

EC2021-834

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2021/22)
GENERAL GOVERNMENT

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the General Government as follows:

Account Class	Account Name	Amount
	COVID-19 Response and Recovery Contingency	
0454-4199	COVID-19 Contingency	<u>\$15,000,000</u>
	Total	<u>\$15,000,000</u>

EC2021-835

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
SLEMON PARK CORPORATION
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to provide a ten-year term loan in the maximum amount of one million five hundred thousand (\$1,500,000.00) dollars at a rate of three (3%) percent to Slemon Park Corporation, for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2021-836

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ISLAND NATURE TRUST
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Island Nature Trust of Charlottetown, Prince Edward Island to acquire a land holding of approximately seven decimal six (7.6) acres of land at East Baltic, Lot 46, Kings County, Province of Prince Edward Island, being acquired from the Province of Prince Edward Island, as represented by the Minister of Finance of Charlottetown, Prince Edward Island.

EC2021-837

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ISLAND NATURE TRUST
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Island Nature Trust of Charlottetown, Prince Edward Island to acquire a land holding of approximately thirty-six (36) acres of land at Riverton, Lot 52, Kings County, Province of Prince Edward Island, being acquired from the Province of Prince Edward Island, as represented by the Minister of Finance of Charlottetown, Prince Edward Island.

Further, Council noted that upon transfer to Island Nature Trust, the said land being Provincial Property No. 669952, will be identified for non-development use pursuant to section 21 of the said Act.

EC2021-838

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ISLAND NATURE TRUST
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Island Nature Trust of Charlottetown, Prince Edward Island to acquire a land holding of approximately sixty (60) acres of land at Lakeville, Lot 47, Kings County, Province of Prince Edward Island, being acquired from the Province of Prince Edward Island, as represented by the Minister of Finance of Charlottetown, Prince Edward Island.

EC2021-839

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ISLAND NATURE TRUST
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Island Nature Trust of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred ten (110) acres of land at Selkirk, Lot 42, Kings County, Province of Prince Edward Island, being acquired from the Province of Prince Edward Island, as represented by the Minister of Finance of Charlottetown, Prince Edward Island.

Further, Council noted that upon transfer to Island Nature Trust, the said land, being Provincial Property No. 144089, will be identified for non-development use pursuant to section 21 of the said Act.

EC2021-840**AN ACT TO AMEND THE MEDICAL ACT
DECLARATION RE**

Under authority of section 6(2) of the *An Act to Amend the Medical Act* Stats. P.E.I. 2015, c. 35 Council ordered that a Proclamation do issue proclaiming section 5(1) of the said "An Act to Amend the Medical Act" to come into force effective November 1, 2021.

EC2021-841**MEDICAL SOCIETY ACT
DECLARATION RE**

Under authority of section 10 of the *Medical Society Act* Stats. P.E.I. 2020 c. 75 Council ordered that a Proclamation do issue proclaiming the said "Medical Society Act" to come into force effective November 1, 2021.

EC2021-842**MUNICIPAL GOVERNMENT ACT
TOWN OF KENSINGTON
EXTENSION OF MUNICIPAL BOUNDARY
(APPLICATION TO ANNEX
PROVINCIAL PROPERTY NO. 76174)
APPROVED**

Having under consideration an application from the Town of Kensington presented pursuant to subsection 15(2) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1 to extend its boundaries to include approximately two decimal three (2.3) acres, being Provincial Property No. 76174 for which no municipal government is provided under the said Act, and having under consideration the recommendation of the Island Regulatory and Appeals Commission, Council under authority of clause 21(1)(b) of the aforesaid Act, approved the application to restructure as originally proposed and ordered that the boundary of the Town of Kensington be extended to annex approximately two decimal three (2.3) acres as aforesaid, effective October 29, 2021 in accordance with the said application and as indicated on a plan filed in the Registry Office for Prince County by the Minister of Fisheries and Communities pursuant to subsection 21(3) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

This Order-in-Council comes into force on October 29, 2021.

EC2021-843**REGULATED HEALTH PROFESSIONS ACT
MEDICAL PRACTITIONERS REGULATIONS**

Pursuant to sections 2 and 96 of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

PART 1 – INTERPRETATION AND ADMINISTRATION**1. In these regulations**

Definitions

(a) "accredited" means, in respect of a medical school or faculty of medicine, listed in accredited

- (i) the International Medical Education Directory published by the Foundation for the Advancement of International Medical Education and Research, or
- (ii) the World Directory of Medical Schools published by the World Federation for Medical Education and the Foundation for Advancement of International Medical Education and Research;
- (b) “Act” means the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1; Act
- (c) “College” means the College of Physicians and Surgeons of Prince Edward Island continued under section 3; College
- (d) “Council” means the Council of the College; Council
- (e) “former Act” means the *Medical Act* R.S.P.E.I. 1988, Cap. M-5; former Act
- (f) “medical corporation” means a health profession corporation carrying on the business of providing the professional services of a medical practitioner; medical corporation
- (g) “medical practitioner” means, except where the context indicates otherwise, a person, other than a medical student or post-graduate medical trainee, who is registered in the register for medicine; medical practitioner
- (h) “medical student” means a person who is registered in the medical students part of the medical education register in the register for medicine; medical student
- (i) “medicine” means the health profession in which a person applies particular knowledge, skills and judgment in medicine
- (i) promoting human health and wellness,
- (ii) diagnosing, preventing, alleviating, treating or curing diseases or conditions in humans,
- (iii) assisting patients to make informed decisions about preventative measures or treatment of diseases or conditions,
- (iv) performing reserved activities, and
- (v) conducting research, education, management or administrative activities related to performing the activities referred to in subclauses (i) to (iv);
- (j) “post-graduate medical trainee” means a person who is registered in the post-graduate medical trainees part of the medical education register in the register for medicine; post-graduate medical trainee
- (k) “refresher program” means a refresher program in medicine consisting of a formal curriculum, a set of individualized assignments of studies and experiences, a set of continuing education credits, a practicum or a combination of these elements. refresher program
- 2.** Medicine is designated as a regulated health profession. Designation
- 3.** The College of Physicians and Surgeons of Prince Edward Island, established under the former Act, is continued as the college for medicine. College continued
- 4.** The register for medicine is divided into the following sub-registers and parts: Register
- (a) family medicine register
- (i) general registration,
- (ii) provisional registration,
- (iii) special registration;
- (b) specific disciplines register
- (i) general registration,
- (ii) provisional registration,
- (iii) special registration;
- (c) medical education register
- (i) medical students,
- (ii) post-graduate medical trainees.

PART 2 – FAMILY MEDICINE REGISTER

Interpretation

5. In this Part, “post-graduate medical training program” means a post-graduate medical training program that post-graduate
medical training
program
- (a) is at least two years in duration;
 - (b) is recognized by the College of Family Physicians of Canada;
 - and
 - (c) is approved by the Council.

General Registration

6. (1) For the purpose of clause 12(2)(c) of the Act, an applicant for general registration under this Part shall have a medical degree from a medical school or faculty of medicine that is accredited at the time the degree is granted. Education
- (2) For the purpose of clause 12(2)(d) of the Act, an applicant for general registration under this Part shall have successfully completed Examination
- (a) the Medical Council of Canada Qualifying Examination Part I or other competency examination approved by the Council; and
 - (b) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing the practice of medicine in the province.
- (3) For the purpose of clause 12(2)(e) of the Act, an applicant for general registration under this Part shall Training
- (a) have successfully completed a post-graduate medical training program; or
 - (b) have qualifications, experience and training that, in the Council’s opinion, are substantially equivalent to the successful completion of a post-graduate medical training program.
- (4) For the purpose of clause 12(2)(f) of the Act, to demonstrate currency of professional knowledge and skills, an applicant for general registration under this Part shall have done one of the following within the three years immediately preceding the application: Currency of
knowledge and
skills
- (a) successfully completed a post-graduate medical training program or engaged in activities considered substantially equivalent, in accordance with subsection (3);
 - (b) actively engaged in the practice of medicine in the province or in another jurisdiction recognized by the Council to an extent that is acceptable to the Council;
 - (c) successfully completed a refresher program approved by the Council.
- (5) Pursuant to clause 12(2)(k) of the Act, an applicant for general registration under this Part shall Other requirements
- (a) be enrolled in the Canadian Medical Register as a Licentiate of the Medical Council of Canada or have qualifications that the Council accepts as an alternative; and
 - (b) either
 - (i) be a certificant of the College of Family Physicians of Canada or the Collège des médecins du Québec, or
 - (ii) have successfully completed, prior to July 1, 1993, a one-year program of post-graduate medical training approved by the Council.
7. An applicant for the renewal of general registration under this Part shall Renewal of general
registration
- (a) for the purpose of subclause 22(2)(a)(i) of the Act, meet the minimum annual and cumulative requirements of the College of Family Physicians of Canada and any continuing education and competency program established by the council pursuant to section 60.1 of the Act; and
 - (b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 6(4).

8. (1) For the purpose of subsection 24(1) of the Act, the maximum prescribed period of time following a lapse in general registration under this Part during which a person may apply for reinstatement is three years. Reinstatement period

(2) An applicant for the reinstatement of general registration under this Part shall, for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 6(4). Reinstatement of general registration

Provisional Registration

9. (1) For the purpose of clause 12(2)(c) of the Act, an applicant for provisional registration under this Part shall have a medical degree from a medical school or faculty of medicine that is accredited at the time the degree is granted. Education

(2) For the purpose of clause 12(2)(d) of the Act, an applicant for provisional registration under this Part shall have successfully completed Examination

- (a) the Medical Council of Canada Qualifying Examination Part I or other competency examination approved by the Council; and
- (b) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing the practice of medicine in the province.

(3) For the purpose of clause 12(2)(e) of the Act, an applicant for provisional registration under this Part shall Training

- (a) either
 - (i) where the applicant is engaged in a post-graduate medical training program,
 - (A) have not more than six months remaining of training in the post-graduate medical training program, including any required examinations, and
 - (B) have been recommended for provisional registration under this Part by the administrator of the post-graduate medical training program, or
 - (ii) have qualifications, experience and training that, in the Council's opinion, are substantially equivalent to the requirements in paragraphs (a)(i)(A) and (B); and
- (b) have arranged for a supervisor designated in accordance with section 33 to oversee the applicant's practice of medicine.

(4) For the purpose of clause 12(2)(f) of the Act, to demonstrate currency of professional knowledge and skills, an applicant for provisional registration under this Part shall have done one of the following within the three years immediately preceding the application: Currency of knowledge and skills

- (a) maintained active enrolment in a post-graduate medical training program or engaged in activities considered substantially equivalent, in accordance with subsection (3);
- (b) actively engaged in the practice of medicine in the province or in another jurisdiction recognized by the Council to an extent that is acceptable to the Council;
- (c) successfully completed a refresher program approved by the Council.

(5) Pursuant to clause 12(2)(k) of the Act, an applicant for provisional registration under this Part shall Other requirements

- (a) be, or be eligible to be, a certificant of the College of Family Physicians of Canada or the Collège des médecins du Québec; or
- (b) have successfully completed a practice ready assessment program, approved by the Council.

10. The Council may require a medical practitioner with provisional registration under this Part to practise medicine under the supervision of a medical practitioner registered under this Part who is not subject to supervision. Subject to supervision

11. An applicant for the renewal of provisional registration under this Part shall, for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 9(4). Renewal of provisional registration

12. Provisional registration under this Part may not be reinstated under section 24 of the Act. No reinstatement

Special Registration

13. (1) Where the Council directs the registrar to register an applicant under this Part pursuant to subsection 13(3) of the Act, the registrar shall register the applicant in the special registration part of the family medicine register. Special registration

(2) Where an applicant has special registration for the purpose of temporarily replacing another medical practitioner, the registrar shall issue a certificate of registration to the applicant for the term of the replacement, not exceeding one year. Locum term

(3) Special registration may not be renewed under section 22 of the Act or reinstated under section 24 of the Act. No renewal or reinstatement

Designations and Reserved Activities

14. For the purpose of subsection 89(1) of the Act, the designations of a medical practitioner registered under this Part include the following titles, abbreviations and initials: Designations

- (a) doctor or Dr.;
- (b) medical doctor, M.D. or MD;
- (c) medical practitioner;
- (d) physician;
- (e) family doctor, family physician or family practitioner;
- (f) general practitioner.

15. (1) Subject to subsection (2) and any terms or conditions on the medical practitioner's registration, a medical practitioner registered under this Part is authorized to perform a reserved activity provided that Reserved activities

- (a) the reserved activity is within the practice of family medicine;
- (b) the medical practitioner is competent to perform the reserved activity; and
- (c) it is appropriate in the clinical circumstances.

(2) A medical practitioner with provisional registration under this Part who is subject to supervision in practising medicine shall not perform a reserved activity except under the supervision of a medical practitioner registered under this Part who is not subject to supervision. Supervision, provisional registration

PART 3 – SPECIFIC DISCIPLINES REGISTER

Interpretation

16. In this Part, “post-graduate medical training program” means a post-graduate medical training program that is Post-graduate medical training program

- (a) at least four years in duration;
- (b) recognized by the Royal College of Physicians and Surgeons of Canada; and
- (c) approved by the Council.

General Registration

17. (1) For the purpose of clause 12(2)(c) of the Act, an applicant for general registration under this Part shall have a medical degree from a medical school or faculty of medicine that is accredited at the time the degree is granted. Education

(2) For the purpose of clause 12(2)(d) of the Act, an applicant for general registration under this Part shall have successfully completed Examination

- (a) the Medical Council of Canada Qualifying Examination Part I or other competency examination approved by the Council; and
- (b) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing the practice of medicine in the province.

(3) For the purpose of clause 12(2)(e) of the Act, an applicant for general registration under this Part shall Training

- (a) have successfully completed a post-graduate medical training program; or
- (b) have qualifications, experience and training that, in the Council's opinion, are substantially equivalent to the successful completion of a post-graduate medical training program.

(4) For the purpose of clause 12(2)(f) of the Act, to demonstrate currency of professional knowledge and skills, an applicant for general registration under this Part shall have done one of the following within the three years immediately preceding the application:

Currency of knowledge and skills

- (a) successfully completed a post-graduate medical training program or engaged in activities considered substantially equivalent, in accordance with subsection (3);
- (b) actively engaged in the practice of medicine in the province or in another jurisdiction recognized by the Council to an extent that is acceptable to the Council;
- (c) successfully completed a refresher program approved by the Council.

(5) Pursuant to clause 12(2)(k) of the Act, an applicant for general registration under this Part shall

Other requirements

- (a) be enrolled in the Canadian Medical Register as a Licentiate of the Medical Council of Canada or have qualifications that the Council accepts as an alternative; and
- (b) be a certificant of the Royal College of Physicians and Surgeons of Canada in a specific discipline of medicine.

18. An applicant for the renewal of general registration under this Part shall

Renewal of general registration

- (a) for the purpose of subclause 22(2)(a)(i) of the Act, meet the minimum annual and cumulative continuing education requirements of the Royal College of Physicians and Surgeons of Canada and any continuing education and competency program established by the Council pursuant to section 60.1 of the Act; and
- (b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 17(4).

19. (1) For the purpose of subsection 24(1) of the Act, the maximum prescribed period of time following a lapse in general registration under this Part during which a person may apply for reinstatement is three years.

Reinstatement period

(2) An applicant for the reinstatement of general registration under this Part shall, for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 17(4).

Reinstatement of general registration

Provisional Registration

20. (1) For the purpose of clause 12(2)(c) of the Act, an applicant for provisional registration under this Part shall have a medical degree from a medical school or faculty of medicine that is accredited at the time the degree is granted.

Education

(2) For the purpose of clause 12(2)(d) of the Act, an applicant for provisional registration under this Part shall have successfully completed

Examination

- (a) the Medical Council of Canada Qualifying Examination Part I or other competency examination approved by the Council; and
- (b) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing the practice of medicine in the province.

(3) For the purpose of clause 12(2)(e) of the Act, an applicant for provisional registration under this Part shall

Training

- (a) either
 - (i) where the applicant is engaged in a post-graduate medical training program,
 - (A) have successfully completed at least three years of training in the post-graduate medical training program, including any required examinations, and

- (B) have been recommended for provisional registration under this Part by the administrator of the post-graduate medical training program, or
- (ii) have qualifications, experience and training that, in the Council's opinion, are substantially equivalent to the requirements in paragraphs (a)(i)(A) and (B); and
- (b) have arranged for a supervisor designated in accordance with section 33 to oversee the applicant's practice of medicine.
- (4) For the purpose of clause 12(2)(f) of the Act, to demonstrate currency of professional knowledge and skills, an applicant for provisional registration under this Part shall have done one of the following within the three years immediately preceding the application:
- (a) maintained active enrolment in a post-graduate medical training program or engaged in activities considered substantially equivalent, in accordance with subsection (3);
- (b) actively engaged in the practice of medicine in the province or in another jurisdiction recognized by the Council to an extent that is acceptable to the Council;
- (c) successfully completed a refresher program.
- (5) Pursuant to clause 12(2)(k) of the Act, an applicant for provisional registration under this Part shall be, or be eligible to be, a certificant of the Royal College of Physicians and Surgeons of Canada.
- 21.** The Council may require a medical practitioner with provisional registration under this Part to practise medicine under the supervision of a medical practitioner who is registered in the specific disciplines register and is not subject to supervision.
- 22.** An applicant for the renewal of provisional registration under this Part shall, for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with subsection 20(4).
- 23.** Provisional registration under this Part may not be reinstated under section 24 of the Act.
- Special Registration**
- 24.** (1) Where the Council directs the registrar to register an applicant under this Part pursuant to subsection 13(3) of the Act, the registrar shall register the applicant in the special registration part of the specific disciplines register.
- (2) Where an applicant has special registration for the purpose of temporarily replacing another medical practitioner, the registrar shall issue a certificate of registration to the applicant for the term of the replacement not exceeding one year.
- (3) Special registration may not be renewed under section 22 of the Act or reinstated under section 24 of the Act.
- Designations and Reserved Activities**
- 25.** For the purpose of subsection 89(1) of the Act, the designations of a medical practitioner registered under this Part include
- (a) the following titles, abbreviations and initials:
- (i) doctor or Dr.,
- (ii) medical doctor, M.D. or MD,
- (iii) medical practitioner,
- (iv) physician,
- (v) surgeon;
- (b) any titles, abbreviations or initials commonly utilized by a medical practitioner in the specific discipline of medicine in which the medical practitioner is trained and certified.
- 26.** (1) Subject to subsection (2) and any terms or conditions on the medical practitioner's registration, a medical practitioner registered under this Part is authorized to perform a reserved activity provided that

Currency of knowledge and skills

Other requirements

Subject to supervision

Renewal of provisional registration

No reinstatement

Special registration

Locum term

No renewal or reinstatement

Designations

Reserved activities

- (a) the reserved activity is within the general practice of medicine or the specific discipline of medicine in which the medical practitioner is trained and certified;
 - (b) the medical practitioner is competent to perform the reserved activity; and
 - (c) it is appropriate in the clinical circumstances.
- (2) A medical practitioner with provisional registration under this Part who is subject to supervision in practising medicine shall not perform a reserved activity except under the supervision of a medical practitioner who is registered in the specific disciplines register and is not subject to supervision.

Supervision,
provisional
registration

PART 4 – MEDICAL EDUCATION REGISTER

Medical Students

- 27.** (1) An applicant for registration as a medical student shall
- (a) for the purpose of clause 12(2)(c) of the Act, be enrolled in an undergraduate medical degree program at an accredited medical school or faculty of medicine;
 - (b) for the purpose of clause 12(2)(e) of the Act, be authorized by the administrator of the program referred to in clause (a) to participate in a clinical medical training program approved by the medical school or faculty of medicine; and
 - (c) pursuant to clause 12(2)(k) of the Act, have engaged or been assigned a preceptor who is a medical practitioner appointed by the medical school or faculty of medicine.
- (2) An applicant for the renewal of registration as a medical student shall, pursuant to clause 22(2)(v.1) of the Act, continue to meet the requirements set out in clauses (1)(a) to (c).
- (3) Registration as a medical student may not be reinstated under section 24 of the Act.
- 28.** A medical student shall not practise medicine or perform a reserved activity except
- (a) in the context of the medical student's authorized participation in an approved clinical medical training program;
 - (b) in accordance with the medical student's competence and experience; and
 - (c) under the immediate supervision and direction of the medical student's preceptor.

Registration as
medical studentRenewal of
registration as
medical student

No reinstatement

Restricted practice

Post-Graduate Medical Trainees

- 29.** (1) An applicant for registration as a post-graduate medical trainee shall
- (a) for the purpose of clause 12(2)(c) of the Act, have a medical degree from a medical school or faculty of medicine that is accredited at the time the degree is granted;
 - (b) for the purpose of clause 12(2)(e) of the Act, be engaged in a post-graduate medical training program, as defined in Part 2 or 3, or other clinical training approved by the Council; and
 - (c) pursuant to clause 12(2)(k) of the Act, have engaged or been assigned a preceptor who is a medical practitioner appointed by the medical school or faculty of medicine.
- (2) An applicant for the renewal of registration as a post-graduate medical trainee shall, pursuant to clause 22(2)(v.1), continue to meet the requirements set out in clauses (1)(b) and (c).
- (3) Registration as a post-graduate medical trainee may not be reinstated under section 24 of the Act.
- 30.** A post-graduate medical trainee shall not practise medicine or perform a reserved activity except
- (a) in the context of a post-graduate medical training program or other clinical training approved by the Council;
 - (b) in accordance with the post-graduate medical trainee's competence and experience; and

Registration as post-
graduate medical
traineeRenewal of
registration as
medical trainee

No reinstatement

Restricted practice

(c) under the supervision and direction of the post-graduate medical trainee's preceptor.

PART 5 – GENERAL

Professional Liability Insurance and Protection

31. (1) For the purpose of clause 12(2)(j), subclause 22(2)(a)(v) and clauses 24(4)(f) and 25(3)(c) of the Act, an applicant or a member, as the case may be, is required to hold or be covered by professional liability insurance or protection satisfactory to the Council that, at a minimum,

Minimum insurance requirements

- (a) is issued in the name of the applicant or member, or clearly extends to the applicant or member;
- (b) extends to any practice setting in Prince Edward Island;
- (c) provides protection of not less than \$10,000,000 per claim or occurrence and an aggregate limit of not less than \$10,000,000;
- (d) extends to professional liability for any professional service the applicant will be providing or the member provides in practising medicine; and
- (e) includes an extended reporting period of at least six years in the case of claims-based protection or a minimum retroactive date of six years in the case of occurrence-based or claims-based protection.

(2) The registrar shall obtain confirmation that the applicant or member holds or is eligible for professional liability insurance or protection that meets the requirements of subsection (1).

Confirmation required

Terms and Conditions

Exception

32. For the purpose of subsection 12(6) of the Act, the Council may impose terms and conditions on the registration of an applicant respecting matters including

Matters subject to terms and conditions

- (a) supervision of practice;
- (b) specifying or limiting areas or disciplines of practice;
- (c) specifying or limiting practice settings or programs; and
- (d) completion of training or examinations.

Supervisors

33. (1) The Council may designate a medical practitioner as a supervisor for the purpose of Parts 2 and 3 if the medical practitioner

Qualifications of supervisor

- (a) is not subject to supervision in practising medicine;
- (b) is not subject to restrictions or limitations imposed by Council on the medical practitioner's registration;
- (c) actively practises medicine in the same or a similar area or discipline as the person to be supervised;
- (d) is in good standing with the College and is not the subject of an active complaint;
- (e) is not, in the Council's opinion, unsuitable to act as a supervisor because the medical practitioner
 - (i) has been the subject of a finding of professional misconduct or incompetence in this or another jurisdiction,
 - (ii) has been the subject of a judgment in negligence in this or another jurisdiction, or
 - (iii) has been found guilty of an offence.

(2) A supervisor shall oversee the practice of the supervised medical practitioner to ensure that the medical practitioner meets the expected standard of care and conduct and patient safety is not compromised.

Duty of supervisor

(3) A supervisor shall report to the Council in respect of the supervision in the time and manner required by the Council.

Report to Council

(4) The designation of a supervisor is revoked if the supervisor ceases to meet the qualifications under subsection (1).

Revocation of designation

(5) The registrar shall promptly notify the supervisor and the supervised medical practitioner of the revocation of the supervisor's designation.

Notice of revocation

Professional Misconduct

34. (1) Pursuant to clause 57(1)(e) of the Act, in addition to the matters set out in subsection 57(1) of the Act, professional misconduct by a member includes

Conduct that
constitutes
professional
misconduct

- (a) failing to advise a patient that the member's moral or religious convictions prevent the provision of medical treatment that may be appropriate for the patient and of the consequences of not receiving the medical treatment;
- (b) making a claim respecting the utility of a remedy, treatment, device, or procedure that cannot be supported as a reasonable professional medical opinion;
- (c) prescribing, administering or assisting any person in the use of any drugs or therapy in a manner that is not consistent with generally accepted professional standards and procedures in the practice of medicine, unless in the context of a research protocol approved by a research ethics committee acceptable to the Council;
- (d) failing to reveal the exact nature of a remedy or treatment following the lawful request for such information;
- (e) prescribing, selling, administering, distributing, ordering or giving any drug that is classified as a controlled substance under the *Controlled Drugs and Substances Act* (Canada) or recognized as addictive or dangerous, to a family member or oneself;
- (f) treating oneself, a family member or any person with whom the member has a close relationship that may render the member unable to exercise objective professional judgment in reaching diagnostic or therapeutic decisions;
- (g) failing to comply with the terms of any agreement made with the Council relating to the practice of medicine or with any undertaking given to the Council;
- (h) failing to respond appropriately or within a reasonable time to a written inquiry relating to the member's practice of medicine from the registrar, the Council, an investigator, an investigation committee or a hearing committee;
- (i) failure to report to the Council the commencement of any legal proceedings against the member, any action taken against the member by any professional regulatory body, health care institution, professional association, government body, law enforcement agency, or a decision or judgment in respect of the member by any court, for any act or conduct which could constitute professional misconduct under the Act or these regulations, or for any act or conduct that could lead to a finding under the Act that the member is unfit to engage in the practice of medicine;
- (j) permitting, counselling or assisting any person who is not a member or medical corporation to engage in the practice of medicine unless the member has, in the opinion of Council, reasonable justification;
- (k) improperly prescribing, selling or dispensing a drug or a medical product;
- (l) abusing a patient verbally, physically, or sexually;
- (m) engaging in the practice of medicine in another jurisdiction without being authorized to do so by the professional regulatory body regulating the practice of medicine in that jurisdiction unless the member has, in the opinion of the Council, reasonable justification;
- (n) providing a professional medical service without the consent of the patient if consent is required by law;
- (o) conduct leading to the restriction, suspension or cancellation of the member's rights or privileges under the *Food and Drugs Act* (Canada) or its regulations;
- (p) requesting that a patient or any other person release, exempt, or otherwise limit the member's liability resulting from professional negligence or error;
- (q) failing to maintain the records and accounts that are required by the College to be kept by members with respect to their practice;
- (r) charging or accepting any fee that is not fully disclosed, fair and reasonable;
- (s) charging or accepting a fee for an undertaking to be available to provide insured services to a specific patient;

- (t) refusing to render a medically necessary emergency service unless payment of whole or part of the fee is received in advance of the service being rendered;
- (u) charging or accepting a fee for services not performed, other than for the cancellation of an appointment not within a reasonable time before the appointment according to a written policy of the member, if the patient has received prior notification of the policy, and a method is available for patients to notify the member of cancellations;
- (v) failing to issue a statement or receipt on the request of a patient or a person on behalf of the patient;
- (w) signing or issuing in the member's professional capacity a document which the member knows or ought to know is false or misleading;
- (x) paying fees to or conferring a benefit on, or requesting or accepting a fee, rebate, commission or other benefit from, a person in respect of the referral of a patient;
- (y) failing to provide to a patient, without reasonable excuse, a report, certificate or record relating to an examination or treatment performed by the member;
- (z) engaging in conduct or an act relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by medical practitioners as disgraceful, dishonourable or unprofessional;
- (aa) failing to cooperate with the College, the Council and their committees, officers or employees;
- (bb) failing to provide information as reasonably required by the Council.
- (2) For the purpose of clauses (1)(e) and (f), "family member" in respect of a member means Family member, defined
- (a) a spouse, common-law spouse, child, parent, grandparent, grandchild, sibling, uncle, aunt, nephew or niece of the member, whether by blood or marriage; and
- (b) any relative of the member who resides with the member.
- (3) For the purpose of clause (1)(l) "sexual abuse" means any sort of sexual conduct by a member toward or with a patient, whether by Sexual abuse, defined
- (a) a remark, gesture or other behaviour of a sexual nature toward the patient, or by subjecting the patient to a position or state of undress, which appears intended to be erotic, seductive or demeaning;
- (b) touching in a sexual manner; or
- (c) violating behaviour, namely sexual intercourse, other physical sexual relations including genital to genital, genital to anal, oral to genital, or oral to anal contact, masturbation by or of either party or encouragement of the patient to masturbate in the presence of the member.
- (4) Notwithstanding subsection (3), sexual conduct by a member toward or with a patient is not sexual abuse where Exception
- (a) the member has provided a medical service in circumstances of urgency or necessity to a person who is not normally a patient of the member and who has an already established sexual relationship with the member; or
- (b) the doctor-patient relationship has been formally terminated and there is no expectation that any further medical care will be provided by the member to the other person.
- (5) Notwithstanding clause (4)(b), sexual conduct toward or with a former patient Exception does not apply
- (a) is sexual abuse when the former patient was, while receiving medical care from the member, or is currently, a minor; or
- (b) may be found to be sexual abuse where the former patient
- (i) was, while receiving medical care from the member, or is currently, suffering from a judgment impairing disorder, or
- (ii) received psychotherapy or psychiatric counselling from the member.

Advertising and Promotion

35. (1) A medical practitioner shall not, when publishing or communicating any information about the medical practitioner's practice of medicine or qualifications, whether orally, in print or through electronic media,

Restrictions on advertising and promotion

- (a) make statements that are unprofessional, false, misleading or deceptive in any way;
- (b) promote or offer incentives for the use of the medical practitioner's services;
- (c) compare the medical practitioner's skill with other medical practitioners so as to imply supremacy of skill or quality of services;
- (d) refer to specific drugs, appliances or equipment;
- (e) include associations between the medical practitioner and any company or product, unless the product is closely identified with a procedure performed by the medical practitioner and the association with the product is reasonable for the purposes of adequately informing the public;
- (f) make endorsements; or
- (g) contravene the Canadian Medical Association Code of Ethics and Professionalism.

(2) A medical practitioner may publish or communicate information that includes the medical practitioner's

Permitted advertising and promotion

- (a) name and contact information;
- (b) office address and information respecting accessibility;
- (c) academic degrees;
- (d) specialty as recognized by the College;
- (e) areas of practice or special interest; and
- (f) languages spoken.

Medical Corporations

36. (1) For the purpose of clause 15(2)(d) of the Act, the name of a corporation applying for a permit to carry on the business of providing the professional services of a medical practitioner, and any business name or partnership name under which the corporation carries on that business,

Name of corporation

- (a) shall be, in the opinion of the registrar, in good taste, dignified and professional;
- (b) shall contain
 - (i) the words "medical corporation", and
 - (ii) the name of one or more medical practitioners whose professional services are delivered through the corporation, or other words indicating that the corporation is providing the professional services of a medical practitioner;
- (c) shall not
 - (i) be inaccurate or misleading,
 - (ii) express or imply superiority of qualifications, experience or education over that of other medical practitioners, or
 - (iii) otherwise tend to bring the medical profession into disrepute.

Transitional

(2) Notwithstanding subclause (1)(b)(i), the name of a medical corporation that, immediately before the day these regulations come into force, is registered under section 21 of the former Act in the Corporations Register and holds a licence under the former Act may contain the words "professional corporation" instead of "medical corporation".

(3) Before changing its name, a medical corporation shall obtain written confirmation from the registrar that the proposed name meets the requirements of subsection (1).

Change of name

37. (1) A medical corporation shall ensure that all communications with the public on behalf of the medical corporation identify the medical practitioners whose professional services are delivered through the corporation.

Duty of medical corporation

(2) A member of a general partnership of medical corporations or of medical corporations and medical practitioners shall ensure that all communications with the public on behalf of the partnership

Duty of partnership including medical corporation

- (a) indicate that one or more of the partners is a medical corporation;
and
(b) identify the medical practitioners whose professional services are delivered through the corporation.

38. For the purpose of section 98 of the Act, a person who, immediately before this section comes into force, is registered under the former Act in the register listed in Column 1 below and holds a valid license issued under the former Act, is deemed, on the coming into force of this section, to be registered in the sub-register and part of the register for medicine set out in the corresponding provision in Column 2 below:

Transition of
members

Transition of Members

Column 1 Former Act	Column 2 Regulated Health Professions Act
1. Family Practice Register	Family Medicine Register – general registration
2. Medical Specialist Register	Specific Disciplines Register – general registration
3. Temporary and Limited Register – family practice partial qualifications	Family Medicine Register – provisional registration
4. Temporary and Limited Register – medical specialist partial qualifications	Specific Disciplines Register – provisional registration
5. Temporary and Limited Register – locum	Family Medicine Register or Specific Disciplines Register - special registration
6. Temporary and Limited Register – visiting consultant	Family Medicine Register or Specific Disciplines Register - special registration
7. Temporary and Limited Register – organ retrieval	Family Medicine Register or Specific Disciplines Register - special registration
8. Medical Education Register – clause 22(3)(a) regulations under former Act	Education Register – medical students
9. Medical Education Register – clause 22(3)(c) regulations under former Act	Education Register – post-graduate medical trainees
10. Medical Register – employee of Government of Canada or Canadian Armed Forces	Family Medicine Register or Specific Disciplines Register - special registration

39. These regulations come into force on November 1, 2021.

Commencement

EXPLANATORY NOTES

SECTION 1 defines terms used in these regulations.

SECTION 2 designates medicine as a regulated health profession.

SECTION 3 continues the College of Physicians and Surgeons of Prince Edward Island as the college for medicine.

SECTION 4 divides the register for medicine into sub-registers and parts.

SECTION 5 defines post-graduate medical training program for the purpose of Part 2.

SECTION 6 sets out prescribed requirements for general registration in the family medicine register.

SECTION 7 sets out prescribed requirements for the renewal of general registration in the family medicine register.

SECTION 8 provides that the maximum prescribed period of time a former member's general registration in the family medicine register may lapse before applying for reinstatement of general registration is three years. It sets out a prescribed requirement for reinstatement of general registration in the family medicine register.

SECTION 9 sets out prescribed requirements for provisional registration in the family medicine register.

SECTION 10 provides that the Council may require a medical practitioner with provisional registration in the family medicine register to practise medicine under the supervision of a medical practitioner registered in the family medicine register who is not subject to supervision.

SECTION 11 sets out a prescribed requirement for the renewal of provisional registration in the family medicine register.

SECTION 12 states that provisional registration may not be reinstated under section 24 of the Act.

SECTION 13 provides for special registration in the family medicine register. It sets out a maximum term of registration for the purpose of filling in for another medical practitioner. It also states that special registration in the family medicine register is not subject to renewal or reinstatement.

SECTION 14 sets out some protected designations of members registered under Part 2.

SECTION 15 provides that a medical practitioner registered under Part 2 is authorized to perform any reserved activity provided that certain conditions are met. It prohibits a medical practitioner with provisional registration under Part 2 who is subject to supervision from performing reserved activities except under supervision.

SECTION 16 defines post-graduate medical training program for the purpose of Part 3.

SECTION 17 sets out prescribed requirements for general registration in the specific disciplines register.

SECTION 18 sets out prescribed requirements for the renewal of general registration in the specific disciplines register.

SECTION 19 provides that the maximum prescribed period of time a former member's general registration in the specific disciplines register may lapse before applying for reinstatement of general registration is three years. It sets out a prescribed requirement for reinstatement of general registration in the specific disciplines register.

SECTION 20 sets out prescribed requirements for provisional registration in the specific disciplines register.

SECTION 21 provides that the Council may require a medical practitioner with provisional registration in the specific disciplines register to practise a specific discipline of medicine under the supervision of a medical practitioner who is registered in the specific disciplines register and is not subject to supervision.

SECTION 22 sets out a prescribed requirement for the renewal of provisional registration in the specific disciplines register.

SECTION 23 states that provisional registration in the specific disciplines register may not be reinstated under section 24 of the Act.

SECTION 24 provides for special registration in the specific disciplines register. It also states that special registration in the specific disciplines register is not subject to renewal or reinstatement.

SECTION 25 sets out some protected designations of members registered under Part 3.

SECTION 26 provides that a medical practitioner registered under Part 3 is authorized to perform any reserved activity provided that certain conditions are met. It prohibits a medical practitioner with provisional registration under Part 3 who is subject to supervision from performing reserved activities except under supervision.

SECTION 27 sets out prescribed requirements for registration and the renewal of registration as a medical student. It also provides that registration as a medical student may not be reinstated under section 24 of the Act.

SECTION 28 restricts the practice of medicine and performance of reserved activities by a medical student.

SECTION 29 sets out prescribed requirements for registration and the renewal of registration as a post-graduate medical trainee. It also provides that registration as a post-graduate medical trainee may not be reinstated under section 24 of the Act.

SECTION 30 restricts the practice of medicine and performance of reserved activities by a post-graduate medical trainee.

SECTION 31 sets out requirements respecting professional liability insurance for applicants and members of the College.

SECTION 32 sets out some terms and conditions that the Council may impose on the registration of members of the College.

SECTION 33 sets out the qualifications and duties of a supervisor designated for the purpose of Parts 2 and 3.

SECTION 34 sets out conduct that constitutes professional misconduct by a member.

SECTION 35 sets out what is permitted and restricted in respect of advertising and promotion by a medical practitioner.

SECTION 36 sets out restrictions and requirements in respect of the name of a medical corporation.

SECTION 37 requires that the identity of every medical practitioner practising medicine through a corporation or a partnership that includes a medical corporation is clearly communicated to the public.

SECTION 38 sets out the sub-register and part of the register for medicine to which a person registered in a specified register under the former Act will be transitioned on the coming into force of this section.

SECTION 39 provides for the commencement of these regulations.

EC2021-844

**REGULATED HEALTH PROFESSIONS ACT
PHARMACIST AND PHARMACY TECHNICIAN
REGULATIONS
AMENDMENT**

Pursuant to sections 2 and 96 of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

1. Section 25 of the *Regulated Health Professions Act Pharmacist and Pharmacy Technician Regulations (EC445/19)* is amended by the addition of the following after subsection (4):

(4.1) A pharmacist who has a special authorization to prescribe and administer a vaccine for a disease listed in Schedule A may, during a public health emergency declared under the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30.1, administer by injection a vaccine for COVID-19 to a patient between the ages of 12 and 18 years.

COVID-19 vaccine,
12 to 18 years

2. These regulations come into force on October 16, 2021.

EXPLANATORY NOTES

SECTION 1 adds subsection (4.1) to section 25 of the regulations, authorizing a pharmacist with a particular special authorization to administer a COVID-19 vaccine by injection to a person between the ages of 12 and 18 during a public health emergency.

SECTION 2 provides for the commencement of these regulations.

EC2021-845

**UNIVERSITY ACT
UNIVERSITY OF PRINCE EDWARD ISLAND
APPROVAL TO INCUR A LIABILITY**

Pursuant to clause 17(1)(b) of the *University Act* R.S.P.E.I. 1988, Cap. U-4, Council authorized the Board of Governors of the University of Prince Edward Island to incur a liability and to make expenditures by borrowing an amount not to exceed thirty-seven million two hundred thousand (\$37,200,000.00) dollars for the construction of a building to accommodate the implementation of a Faculty of Medicine.