



Office of the Minister
MLA, Calgary - Acadia

M.O. 627/2020

WHEREAS the Lieutenant Governor in Council made Order in Council 080/2020 under section 52.1(1) of the *Public Health Act* (PHA) on March 17, 2020 declaring a state of public health emergency in Alberta due to pandemic COVID-19 and the significant likelihood of pandemic influenza;

WHEREAS Order in Council 080/2020 has effect for 90 days following March 17, 2020 under section 52.8(1)(a) of the PHA;

WHEREAS section 52.6(1) of the PHA provides that on the making of an order under section 52.1 and during the state of public health emergency the Minister may do a number of things for the purpose of preventing, combating or alleviating the effects of the public health emergency and protecting the public health including: acquiring or using any real or personal property; and, authorizing the entry into any building or on any land, without warrant, by any person;

WHEREAS Record of Decision – CMOH Order 11-2020 (CMOH Order 11-2020) requires the Calgary Airport Authority and the Edmonton Regional Airports Authority to implement cleaning, disinfecting and physical distancing measures within the YYC Calgary International Airport and the Edmonton International Airport, respectively;

WHEREAS, it is the opinion of the Minister that to lessen the impact of the public health emergency, additional public health measures are necessary in respect of passengers returning to Alberta after having travelled internationally who arrive at YYC Calgary International Airport or at Edmonton International Airport including requirements for a passenger to:

- (a) submit to a health assessment by a provincial officer; and
- (b) complete a self-isolation questionnaire;

WHEREAS, it is further the opinion of the Minister that one or more of the actions authorized by section 52.6(1) of the PHA are necessary for the purpose of implementing the additional public health measures, monitoring an airport authority's compliance with public health measures, and protecting the public health within an airport;

WHEREAS, it is further the opinion of the Minister that to lessen the impact of the public health emergency, it is necessary to gather and share the information from

passenger health assessments and from passenger self-isolation questionnaires for the purposes of contacting a passenger and connecting the passenger with available Department, or other Government of Alberta, resources to support or assist the passenger;

WHEREAS section 52.1(3) of the PHA authorizes the Minister of Health to make an order, without consultation, to:

- (a) suspend or modify the application or operation of all or part of an enactment, subject to the terms and conditions the Minister prescribes, or
- (b) specify or set out provisions that apply in addition to, or instead of, any provision of an enactment

if the Minister is satisfied that doing so is in the public interest; and

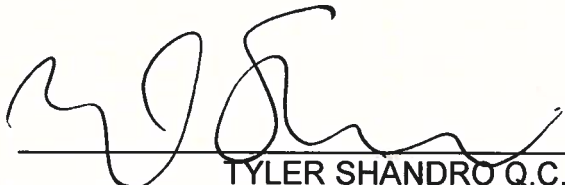
WHEREAS I am satisfied that it is in the public interest to make such an order in respect of the PHA because it is necessary to lessen the impact of the public health emergency and to support the implementation of CMOH Order 11-2020;

THEREFORE, I, Tyler Shandro, Minister of Health, pursuant to section 52.6(1) and section 52.1(2) of the PHA do hereby:

1. Under the authority of section 52.6(1)(d) of the PHA, authorize executive officers to enter any area of an airport, without a warrant, and to access every area of an airport that it is possible for passengers to access, including any area that a passenger may access beyond a passenger screening checkpoint, for the purpose of monitoring an airport authority's compliance with CMOH Order 11-2020 and the PHA;
2. Under the authority of section 52.6(1) of the PHA,
 - (a) require the Calgary Airport Authority and the Edmonton Regional Airports Authority to provide an appropriate onsite location for the temporary isolation or quarantine of passengers returning to Alberta after having travelled internationally; and
 - (b) authorize provincial officers to enter any onsite location provided in accordance with clause (a) and to access and use the location for the temporary isolation or quarantine of passengers returning to Alberta after having travelled internationally, as required by Record of Decision – CMOH Order 05-2020, until such time as the passengers can arrange for suitable transportation, as determined by a provincial officer, to the address at which they will remain in isolation or quarantine for the period of time required by Record of Decision – CMOH Order 05-2020;
3. Under the authority of section 52.1(2) of the PHA, order that the provisions of the PHA are hereby modified, suspended, or added to, to the extent required to give effect to the provisions set out in Appendix "A" to this Order.

4. This Order comes into effect on the date set out below.
5. This Order lapses, unless it is sooner continued by an order of the Lieutenant Governor in Council under section 52.811(3) of the PHA, at the earliest of the following:
 - (a) August 14, 2020;
 - (b) 60 days after Order in Council 080/2020 is terminated by the Lieutenant Governor in Council, if Order in Council 080/2020 is terminated before June 15, 2020;
 - (c) when this Order is terminated by the Minister under section 52.811(2) of the PHA because the Minister is satisfied that this Order is no longer in the public interest; or
 - (d) when this Order is terminated by the Lieutenant Governor in Council under section 52.811(1)(c) of the PHA.

DATED at *Edmonton.*, Alberta this *20* day of *May*, 2020.



TYLER SHANDRO Q.C.
MINISTER

Appendix A

1. Any terms used in this Appendix A which are defined in the PHA have the same meaning as in the PHA.
2. The following sections are added after section 52.92 of the PHA:

Interpretation

52.93 In this Part,

(a) "airport" means YYC Calgary International Airport or Edmonton International Airport;

(b) "airport authority" means the Calgary Airport Authority or the Edmonton Regional Airports Authority;

(c) "health assessment" means an assessment of a passenger's current health status through physical observation and the taking of a passenger's temperature using non-invasive methods and includes an assessment of whether a passenger has any of the symptoms listed below which are not related to a pre-existing illness or health condition:

- (i) cough;
- (ii) fever;
- (iii) shortness of breath;
- (iv) runny nose; or
- (v) sore throat.

(d) "passenger" means a person returning to Alberta after having travelled internationally.

(e) "provincial officer" means a provincial officer designated by the Minister under section 52.93;

(f) "self-isolation questionnaire" means a questionnaire filled out by a passenger whereby the Department collects the following information:

- (i) passenger contact information:
 - a. their first name;
 - b. their last name;
 - c. their date of birth;
 - d. their contact phone number;
 - e. their email address;

- (ii) travel information:
 - a. the number of any additional passengers in the passenger's group who are members of the passenger's household and will be in isolation or quarantine, as required by Record of Decision – CMOH Order 05-2020, at the same address as the passenger;
 - b. the first name of each additional passenger;
 - c. the last name of each additional passenger;
 - d. the date of birth of each additional passenger;
 - e. the passenger's arrival date;
 - f. the passenger's airline flight number;
 - g. the name of the city and country the passenger is arriving from;
 - h. the name of every city and country the passenger, and each additional passenger in the passenger's group, has visited in the previous 14 days;

- (iii) passenger transport information:
 - a. the form of transportation the passenger or the passengers in the passenger's group will take to the address at which they will be in isolation or quarantine;

- (iv) other information respecting the passenger or the passenger's group:
 - a. a description of the accommodation the passenger has arranged for the applicable isolation or quarantine period including whether the accommodation is at a private residence, with family, or at a commercial location (hotel);
 - b. the name of the city where the passenger or group will be in isolation or quarantine;
 - c. the address where the passenger or group will be in isolation or quarantine;
 - d. whether the passenger requires accommodation assistance to be in isolation or quarantine apart from anyone who is over 65 years old or who has heart disease, high blood pressure, asthma, or other lung disease, diabetes, cancer, immune suppression or is taking prednisone medication;
 - e. whether the passenger is able to make necessary arrangements during the applicable isolation or quarantine period including: food, medication, child care, cleaning supplies and pet care if applicable;

Authorization of provincial officer

52.94 The Minister may designate one or more health practitioners as provincial officers for the purposes of this Part.

Powers of provincial officer

52.95 Provincial officers are authorized to do any of the following:

- (a) collect a passenger's self-isolation questionnaire;

- (b) conduct a health assessment of a passenger; and
- (c) detain for up to 12 hours, and isolate or quarantine during detention, any passenger who does not have suitable transportation, as determined by the provincial officer, to an address where the passenger will be in isolation or quarantine as required by Record of Decision – CMOH Order 05-2020.

Passenger self-isolation questionnaire and health assessment

52.96 (1) Every passenger arriving at an airport after May 20 2020 shall, at the request of a provincial officer:

- (a) provide a completed self-isolation questionnaire to a provincial officer, and
- (b) submit to a health assessment by a provincial officer.

Collection, use and disclosure of passenger information

52.97 (1) Despite anything in section 53, the Department may collect, use, and disclose, without the consent of the individual who is the subject of the information, the following individually identifying health information for the purposes of contacting a passenger and connecting the passenger with available Department, or other Government of Alberta, resources, to support or assist the passenger in complying with the requirement to be in isolation or quarantine as required by Record of Decision – CMOH Order 05-2020 or to support the health of the passenger where a health assessment indicates the passenger has, or may have, COVID-19:

- (a) information collected in a passenger's self-isolation questionnaire; and
- (b) information a provincial officer collects through a health assessment of a passenger.

(2) The requirement to prepare a privacy impact assessment that describes how proposed administrative practices and information systems relating to the collection, use and disclosure of individually identifying health information may affect the privacy of the individual who is the subject of the information, as set out in section 64 of the *Health Information Act*, does not apply to the new administrative practices or new information systems that may be required in relation to the collection, use or disclosure of information described in subsection (1).

Provision of information by airport authority

52.98 Upon the request of the Chief Medical Officer of Health, an airport authority shall provide the Chief Medical Officer of Health, in the form and manner, and within the time specified, any information the Chief Medical Officer of Health may request respecting:

- (a) the specific measures an airport authority is taking to implement public health measures set out in sections 2, 3 and 5 of Record of Decision - CMOH Order 11-2020; and
- (b) the effectiveness of such public health measures.