

The Critical Incident Regulations

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[Chapter R-8.2 Reg 3](#) (effective September 15, 2004).

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.

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CHAPTER R-8.2 REG 3
The Regional Health Services Act

Title

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

Interpretation

- 2 In these regulations:

- (a) “**Act**” means *The Regional Health Services Act*;
- (b) “**business day**” means any day other than Saturday, Sunday or a statutory holiday;
- (c) “**guideline**” means the *Saskatchewan Critical Incident Reporting Guideline, 2004* published by the department.

6 Aug 2004 cR-8.2 Reg 3 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.

6 Aug 2004 cR-8.2 Reg 3 s3.

Notice of critical incidents – facilities, services of RHA

- 4(1) A regional health authority shall, in accordance with sections 6 and 7, 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) 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.

6 Aug 2004 cR-8.2 Reg 3 s4.

Notice of critical incidents – facilities, services of HCO

5(1) A health care organization shall, in accordance with sections 6 and 7, 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) 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.
- (3) A regional health authority that receives notice of a critical incident pursuant to subsection (1) shall, in accordance with section 6, 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.

6 Aug 2004 cR-8.2 Reg 3 s5.

Manner of giving notice

6 For the purposes of sections 4 and 5, notice may be given:

- (a) orally by telephone or in person; or
- (b) in writing, including transmission by facsimile or electronic mail.

6 Aug 2004 cR-8.2 Reg 3 s6.

Contents of notice

7 Subject to section 10, notice required by section 4 or 5 must include:

- (a) a summary of the facts that led to the critical incident;
- (b) a summary of the health status of the person 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 or health care organization, as the case may be, has taken or will be taking to investigate the critical incident; and
- (d) 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 the names of those organizations, if any.

6 Aug 2004 cR-8.2 Reg 3 s7.

Investigation and report of critical incidents – facilities, services of RHA

8(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 description of the circumstances leading up to and culminating in 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) The regional health authority shall submit the written report to the minister immediately on completion of the report.

(4) 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.

6 Aug 2004 cR-8.2 Reg 3 s8.

Investigation and report of critical incidents – facilities, services of HCO

9(1) A health care organization shall investigate any critical incident described in subsection 5(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 description of the circumstances leading up to and culminating in 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.
- (3) The health care organization shall submit the written report to the regional health authority immediately on completion of the report, and the regional health authority shall submit the report to the minister immediately on receipt of the report.
- (4) 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 health care organization became aware of the critical incident, the health care organization shall advise the regional health authority, and 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 health care organization became aware of the critical incident.

6 Aug 2004 cR-8.2 Reg 3 s9.

Confidentiality

10 Notices required by sections 4 and 5 and reports required by sections 8 and 9 must not include:

- (a) the name of any person to whom the critical incident relates;
- (b) the name of any health care provider involved in providing health services to any person described in clause (a) or in operating a program to which the critical incident relates; or
- (c) the name of any other individual who has knowledge of the critical incident.

6 Aug 2004 cR-8.2 Reg 3 s10.

Coming into force

11(1) Subject to subsection (2), these regulations come into force on the day on which section 58 of *The Regional Health Services Act*, as being enacted by *The Regional Health Services Amendment Act, 2004*, comes into force.

(2) If section 58 of *The Regional Health Services Act*, as being enacted by *The Regional Health Services Amendment Act, 2004*, comes into force before these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

6 Aug 2004 cR-8.2 Reg 3 s11.