

Patient Access to Care Act

CHAPTER 3 OF THE ACTS OF 2023



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An Act to Reduce Administrative Barriers to the Provision of Health Care

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(The table of contents is not part of the statute)

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Short title

1 This Act may be cited as the *Patient Access to Care Act*. 2023, c. 3, s. 1.

Purpose

2 The purpose of this Act is to improve patient access to care by further opening the Province to out-of-province health professionals, ensuring all health professionals can work to the full extent of their training and continuing the reduction of administrative burdens in health care, including incenting companies to reduce their administrative demands on health professionals. 2023, c. 3, s. 2.

Interpretation

3 In this Act,

“authority” means any college, board, committee, registrar or other person or body responsible for making decisions respecting the registration, licensing or renewal of registration or licensing of a regulated health profession;

“expanded scope of practice area” means an area of practice for a particular regulated health profession that is not provided for in the enactment listed in the definition of “regulated health profession” for that profession but that is within a practitioner’s professional competence;

“practitioner” means a person who practises a regulated health profession;

“regulated health profession” means a health profession regulated under

- (a) the *Audiologists and Speech-Language Pathologists Act*;
- (b) the *Chiropractic Act*;
- (c) the *Counselling Therapists Act*;
- (d) the *Dental Act*;
- (e) the *Dental Hygienists Act*;
- (f) the *Dental Technicians Act*;
- (g) the *Denturists Act*;
- (h) the *Dietitians Act*;
- (i) the *Dispensing Opticians Act*;
- (j) the *Medical Act*;
- (k) the *Medical Imaging and Radiation Therapy Professionals Act*;
- (l) the *Medical Laboratory Technology Act*;
- (m) the *Midwifery Act*;
- (n) the *Nursing Act*;
- (o) the *Occupational Therapists Act*;
- (p) the *Optometry Act*;
- (q) the *Paramedics Act*;
- (r) the *Pharmacy Act*;
- (s) the *Physiotherapy Act*;
- (t) the *Psychologists Act*; or
- (u) the *Respiratory Therapists Act*. 2023, c. 3, s. 3.

Act prevails

4 In the event of a conflict between this Act and any other enactment, this Act prevails. 2023, c. 3, s. 4.

Waiver of requirements

5 (1) Where an authority receives an application from a practitioner licensed in another province of Canada, the authority shall waive any requirement for registration, licensing or renewal of registration or licensing in accordance with the *Fair Registration Practices Act*, the *Canadian Free Trade Agreement Implementation Act* or any agreement entered into between the Government and the government of that other province of Canada.

(2) An authority shall waive any requirement for registration, licensing or renewal of registration or licensing for any applicant who is registered

or licensed and who is in good standing in any jurisdiction prescribed by the regulations.

(3) Where an applicant is eligible for a waiver under subsection (1) or (2), an authority shall issue a licence and any other approval issued by that authority required to practise in the Province within five business days following receipt by the authority of a completed application.

(4) An authority may waive any requirement for registration, licensing or renewal of registration or licensing if the authority determines it is in the public interest to do so. 2023, c. 3, s. 5.

No charge or fee

6 An authority may not charge any fee respecting an application for registration or licensing if the applicant is currently registered and licensed in the same profession in another province of Canada or any other jurisdiction prescribed by the regulations. 2023, c. 3, s. 6.

Expanded scope of practice

7 A practitioner may practise in an expanded scope of practice area within the practitioner's profession if allowed by the regulations. 2023, c. 3, s. 7.

Regulations

8 (1) Where in the opinion of the Governor in Council it is in the public interest, the Governor in Council may make regulations

(a) respecting expanded scope of practice areas, including setting out areas of practice that are to be included in an expanded scope of practice for a regulated health profession;

(b) allowing practitioners to practise in expanded scope of practice areas;

(c) allowing an authority to prescribe requirements for practice in an expanded scope of practice area, including requirements for qualifications, experience or examination;

(d) prescribing jurisdictions for the purpose of subsection 5(2) and Section 6;

(e) in relation to requests from any company, employer, association, organization or person who is not a health-care provider or a patient requiring a practitioner to complete forms and to set fees payable by the requesting company, employer, association, organization or person for the completion of those forms;

(f) expanding the scope of any regulated health profession to include additional health-care professionals who are not within the scope of another regulated health profession;

(g) defining any term used but not defined in this Act;

(h) further defining any term defined in this Act;

(i) respecting any matter or thing the Governor in Council considers necessary or advisable to effectively carry out the intent and purpose of this Act.

(2) A regulation made under this Act may apply to all regulated health professions, to a class of regulated health professions or to a particular regulated health profession and there may be different regulations for different regulated health professions or classes of regulated health professions.

(3) The Governor in Council shall consult with any relevant regulated health profession before making a regulation under subsection (1).

(4) The exercise by the Governor in Council of the authority contained in subsection (1) is a regulation within the meaning of the *Regulations Act*. 2023, c. 3, s. 8.

Effective date of Schedule A

9 Schedule A, *An Act to Amend Chapter 38 of the Acts of 2008, the Fair Registration Practices Act*, has effect upon this Act receiving Royal Assent. 2023, c. 3, s. 9.

Effective date of Schedule B

10 Schedule B, the *Medical Certificates for Employee Absence Act*, comes into force as provided in that Schedule. 2023, c. 3, s. 10.

Effective date of Schedule C

11 Schedule C, *An Act to Amend Chapter 10 of the Acts of 1994-95, the Workers' Compensation Act*, has effect upon this Act receiving Royal Assent. 2023, c. 3, s. 11.

SCHEDULE A

***Fair Registration Practices Act* amended**

SCHEDULE B

***Medical Certificates for Employee Absence Act* enacted**

SCHEDULE C

***Workers' Compensation Act* amended**
