

M.O. 625/2020

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 52.1(3) of the PHA authorizes the Minister of Health (the Minister), 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;

WHEREAS Record of Decision – CMOH Order 10-2020 (Order 10-2020) mandates the restriction of movement of staff members among certain health care facilities by ensuring that each staff member works in only one health care facility, beginning April 16, 2020 and no later than April 23, 2020, and mandates the restriction of movement of staff members among other health care facilities in the case of a confirmed COVID-19 outbreak;

WHEREAS it is necessary to gather and share information about the staff members in such health care facilities, in order to coordinate planning for the purpose of restricting the movement of staff members among health care facilities as required by Record of Decision – CMOH Order 10-2020; and

WHEREAS I am satisfied that it is in the public interest to make such an order in respect of the Public Health Act because it is necessary in order to give effect to Order 10-2020;

THEREFORE, I, Tyler Shandro, Minister of Health, pursuant to section 52.1(2) of the *Public Health Act*, do hereby order that:

1. The following is added after section 53(2) of the *Public Health Act*:

53(2.1) In subsections (2.2) to (2.5),

(a) “contractor” means an individual who, or corporation that, under a contract or a sub-contract with the operator of a health care facility, provides or arranges for the provision of health care services or support services within the health care facility;

(b) “health care facility” has the same meaning as in Part 2 of Record of Decision – CMOH Order 10-2020;

(c) “staff member” means an individual who is employed by, or provides services under a contract with, the operator of a health care facility or a contractor of the operator.

(2.2) The Chief Medical Officer may, by written notice, require an operator of a health care facility or a contractor operating within a health care facility to disclose to the Chief Medical Officer and the Department any of the information set out in subsection (2.3).

(2.3) An operator of a health care facility and a contractor operating within a health care facility shall, as soon as is reasonably possible after receiving a notice under subsection (2.2), provide any of the following information identified in the notice to the Chief Medical Officer:

(a) in respect of every staff member of the operator or contractor

(i) the staff member’s name,

(ii) the staff member’s identification number,

(iii) the staff member’s social insurance number,

(iv) the staff member’s contact information,

(v) whether the staff member is an employee of, or provides services under a contract with, the operator or contractor,

(vi) the staff member’s job title, professional designation, and other information about the staff member’s role,

(vii) the staff member’s category and classification,

(viii) the number of hours worked by the staff member at the health care facility within a specified reporting period,

(ix) if the staff member is an employee who is a member of a union, the name of the union, and the collective agreement, if any, binding the staff member;

(b) any other information that is related to the purpose of restricting the movement of staff members among health care facilities.

(2.4) The Chief Medical Officer and the Department may use the information obtained under subsection (2.3) for the purpose of restricting the movement of staff members among health care facilities as required by Record of Decision – CMOH Order 10-2020.

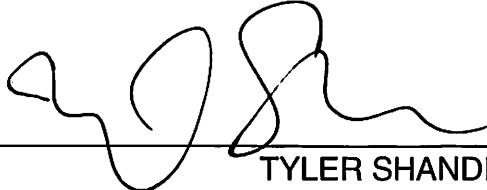
(2.5) The Chief Medical Officer and the Department may disclose the information obtained under subsection (2.3), other than a staff member's social insurance number, to operators of health care facilities and contractors for the purpose of restricting the movement of staff members among health care facilities as required by Record of Decision – CMOH Order 10-2020.

This Order comes into effect on April 16, 2020.

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 17 day of April, 2020.



TYLER SHANDRO
MINISTER