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# HOSPITAL ACT

## CHAPTER 200

- 1 *Section 1 of the Hospital Act is amended*
  - (a) *by repealing the definition of “dentist”, and*
  - (b) *by adding the following definition:*

“practitioner” means

    - (a) a medical practitioner,
    - (b) a dentist registered under the *Dentists Act*, or
    - (c) a person registered as a member of a prescribed health profession.

1996-13-9.
- 2 *Section 2 (1) (c) is amended by striking out “including medical staff bylaws,” and substituting “including medical staff bylaws and other practitioner staff bylaws.”*

1996-13-10.
- 3 *Section 16 is repealed.*

1981-11-30.
- 4 *Section 18 (1) (b) is amended by striking out “medical practitioner or dentist” and substituting “practitioner”.*

1996-13-11.
- 5 *Section 24 (1) is amended by striking out “affidavit of a medical practitioner or dentist,” and substituting “affidavit of a practitioner,” and by striking out “qualification of the medical practitioner or dentist,” and substituting “qualification of the practitioner.”*

1996-13-12.
- 6 *Section 46 is repealed and the following substituted:*

### Hospital appeal boards

- 46 (1) For the purpose of providing to practitioners appeals from
  - (a) a decision of a board of management that modifies, refuses, suspends, revokes or fails to renew a practitioner’s permit to practise in a hospital, or
  - (b) the failure or refusal of a board of management to consider and decide on an application for a permit,the Lieutenant Governor in Council may, by regulation,
  - (c) establish one or more hospital appeal boards, and
  - (d) specify the powers, duties, functions, practices and procedures, including the quorum, of a hospital appeal board.

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- (2) A hospital appeal board may affirm, vary, reverse or substitute its own decision for that of a board of management on the terms and conditions it considers appropriate.
  - (3) The decision of a hospital appeal board is final and binding.
  - (4) The members of a hospital appeal board must be appointed by the minister in accordance with the regulations.
  - (5) For an appeal under this section, a hospital appeal board has the protections, privileges and powers of a commissioner under sections 12, 15 and 16 of the *Inquiry Act*.
  - (6) All information or evidence
    - (a) about an application for a practitioner's permit to practise in a hospital, or contained in the decision of a board of management resulting from the application, or
    - (b) received by, or presented to, a hospital appeal board for an appealis privileged and an action must not be brought against a person for it.
  - (7) The Lieutenant Governor in Council may, by order, set the remuneration and expenses to be paid to members of hospital appeal boards.
  - (8) Before giving a decision on an appeal, a hospital appeal board may refer a matter to a professional or other organization in the health field to obtain expert assistance or a formal report.
  - (9) All appeals received by a medical appeal board before the coming into force of this subsection are to be continued before a hospital appeal board.

1996-13-14.

- 7 ***Section 51 (1) is amended by striking out "medical practitioner or dentist" and substituting "practitioner".***

1996-13-15.

- 8 ***Section 48 (2) is repealed and the following substituted:***

- (2) For the purposes of subsection (1) (c),
  - (a) the minister may direct that a lesser sum or no sum be set aside, on terms and conditions that the minister determines to be reasonable in the circumstances, and
  - (b) the minister may further direct that this section applies to a subsequent lease or transfer.

1988-38-7.

9 *Section 56 is amended*

(a) *by adding the following subsection:*

(1.1) The Lieutenant Governor in Council may, by regulation, prescribe a health profession for the purpose of the definition of "practitioner" in section 1. ,

(b) *by repealing subsection (3) (b) and substituting the following:*

(b) the number or proportion of persons

(i) to or for whom income assistance is provided under the *BC Benefits (Income Assistance) Act*, a youth allowance is provided under the *BC Benefits (Youth Works) Act* or a disability allowance is provided under the *Disability Benefits Program Act*, and

(ii) who are to be provided with the necessary care and attention;

(b.1) the rates payable for the persons referred to in paragraph (b); ,

(c) *in subsection (3) (c) by striking out "construction,"*

(d) *in subsection (3) (d) by striking out "physicians, dentists or paramedical personnel;" and substituting "practitioners;"* ,

(e) *in subsection (3) (h) by striking out "medical practitioner or dentist" and substituting "practitioner" , and*

(f) *in subsection (3) (j) by striking out " , construction" .*

1981-11-31; 1996-6-47; 1996-13-13.

**Commencement**

10 Sections 1 to 9 come into force by regulation of the Lieutenant Governor in Council.

1981-11-45; 1988-38-11; 1996-6-57; 1996-13-30(1).