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CONSULTATION DRAFT
AN ACT TO AMEND THE HEALTH SERVICES ACT

BILL NO.

2020

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

1. **Subsections 2(3) and (4) of the *Health Services Act* R.S.P.E.I. 1988, Cap. H-1.6, are repealed.**
2. **Clauses 3(2)(e.1) and (e.2) of the Act are repealed.**
3. **Section 3.1 of the Act is repealed.**
4. **Subsection 7(1) of the Act is repealed and the following substituted:**
Board of Directors
 - (1) The affairs of Health PEI shall be controlled and managed by a Board of Directors, appointed by the Minister, consisting of no fewer than nine and no more than eleven members who shall
 - (a) possess the skills, knowledge, experience and competencies determined by the Minister as necessary to ensure the effective governance of Health PEI; and
 - (b) be representative of various community perspectives.

EXPLANATORY NOTES

SECTION 1 repeals two subsections of the *Health Services Act* that were added in 2018, which provide that the Minister is responsible for the strategic direction of the health care system in the province and, for the purpose of ensuring that the strategic direction is implemented, may do any thing that the Minister considers advisable, and set out various specific powers that exercisable by the Minister with respect to the Ministers ability to direct the operation of health services and the health care system.

SECTION 2 repeals two clauses that give the Minister the power to determine the organization and internal management of Health PEI, including its organizational structures and management responsibilities, the appropriate level of its administrative services, and the percentage of its budget that may be spent on administrative expenses; and to require Health PEI to prepare and implement any health services plans and any other plans that the Minister considers appropriate.

SECTION 3 repeals a section of the Act that allows the Minister to give written directives to Health PEI requiring it to take any action that the Minister considers necessary in relation to operations or health services, including the power to require Health PEI to carry out its operations and provide its health services in accordance with strategic directions, plans, priorities or guidelines set by the Minister, or to coordinate its activities and services with any other person or organization in health services or other services, or to make, amend or revoke a bylaw or policy.

SECTION 4 changes the composition of the Board of Directors of Health PEI.