



## **PLEASE NOTE**

This document, prepared by the [\*Legislative Counsel Office\*](#), is an office consolidation of this Act, current to January 1, 2006. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the [\*Table of Public Acts\*](#).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office  
Tel: (902) 368-4291  
Email: [legislation@gov.pe.ca](mailto:legislation@gov.pe.ca)

**CHAPTER H-1.5**  
**HEALTH SERVICES ACT**

Definitions

**1. In this Act**

- (a) “community hospital” means a community hospital as defined in the *Community Hospital Authorities Act* R.S.P.E.I. 1988, Cap. C-13.1; community hospital
- (b) “community hospital authority” means a community hospital authority as defined in the *Community Hospital Authorities Act*; community hospital authority
- (c) “Department” means the Department of Health; Department
- (d) “facility” means any institution, residence or building, including a community hospital, under the administration of a community hospital authority, to which persons are admitted or in which they receive treatment; facility
- (e) “health services” means hospital, health, and such other services as the Lieutenant Governor in Council may determine; health services
- (f) “Minister” means the Minister of Health; Minister
- (g) “provincial hospital” means a provincial hospital as defined in the *Hospitals Act* R.S.P.E.I. 1988, Cap. H-10.1; 2005,c.9,s.13. 2005,c.42,s.1. provincial hospital

**2. (1) The Minister is responsible for the administration of this Act.**

Administration

**(2) The Minister shall**

Duties

- (a) ensure the provision of essential health services in the province; and
- (b) promote and maintain the good health of the residents of the province.

**(3) The Minister may**

Powers

- (a) establish the goals, objectives, and strategic guidelines for the delivery of health services;
- (b) plan the overall provincial system of health services;
- (c) set requirements and limits for the planning and organization of health services by community hospital authorities;
- (d) provide community hospital authorities with consultative support services;
- (e) operate information systems relating to health services;
- (f) monitor patterns and results in the health system, including evaluating the effectiveness of the health system;

(g) hold the community hospital authorities accountable for their financial and program management and for the fulfilment of their responsibilities; and

(h) conduct interdepartmental and intergovernmental relations and coordinate the health services system with other relevant sectors and agencies.

## Delegation

(4) The Minister may delegate to any person or agency any of the functions of the Minister under any of the following Acts and may revoke or vary any such delegation:

*Adult Protection Act* R.S.P.E.I. 1988, Cap. A-5

*Community Care Facilities and Nursing Homes Act* R.S.P.E.I. 1988, Cap. C-13

*Mental Health Act* R.S.P.E.I. 1988, Cap. M-6.1

*Public Health Act* R.S.P.E.I. 1988, Cap. P-30

*Rehabilitation of Disabled Persons Act* R.S.P.E.I. 1988, Cap. R-12

*Tobacco Sales to Minors Act* R.S.P.E.I. 1988, Cap. T-3.1

## Advisory Committee

(5) The Minister may appoint such advisory groups or committees as the Minister considers appropriate.

## Service delivery

(6) The Minister may provide or operate health services directly, or may enter into agreements with any agency or person for joint provision or operation of services or for service delivery by that agency or person. 2005,c.42,s.2.

## Liability

**3.** The Minister, the employees of the Department and any other person acting on their instructions or under the authority of this Act or the regulations, are not personally liable for any loss or damage suffered by any person by reason of any act done, or omitted to be done, by any of them in good faith in the exercise or purported exercise of their functions. 2005,c.42,s.3.

## Definitions

**4. (1)** For the purposes of this section,

## employee

(a) “employee” means an employee of the Department;

## internal investigation

(b) “internal investigation” means an investigation by a committee within a facility, community hospital or provincial hospital respecting specific incidents at the facility or hospital;

## member

(c) “member” means a member of a quality assurance committee, or of a similar committee or group gathered for the purpose of carrying out an internal investigation of a specific incident at a facility, community hospital or provincial hospital.

## Compellability of employees

(2) No employee or member shall be compellable

(a) to produce incident reports, working papers, drafts or reports of a committee respecting an internal investigation; or

(b) to disclose communications made to or by an employee or member in connection with an internal investigation,

in any matter, or in any action for negligence, malpractice or breach of contract commenced against a community hospital authority, an employee or agent, administrator or member of the board of a community hospital authority, the Minister, an employee or agent of the Department or a person licensed under the *Medical Act* R.S.P.E.I. 1988, Cap. M-5. 2005,c.42,s.4.

**5.** The Lieutenant Governor in Council may make such regulations as the Lieutenant Governor in Council considers necessary to carry out the purposes and provisions of this Act. 2005,c.42,s.5. Regulations