

# *The Critical Incident Regulations, 2016*

*Repealed*

by [Chapter P-30.3 Reg 2](#) (effective April 21, 2023).

*Formerly*

[Chapter R-8.2 Reg 10](#) (effective February 25, 2016).

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

## Table of Contents

1	Title	7	Investigation and report of critical incidents – facilities, services of health care organization
2	Interpretation	8	Notice of critical incidents – facilities, services of cancer agency
3	Guideline adopted	9	Investigation and report of critical incidents – facilities, services of cancer agency
4	Notice of critical incidents – facilities, services of regional health authority	10	R.R.S. c.R-8.2 Reg 3 repealed
5	Investigation and report of critical incidents – facilities, services of regional health authority	11	Coming into force
6	Notice of critical incidents – facilities, services of health care organization		

**CHAPTER R-8.2 REG 10**  
*The Regional Health Services Act*

**Title**

- 1 These regulations may be cited as *The Critical Incident Regulations, 2016*.

**Interpretation**

- 2 In these regulations:

“**Act**” means *The Regional Health Services Act*;

“**business day**” means any day other than a Saturday, Sunday or a statutory holiday;

“**Canadian Armed Forces number**” means a unique number assigned by the Canadian Armed Forces to a member of the Canadian Armed Forces for the purposes of identifying the individual;

“**guideline**” means the *Saskatchewan Critical Incident Reporting Guideline, 2004* published by the ministry;

“**health services number**” means a unique number assigned to an individual who:

- (a) is or was registered as a beneficiary to receive insured services within the meaning of *The Saskatchewan Medical Care Insurance Act*; or
- (b) pursuant to the legislation of another province or territory of Canada, is or was entitled to receive services similar to the insured services mentioned in clause (a);

“**ministry**” means the ministry over which the minister presides.

4 Mar 2016 cR-8.2 Reg 10 s2.

**Guideline adopted**

- 3(1) The *Saskatchewan Critical Incident Reporting Guideline, 2004* is adopted, as amended from time to time, for the purposes of these regulations.

- (2) The minister shall:

(a) cause the guideline to be made available to the public in any form or manner that the minister considers appropriate; and

(b) take any steps that the minister considers appropriate to bring the guideline, and the manner or form in which it is available, to the attention of the public.

4 Mar 2016 cR-8.2 Reg 10 s3.

**Notice of critical incidents - facilities, services of regional health authority**

- 4(1) A regional health authority shall give notice to the minister of any critical incident that occurs:
- (a) in a facility that the regional health authority operates; or
  - (b) in relation to a health service that the regional health authority provides or a program that the regional health authority operates.
- (2) A notice required by subsection (1) must include only the following:
- (a) a summary of facts that led to the critical incident;
  - (b) a summary of the health status of the individual to whom the critical incident relates:
    - (i) before the critical incident; and
    - (ii) after the critical incident;
  - (c) the actions that the regional health authority has taken or will be taking to investigate the critical incident;
  - (d) a statement as to whether the critical incident has been reported to any organization that is not part of the regional health authority and, if so, the name of that organization.
- (3) A regional health authority, in providing the notice required by subsection (1), shall not include any information that would reasonably be expected to identify:
- (a) any individual to whom the critical incident relates;
  - (b) any health care provider involved in providing health services to any individual described in clause (a) or in operating a program to which the critical incident relates; or
  - (c) any other individual who has knowledge of the critical incident.
- (4) Notice pursuant to subsection (1) must be given within three business days, or as soon as possible thereafter, after the day on which:
- (a) the critical incident occurs; or
  - (b) the regional health authority becomes aware of the critical incident.
- (5) For the purposes of subsection (1), notice may be given:
- (a) orally by telephone or in person; or
  - (b) in writing, including by fax or email.

**Investigation and report of critical incidents - facilities, services of regional health authority**

5(1) A regional health authority shall investigate any critical incident described in subsection 4(1) and prepare a written report with respect to each critical incident that it investigates.

(2) A written report required by subsection (1) must include:

(a) a complete description of the circumstances and facts that led to the critical incident;

(b) a statement identifying any current practice, procedure or factor involved in the provision of the health service or the operation of the program that:

(i) contributed to the occurrence of the critical incident; and

(ii) if corrected or modified, may prevent the occurrence of a similar critical incident in the future;

(c) a description of the actions taken and the actions intended to be taken by the regional health authority as a result of the investigation; and

(d) any recommendations arising from the investigation.

(3) A regional health authority, in preparing the report required by subsection (1), shall not include any information that would reasonably be expected to identify:

(a) any individual to whom the critical incident relates;

(b) any health care provider involved in providing health services to any individual described in clause (a) or in operating a program to which the critical incident relates; or

(c) any other individual who has knowledge of the critical incident.

(4) The regional health authority shall complete the written report required by subsection (1) as soon as is reasonably practicable after completing its investigation.

(5) The regional health authority shall, without delay, submit the written report to the minister on completion of the report.

(6) If an investigation and a written report required by subsection (1) cannot be completed and the report submitted to the minister within 60 days after the day on which the regional health authority became aware of the critical incident, the regional health authority shall advise the minister of the delay, the reasons for the delay and the anticipated date of completion of the report, which is to be not later than 180 days after the day on which the regional health authority became aware of the critical incident.

**Notice of critical incidents - facilities, services of health care organization**

**6(1)** A health care organization shall give notice to the regional health authority of any critical incident that occurs:

- (a) in a facility that the health care organization operates; or
  - (b) in relation to a health service that the health care organization provides or a program that the health care organization operates.
- (2) A notice required by subsection (1) must include only the following:
- (a) with respect to any individual to whom the critical incident relates, the following:
    - (i) his or her name;
    - (ii) his or her date of birth;
    - (iii) his or her health services number, if applicable;
    - (iv) his or her Canadian Armed Forces number, if applicable;
  - (b) a summary of the facts that led to the critical incident;
  - (c) a summary of the health status of the individual to whom the critical incident relates:
    - (i) before the critical incident; and
    - (ii) after the critical incident;
  - (d) the actions that the health care organization has taken or will be taking to investigate the critical incident;
  - (e) a statement as to whether the critical incident has been reported to any organization that is not part of the regional health authority or health care organization, as the case may be, and, if so, the names of that organization.
- (3) A health care organization, in providing the notice required by subsection (1), shall not include any information that would reasonably be expected to identify:
- (a) any health care provider involved in providing health services to any individual to whom the critical incident relates or in operating a program to which the critical incident relates; or
  - (b) any other individual who has knowledge of the critical incident.
- (4) Notice pursuant to subsection (1) must be given within three business days, or as soon as possible thereafter, after the day on which:
- (a) the critical incident occurs; or
  - (b) the health care organization becomes aware of the critical incident.

- (5) For the purposes of subsection (1), notice may be given:
- (a) orally by telephone or in person; or
  - (b) in writing, including by fax or email.
- (6) A regional health authority that receives notice of a critical incident pursuant to subsection (1) shall give notice of the critical incident to the minister within three business days after the day on which the regional health authority receives the notice from the health care organization.
- (7) A notice required by subsection (6) must include only the following:
- (a) a summary of facts that led to the critical incident;
  - (b) a summary of the health status of the individual to whom the critical incident relates:
    - (i) before the critical incident; and
    - (ii) after the critical incident;
  - (c) the actions that the health care organization and regional health authority have taken or will be taking to investigate the critical incident;
  - (d) a statement as to whether the critical incident has been reported to any organization that is not part of the health care organization or regional health authority and, if so, the name of that organization.
- (8) The notice required by subsection (6) must not include any information that would reasonably be expected to identify:
- (a) any individual to whom the critical incident relates;
  - (b) any health care provider involved in providing health services to any individual described in clause (a) or in operating a program to which the critical incident relates; or
  - (c) any other individual who has knowledge of the critical incident.

4 Mar 2016 cR-8.2 Reg 10 s6.

**Investigation and report of critical incidents - facilities, services of health care organization**

- 7(1) A health care organization shall, in collaboration with the regional health authority, investigate any critical incident described in subsection 6(1) and prepare a written report with respect to each critical incident that it investigates.
- (2) For the purposes of the investigation mentioned in subsection (1), each of the health care organization and the regional health authority:
- (a) is authorized to provide the other with any information that may reasonably be required to conduct the investigation, including personal health information as defined in *The Health Information Protection Act* and personal information as defined in *The Local Authority Freedom of Information and Protection of Privacy Act*; and

- (b) shall provide the other with a copy of any record, report or other document that it has prepared or has caused to be prepared in connection with the critical incident.
- (3) A written report required by subsection (1) must include:
- (a) a complete description of the circumstances and facts that led to the critical incident;
  - (b) a statement identifying any current practice, procedure or factor involved in the provision of the health service or the operation of the program that:
    - (i) contributed to the occurrence of the critical incident; and
    - (ii) if corrected or modified, may prevent the occurrence of a similar critical incident in the future;
  - (c) a description of the actions taken and the actions intended to be taken by the health care organization as a result of the investigation; and
  - (d) any recommendations arising from the investigation.
- (4) The health care organization, in preparing the report required by subsection (1), shall not include any information that would reasonably be expected to identify:
- (a) any individual to whom the critical incident relates;
  - (b) any health care provider involved in providing health services to any individual described in clause (a) or in operating a program to which the critical incident relates; or
  - (c) any other individual who has knowledge of the critical incident.
- (5) The health care organization shall complete the written report required by subsection (1) as soon as is reasonably practicable after completing its investigation.
- (6) The health care organization shall, without delay, submit the written report to the regional health authority on completion of the report.
- (7) The regional health authority shall submit the written report to the minister, along with a description of the actions taken and the actions intended to be taken by the regional health authority as a result of the investigation.
- (8) If an investigation and a written report required by subsection (1) cannot be completed and the report submitted to the minister within 60 days after the day on which the regional health authority became aware of the critical incident, the regional health authority shall advise the minister of the delay, the reasons for the delay and the anticipated date of completion of the report, which is to be not later than 180 days after the day on which the regional health authority became aware of the critical incident.

**Notice of critical incidents - facilities, services of cancer agency**

8(1) The cancer agency shall give notice to the minister of any critical incident that occurs:

- (a) in a facility that the cancer agency operates; or
  - (b) in relation to a health service that the cancer agency provides or a program that the cancer agency operates.
- (2) A notice required by subsection (1) must include only the following:
- (a) a summary of the facts that led to the critical incident;
  - (b) a summary of the health status of the individual to whom the critical incident relates:
    - (i) before the critical incident; and
    - (ii) after the critical incident;
  - (c) the actions that the cancer agency has taken or will be taking to investigate the critical incident;
  - (d) a statement as to whether the critical incident has been reported to any organization that is not part of the cancer agency and, if so, the name of that organization.
- (3) The cancer agency, in providing the notice required by subsection (1), shall not include any information that would reasonably be expected to identify:
- (a) any individual to whom the critical incident relates;
  - (b) any health care provider involved in providing health services to any individual described in clause (a) or in operating a program to which the critical incident relates; or
  - (c) any other individual who has knowledge of the critical incident.
- (4) Notice pursuant to subsection (1) must be given within three business days, or as soon as possible thereafter, after the day on which:
- (a) the critical incident occurs; or
  - (b) the cancer agency becomes aware of the critical incident.
- (5) For the purposes of subsection (1), notice may be given:
- (a) orally by telephone or in person; or
  - (b) in writing, including by fax or email.

4 Mar 2016 cR-8.2 Reg 10 s8.

**Investigation and report of critical incidents - facilities, services of cancer agency**

9(1) The cancer agency shall investigate any critical incident described in subsection 8(1) and prepare a written report with respect to each critical incident that it investigates.

- (2) A written report required by subsection (1) must include:
- (a) a complete description of the circumstances and facts that led to the critical incident;
  - (b) a statement identifying any current practice, procedure or factor involved in the provision of the health service or the operation of the program that:
    - (i) contributed to the occurrence of the critical incident; and
    - (ii) if corrected or modified, may prevent the occurrence of a similar critical incident in the future;
  - (c) a description of the actions taken and the actions intended to be taken by the cancer agency as a result of the investigation; and
  - (d) any recommendations arising from the investigation.
- (3) The cancer agency, in preparing the report required by subsection (1), shall not include any information that would reasonably be expected to identify:
- (a) any individual to whom the critical incident relates;
  - (b) any health care provider involved in providing health services to any individual described in clause (a) or in operating a program to which the critical incident relates; or
  - (c) any other individual who has knowledge of the critical incident.
- (4) The cancer agency shall complete the written report required by subsection (1) as soon as is reasonably practicable after completing its investigation.
- (5) The cancer agency shall, without delay, submit the written report to the minister on completion of the report.
- (6) If an investigation and a written report required by subsection (1) cannot be completed and the report submitted to the minister within 60 days after the day on which the cancer agency became aware of the critical incident, the cancer agency shall advise the minister of the delay, the reasons for the delay and the anticipated date of completion of the report, which is to be not later than 180 days after the day on which the cancer agency became aware of the critical incident.

4 Mar 2016 cR-8.2 Reg 10 s9.

**R.R.S. c.R-8.2 Reg 3 repealed**

**10** *The Critical Incident Regulations* are repealed.

4 Mar 2016 cR-8.2 Reg 10 s10.

**Coming into force**

**11** These regulations come into force on the day on which they are filed with the Registrar of Regulations.

4 Mar 2016 cR-8.2 Reg 10 s11.