



*Office of the Minister
MLA, Calgary - Acadia*

M.O. 631/2020

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 (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; 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 ensure:

- (a) medical officers of health are able to exercise their powers and carry out their duties to lessen the impact of the public health emergency,
- (b) qualified persons are available to support medical officers of health in exercising any powers and carrying out any duties under the PHA and the *Communicable Diseases Regulation*, and
- (c) qualified persons other than community health nurses and executive officers, are able to assist medical officers of health in circumstances where community health nurses and executive officers are unable to assist medical officers of health;

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


1. Section 7 of the *Communicable Diseases Regulation* is repealed and the following is substituted:
 - 7(1) Subject to subsection (2), a medical officer of health may use the assistance of community health nurses and executive officers in exercising any powers and carrying out any duties under the Act and this Regulation.
 - (2) If a medical officer of health is of the opinion that the number of community health nurses and executive officers engaged, employed or appointed by a regional health authority is insufficient to assist the medical officer of health in exercising any powers or carrying out any duties under the Act or this Regulation necessary to lessen the impact of a public health emergency, the medical officer of health may also use the assistance of health practitioners including regulated members of the College of Physicians and Surgeons of Alberta under the *Health Professions Act* registered on the student register who are employed or engaged by a regional health authority.

This Order is retroactive to March 17, 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 *4th* day of *May*, 2020.



TYLER SHANDRO Q.C.
MINISTER