's contacts".

**Section 34 amended**

**6(1) Subsection 34(1) is amended by adding “, nurse practitioner” after “physician”:**

- (a) in the portion preceding clause (a);**
- (b) wherever it appears in clause (a); and**
- (c) in clause (b).**

**(2) Subsection 34(2) is amended in the portion preceding clause (a) by adding “, a nurse practitioner” after “physician”.**

**(3) Subsection 34(3) is amended:**

- (a) in the portion preceding clause (a) by adding “, a nurse practitioner” after “physician”; and**
- (b) in clause (a) by adding “, nurse practitioner” after “physician”.**

**Section 38 amended**

**7(1) Subclause 38(2)(e)(i) is amended by adding “, a nurse practitioner” after “physician”.**

**(2) Clause 38(3)(b) is amended by adding “, nurse practitioner” after “physician”.**

**Section 45.2 amended**

**8 Clause 45.2(2)(c) is amended by striking out “department” wherever it appears and in each case substituting “ministry”.**

**Section 46 amended**

**9 Subsection 46(1) is amended:**

- (a) in clause (m) by striking out “clause 2(q)” and substituting “clause 2(1)(q)”;**
- (b) in clause (n) by striking out “clause 2(ff)” and substituting “clause 2(1)(ff)”;**
- (c) in clause (o) by striking out “clause 2(hh)” and substituting “clause 2(1)(hh)”;**

**(d) in clause (jj) by adding the following after subclause (iii.1):**

“(iii.2) subject to any regulations made pursuant to subclause (iii.3), authorizing or requiring the publication of, or the provision of public access to, information respecting inspections mentioned in subclause (iii.1), including, without limiting the generality of the foregoing:

(A) the terms and conditions of a licence, permit or approval issued to a person engaging in an activity related to the establishment, premises, place or thing;

(B) the contents of an inspection report;

(C) the contents of any order issued to a person mentioned in paragraph (A) pursuant to this Act;

(D) any charges laid or convictions obtained against a person mentioned in paragraph (A) pursuant to this Act; and

(E) information respecting the compliance or non-compliance with any other health-related Act or regulation by a person mentioned in paragraph (A);

“(iii.3) prescribing a period within which information mentioned in subclause (iii.2) respecting a person mentioned in paragraph (iii.2)(A) may be published or to which public access may be given;

“(iii.4) governing the manner of publication or provision of public access to the information described in subclause (iii.2);

“(iii.5) governing the fees that may be charged by a local authority for providing access to information described in subclause (iii.2)”; **and**

**(e) by repealing clause (jj.01).****Section 65 amended**

**10 Subclause 65(2)(d)(i) is amended by adding “, nurse practitioner” after “physician”.**

**Section 68 amended**

**11 Subsection 68(1) is amended by striking out “department” wherever it appears and in each case substituting “ministry”.**

**Coming into force**

**12 This Act comes into force on assent.**