

EC2023-76**AN ACT TO REPEAL THE DENTAL PROFESSION ACT
DECLARATION RE**

Under authority of section 2 of the *An Act to Repeal the Dental Profession Act* Stats. P.E.I. 2021, c. 32 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Repeal the Dental Profession Act*" to come into force effective March 1, 2023.

EC2023-77**EMERGENCY MEDICAL TECHNICIANS ACT
EMERGENCY MEDICAL TECHNICIANS REGULATIONS
AMENDMENT**

Pursuant to section 14 of the *Emergency Medical Technicians Act* R.S.P.E.I. 1988, Cap. E-6.11, Council made the following regulations:

1. Section 1.5 of Schedule 1 of the *Emergency Medical Technicians Act* Emergency Medical Technicians Regulations (EC532/13) is amended

- (a) in clause (b), by the deletion of the words "II¹, III" and the substitution of the word "All";
- (b) by the revocation of clause (g) and the substitution of the following:

(g) conduct invasive core temperature monitoring by one of the following routes and interpret findings:	
(i) oral route	All
(ii) rectal route	III

- (c) in clause (n), by the deletion of the word "III" and the substitution of the word "All".

2. Section 2.4 of Schedule 1 of the regulations is amended by the addition of the following after clause (d):

(e) provide non-invasive positive pressure ventilation	All
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3. Section 2.5 of Schedule 1 of the regulations is amended

- (a) in clause (b), by the deletion of the words "through use of direct pressure and patient positioning";
- (b) by the revocation of clause (g) and the substitution of the following:

(g) use infusion devices for infusion of medication or fluids	All
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(c) by the addition of the following after clause (i):

(i.1) administer crystalloid solutions	All
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4. (1) Clause 2.8(a) of Schedule 1 of the regulations is amended**(a) by the addition of the following after subclause (vii):**

(vii.1) Dexamethasone	All
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(b) in subclause (ix), by the deletion of the words “50%”;**(c) in subclause (xiv), by the deletion of the footnote;****(d) by the revocation of subclause (xv) and the substitution of the following:**

(xv) Fentanyl	All
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(e) by the addition of the following after subclause (xvii):

(xvii.1) Haloperidol	III
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(f) by the addition of the following after subclause (xviii):

(xviii.1) Hydrocortisone	All
(xviii.2) Ibuprofen	All

(g) by the addition of the following after subclause (xix):

(xix.1) Ketamine	III
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(h) in subclause (xx), by the deletion of the words “II, III” and the substitution of the word “All”;**(i) by the addition of the following after subclause (xxi):**

(xxi.1) Lorazepam	III
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(j) in subclause (xxiii), by the deletion of the word “III” and the substitution of the word “All”;**(k) in subclause (xxvii), by the deletion of the footnote;****(l) by the addition of the following after subclause (xxvii):**

(xxvii.1) Nitrous Oxide	All
(xxvii.2) Norepinephrine	III
(xxvii.3) Ondansetron	All

(m) in subclause (xxix), by the deletion of the words “II, III” and the substitution of the word “All”; and**(n) by the addition of the following after subclause (xxxii):**

(xxxiii) Tranexamic Acid	III
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(2) Clause 2.8(a.1) of Schedule 1 of the regulations is amended by the revocation of subclauses (iv), (vi) and (x).**5. These regulations come into force on February 25, 2023.**

EC2023-78

EXECUTIVE COUNCIL ACT
 PREMIER AS MINISTER
 RESPONSIBLE FOR INDIGENOUS RELATIONS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (EPEKWITK ASSEMBLY OF COUNCILS
 FUNDING AGREEMENT 2022-2023)
 WITH
 EPEKWITK ASSEMBLY OF COUNCILS INC.

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier as Minister Responsible for Indigenous Relations to enter into an agreement with the Epekwitk Assembly of Councils Inc., operating as L'nuey, to set the terms and conditions to develop a work plan for the Treaty Education Implementation Committee and Treaty Education program, for the period February 1, 2023 to January 31, 2024, such as more particularly described in the draft agreement.

EC2023-79

EXECUTIVE COUNCIL ACT
 MINISTER OF ENVIRONMENT, ENERGY AND CLIMATE ACTION
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (MEMORANDUM OF UNDERSTANDING)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Environment, Energy and Climate Action to enter into an agreement with the Government of Canada, as represented by the Minister of Public Works Government Services Canada, on behalf of the Minister of Natural Resources Canada, for the development of a Province-Wide Flood Hazard Maps and Products project, effective upon signing to March 31, 2024, such as more particularly described in the draft agreement.

EC2023-80

EXECUTIVE COUNCIL ACT
 MINISTER OF JUSTICE AND PUBLIC SAFETY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CONTRIBUTION AGREEMENT
 LENNOX ISLAND FIRST NATION
 INFRASTRUCTURE PROJECT 2022-2023)
 WITH
 THE GOVERNMENT OF CANADA
 AND
 THE LENNOX ISLAND FIRST NATION

Pursuant to clause 10(a) and (c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Justice and Public Safety to enter into an agreement with the Government of Canada, as represented by the Minister of Public Safety and Emergency Preparedness and the Lennox Island First Nation, as represented by the Chief, to establish the terms and conditions for funding for the renovation of the Police facility in the community, effective upon the last signature to June 30, 2023, such as more particularly described in the draft agreement.

EC2023-81

FINANCE PEI ACT
REGULATIONS
JASPER WYMAN & SON CANADA INC.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Finance PEI Act* Regulations (EC2012-739), Council authorized Finance PEI to renew a two-year term loan in the amount of four hundred thirty-nine thousand, two hundred forty (\$439,240.00) dollars at a rate of six decimal nine (6.9%) percent to Jasper Wyman & Son Canada Inc., on terms and conditions satisfactory to the Board of Directors of Finance PEI.

Order in Council EC2008-641 of October 21, 2008 is hereby rescinded.

EC2023-82

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE
FOR FISCAL YEAR 2021/2022)
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 General Government as follows:

Account Class	Account Name	Amount
	COVID-19 Response and Recovery Contingency	
454-4199	COVID-19 Contingency	<u>\$274,000.00</u>

EC2023-83

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE
FOR FISCAL YEAR 2021/22)
HEALTH PEI

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 Health PEI as follows:

Account Class	Account Name	Amount
	Corporate Services	
0542-4099	Grants	<u>\$20,241,300.00</u>

Further, Council noted that this amount will be offset by revenue of \$26,683,900.00.

EC2023-84

GARNISHEE ACT

GARNISHEE REGULATIONS

Pursuant to section 17 of the *Garnishee Act* R.S.P.E.I. 1988, Cap. G-2, Council made the following regulations:

1. Definitions

In these regulations,

- (a) “**Act**” means the *Garnishee Act* R.S.P.E.I. 1988, Cap. G-2;
- (b) “**court**” means the Supreme Court;
- (c) “**Director of Social Assistance**” means the Director of Social Assistance appointed under section 4.4 of the *Social Assistance Act* R.S.P.E.I. 1988, Cap. S-4.3;
- (d) “**medical practitioner**” means a medical practitioner as defined in the Schedule to the *Interpretation Act* R.S.P.E.I. 1988, Cap. I-8.1;
- (e) “**nurse practitioner**” means a nurse practitioner as defined in clause 1(g) of the Registered Nurses Regulations (EC350/18) under the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1.

2. Notice to judgment debtor

- (1) The Prothonotary shall, upon receipt of a judgment creditor’s application for an attaching order against a judgment debtor under the Act, notify the judgment debtor of a time and place at which to appear before the Prothonotary for examination.

Form of notification

- (2) The notification referred to in subsection (1) shall be in Form A as set out in the Schedule to these regulations.

3. Examination of judgment debtor

- (1) Where the judgment debtor appears before the Prothonotary, the Prothonotary shall orally examine the judgment debtor and shall during the oral examination ascertain
 - (a) the number of persons over the age of 12 years who are dependent for maintenance or support upon the judgment debtor;
 - (b) the number of persons under the age of 12 years who are dependent for maintenance or support upon the judgment debtor;
 - (c) the number of persons in the judgment debtor’s household who are persons with a disability as defined in the *Supports for Persons with Disabilities Act* R.S.P.E.I. 1988, Cap. S-9.1;
 - (d) the number of persons mentioned in clause (a), (b) or (c) who, under a prescription issued by a medical practitioner or nurse practitioner, require a special diet;
 - (e) in the case of rented living accommodations, the amount of rent payable for the accommodations;
 - (f) whether the judgment debtor owns or rents the judgment debtor’s living accommodations;
 - (g) in the case of living accommodations owned by the judgment debtor, where the judgment debtor is paying for the living accommodations, the cost of
 - (i) taxes payable in respect of the accommodations,
 - (ii) the mortgage payments payable in respect of the accommodations,
 - (iii) the fire insurance payments in respect of the accommodations,
 - (iv) fuel for the 12-month period immediately preceding the date of examination,
 - (v) utilities for the 12-month period immediately preceding examination under these regulations;

- (h) where the judgment debtor is boarding,
 - (i) the amount charged for board, and
 - (ii) the amount charged for lodging;
- (i) what, if any, continuing health and medical expenses are incurred by the judgment debtor or a person dependent on the judgment debtor for maintenance or support;
- (j) the judgment debtor's costs of necessary transportation, including but not limited to the average cost of transportation to and from the judgment debtor's principal place of employment;
- (k) the amount of payments being made by the judgment debtor pursuant to Part X of the *Bankruptcy Act* R.S.C. 1985, Chap. B-3;
- (l) the amount of income accruing to the judgment debtor and to the judgment debtor's dependents from any source other than under the *Social Assistance Act* or the *Supports for Persons with Disabilities Act*, or from a private welfare agency; and
- (m) other costs or expenses which the judgment debtor considers substantially increase the judgment debtor's financial burden.

4. Where judgment debtor fails to attend, etc.

- (1) Where the judgment debtor fails to attend the examination or fails to provide complete and honest answers,
 - (a) the Prothonotary shall report the judgement debtor's failure to attend the examination or to provide complete and honest answers, as the case may be, to the judgment creditor;
 - (b) the judgment creditor may bring proceedings for contempt against the judgment debtor, and may use the Prothonotary's report as evidence in those proceedings; and
 - (c) the judgment creditor may apply to the Prothonotary to accept evidence from one or more persons other than the judgment debtor respecting the information specified in section 3.

Evidence from other persons

- (2) On application by the judgment creditor under clause (1)(c), the Prothonotary may accept written or verbal evidence from one or more persons other than the judgment debtor respecting the information specified in section 3.

5. Calculation of exemption

- (1) The Prothonotary shall calculate an exemption from the garnishment of wages due or accruing due to the judgment debtor on the basis of
 - (a) the information ascertained by the Prothonotary pursuant to the examination of the judgment debtor under section 3 and from other persons under subsection 4(2); and
 - (b) information provided to the Prothonotary by the Director of Social Assistance respecting the amount of assistance a person in the circumstances of the judgment debtor would receive if the person were wholly dependent on payments made under the *Social Assistance Act*.

Information provided by Director

- (2) For greater certainty, the Prothonotary may at any time consult the Director of Social Assistance to determine the amount of assistance a person would receive if the person were wholly dependent on payments made under the *Social Assistance Act*.

Basis of calculation

- (3) For the purposes of subsection 17(3) of the Act, the exemption shall be calculated on the basis of each item of basic need specified in the Schedule.

6. Notice of amount exempt from garnishment

Upon completing an oral examination pursuant to section 3 or upon receipt of information pursuant to subsection 4(2) or subsection 5(1), as the case may be, the Prothonotary shall within five days notify the judgment creditor and the judgment debtor of the amount which shall be exempt from garnishment.

7. Certificate of Prothonotary

Unless otherwise ordered by the court pursuant to section 8, no attaching order shall be binding on a garnishee until the attaching order bears a certificate of the Prothonotary verifying the amount of wages exempt from garnishment.

8. Appeal to court

(1) A judgment debtor or a judgment creditor may appeal the amount of exemption calculated by the Prothonotary to the court.

Authority of court

(2) The court may confirm or vary the calculation made by the Prothonotary.

9. Revocation

The *Garnishee Act* Regulations (EC382/72) are revoked.

10. Commencement

These regulations come into force on March 1, 2023.

SCHEDULE

NOTICE TO APPEAR

Date

TO:

We have received an application from [judgment creditor, court file no.] for the garnishment of your wages.

You are entitled to an exemption from garnishment in an amount which will leave you with sufficient income to meet your needs as prescribed by the regulations under the *Garnishee Act*.

We require your assistance in deciding upon the full amount of the exemption to which you are entitled.

You are therefore required to attend a garnishment examination at

in on, the day of, 20.... You are required to bring with you two copies of proof of your income and yearly expenses including living accommodations, fuel and utilities, food, clothing, household supplies, transportation and essential medical expenses.

If you do not appear for the garnishment examination, a decision may be made in your absence, which may include basing your exemption on the amount of assistance you would receive if you were wholly dependent on payments made under the Social Assistance Act.

YOURS TRULY,

Prothonotary

ITEMS OF BASIC NEED

1. Maximum monthly exemption

- (1) Subject to subsection 17(3) of the Act, a judgment debtor is eligible to receive a maximum monthly exemption for the basic needs of the judgment debtor and the judgment debtor's dependants, including food, clothing, household supplies, and personal requirements as follows:
- (a) \$511 for each adult in the judgment debtor's household, including the judgment debtor and any dependant of the judgment debtor who is 18 years of age or older;
 - (b) \$388 for each dependant of the judgment debtor who is at least 12 years of age and less than 18 years of age;
 - (c) \$293 for each dependant of the judgment debtor who is less than 12 years of age;
 - (d) an additional \$76 for each person in the judgment debtor's household who is pregnant;
 - (e) an additional amount that, in the opinion of the Prothonotary, is required to cover the cost for a special diet that is required by the judgment debtor or a dependant of the judgment debtor;
 - (f) an additional \$150 for each person in the judgment debtor's household who is a person with a disability, as defined in clause 1(e) of the *Supports for Persons with Disabilities Act*.

Modification

- (2) The maximum monthly exemption determined in accordance with subsection (1) may be modified by the Prothonotary where
- (a) a judgment debtor resides in housing where one or more basic needs specified in subsection (1) are provided; or
 - (b) a dependant child of the judgment debtor does not ordinarily reside with the judgment debtor for each day of a month.

Calculation

- (3) Where the maximum monthly exemption is modified in the circumstances described in clause (2)(b), the exemption shall be determined by the following calculation:

$$(MME/30 \text{ days}) \times D$$

where

MME is the Maximum Monthly Exemption determined in accordance with subsection (1); and

D is the number of days in a month that the dependant child ordinarily resides with the judgment debtor in a month.

2. Actual cost of accommodations

- (1) Subject to subsection (3), a judgment debtor is eligible to receive a maximum monthly exemption for the cost of living accommodations on the basis of the actual cost of the living accommodations, provided that the cost does not, in the opinion of the Prothonotary, exceed what reasonably might be expected to be paid for comparable living accommodations in the same area.

Included costs

- (2) For greater certainty, the exemption referred to in subsection (1) includes
- (a) where the judgment debtor rents living accommodations, the cost of rent; or
 - (b) where the judgment debtor owns living accommodations, the cost of related taxes, mortgage payments, fire insurance and other amounts which may be required in respect of ownership of the living accommodation.

Boarding costs

- (3) Where the judgment debtor resides in a room in a private boarding house, the maximum monthly exemption for the cost of lodging is actual cost up to \$500 for one or two persons of the judgment debtor's household.

3. Costs of fuel and utilities

A judgment debtor is eligible to receive a monthly exemption for fuel and utilities on the basis of the actual cost of the fuel and utilities based on the previous year's expenditure, provided that the exemption does not, in the opinion of the Prothonotary, exceed what reasonably might be expected to be paid for comparable services in the same area for the same period.

4. Other costs

A judgment debtor is eligible to receive a monthly exemption for the cost to the judgment debtor of

- (a) necessary medical and surgical services, nursing, dental and optical care including dentures and eye glasses;
- (b) essential prescription drugs; and
- (c) prosthetic appliances.

EC2023-85

HOSPITALS ACT

HOSPITAL MANAGEMENT REGULATIONS AMENDMENT

Pursuant to section 11 of the *Hospitals Act* R.S.P.E.I. 1988, Cap. H-10.1, Council made the following regulations:

1. (1) Subsection 1(1) of the *Hospitals Act* Hospital Management Regulations (EC49/11) is amended

- (a) **by the revocation of clauses (d), (e), and (f);**
- (b) **by the revocation of clause (g) and the substitution of the following:**
- (g) **“authorized practitioner”** means
 - (i) a member of the medical staff with privileges at a hospital, or
 - (ii) a nurse practitioner or midwife authorized by Health PEI to admit, treat and discharge patients at a hospital;
- (c) **in clause (j), by the deletion of the words “Cap. P-30” and the substitution of the words “Cap. P-30.1”;**
- (d) **by the revocation of clause (p);**
- (e) **by the revocation of clause (q) and the substitution of the following:**
- (q) **“medical practitioner”** means a medical practitioner as defined in the *Regulated Health Professions Act* Medical Practitioner Regulations (EC843/21);
- (f) **in clause (s), by the deletion of the words “medical practitioners, dental practitioners and nurse practitioners” and the substitution of the words “medical practitioners and dental practitioners”;**
- (g) **by the addition of the following after clause (s):**
 - (s.1) **“midwife”** means a midwife as defined in the *Regulated Health Professions Act* Midwives Regulations (EC709/22);
 - (s.2) **“most responsible practitioner”** means the authorized practitioner who has principal responsibility for the medical or dental care of a patient at a hospital;
- (h) **by the revocation of clause (t) and the substitution of the following:**

- (t) **“nurse practitioner”** means a nurse practitioner as defined in the *Regulated Health Professions Act Registered Nurses Regulations* (EC350/18);
 - (i) **by the revocation of clauses (u) and (z).**
- (2) **Section 1 of the regulations is amended by the addition of the following after subsection (2):**
- No authorization granted to exceed Health PEI authorization or Act governing profession**
- (3) Nothing in these regulations authorizes a nurse practitioner or midwife to do anything at a hospital that the nurse practitioner or midwife, as the case may be, is not authorized to do under the applicable Act and regulations governing the profession or by Health PEI.
- 2. Section 3 of the regulations is revoked and the following substituted:**
- 3. Admission to hospital**
- (1) No person shall be admitted to a hospital except on the order of an authorized practitioner who is of the opinion that it is clinically necessary to admit the person.
- Deemed admission on birth**
- (2) A baby born in a hospital is deemed to have been admitted to the hospital in compliance with subsection (1) at the time of birth.
- 3. Section 4 of the regulations is revoked and the following substituted:**
- 4. Register**
- The administrator of a hospital shall ensure that a register is kept in which the following information is recorded in respect of each in-patient:
- (a) name, gender and age;
 - (b) health number;
 - (c) date of admission;
 - (d) most responsible practitioner;
 - (e) diagnosis on admission;
 - (f) date of discharge or death.
- 4. (1) Subsection 6(1) of the regulations is amended by the deletion of the words “the attending medical practitioner shall” and the substitution of the words “including oral and maxillofacial surgery, the most responsible practitioner shall”.**
- (2) Subsection 6(2) of the regulations is amended by the deletion of the words “the attending dental practitioner or the attending oral and maxillofacial surgeon shall” and the substitution of the words “including oral and maxillofacial surgery, the most responsible practitioner shall”.**
- (3) Subsection 6(3) of the regulations is revoked.**
- 5. (1) Subsection 7(1) of the regulations is revoked and the following substituted:**
- 7. Ordering treatment**
- (1) No person shall order treatment for a patient at a hospital except the patient’s most responsible practitioner.
- (2) Subsection 7(2) of the regulations is amended**
- (a) **by the deletion of the words “attending practitioner” wherever they occur, and the substitution of the words “most responsible practitioner”; and**

- (b) **by the deletion of the words** “another member of the medical staff with appropriate skills and privileges” **and the substitution of the words** “another authorized practitioner with appropriate skills and authority”.
- (3) **Section 7 of the regulations is amended by the addition of the following after subsection (2):**
- Effective transfer**
- (3) A transfer referred to in subsection (2) is not effective until the authorized practitioner to whom principal responsibility for the care of the patient is being transferred accepts that responsibility.
6. **Subsection 8(2) of the regulations is amended by the deletion of the words** “attending practitioner” **wherever they occur, and the substitution of the words** “most responsible practitioner”.
7. **Clauses 9(1)(b) and (c) of the regulations are amended by the deletion of the words** “attending practitioner” **and the substitution of the words** “most responsible practitioner”.
8. **Subsection 10(3) of the regulations is amended by the deletion of the words** “member of the medical staff with privileges at the hospital” **and the substitution of the words** “authorized practitioner”.
9. **Clause 11(5)(c) of the regulations is amended by the addition of the words** “or nurse practitioner” **after the words** “medical practitioner”.
10. **Section 12 of the regulations is revoked and the following substituted:**
12. **Discharge from hospital**
- (1) No person shall order the discharge of an in-patient from a hospital except the most responsible practitioner.
- Mandatory discharge**
- (2) Subject to subsection (3), the most responsible practitioner shall make an order to discharge an in-patient, where
- (a) the most responsible practitioner is of the opinion that
- (i) it is no longer clinically necessary for the in-patient to be admitted to a hospital, or
- (ii) it is necessary or more appropriate for the in-patient to be transferred to another hospital for treatment;
- (b) the in-patient has discharged oneself from the hospital; or
- (c) the in-patient has died in hospital.
- Delay of discharge**
- (3) The most responsible practitioner may delay making an order to discharge an in-patient until
- (a) accommodation becomes available for the in-patient in another hospital or a residential care facility; or
- (b) home care services or other community-based support services are available to the in-patient.
- Administrator oversight**
- (4) The administrator shall ensure that an in-patient is discharged and leaves the hospital within 24 hours after an order for the discharge of the in-patient is made.
11. (1) **Subsection 13(1) of the regulations is amended by the deletion of the words** “attending practitioner” **and the substitution of the words** “most responsible practitioner”.

- (2) **Subsection 13(2) of the regulations is amended by the deletion of the words “A member of the medical staff” and the substitution of the words “An authorized practitioner”.**
- 12. (1) Subsection 16(2) of the regulations is amended**
- (a) **in clause (b), by the deletion of the words “attending practitioners” and the substitution of the words “most responsible practitioners”; and**
- (b) **in clause (i), by the deletion of the words “the medical staff” and the substitution of the words “authorized practitioners”.**
- (2) **Subsection 16(3) of the regulations is amended**
- (a) **in clause (b), by the deletion of the words “attending practitioners” and the substitution of the words “most responsible practitioners”; and**
- (b) **in clause (i), by the deletion of the words “the medical staff” and the substitution of the words “authorized practitioners”.**
- 13. Sections 17, 18, 19 and 20 of the regulations are revoked.**
- 14. Subsection 21(2) of the regulations is revoked.**
- 15. These regulations come into force on February 25, 2023.**

EXPLANATORY NOTES

SECTION 1 amends the definitions of “communicable disease”, “medical practitioner”, “medical staff” and “nurse practitioner” in the regulations. It adds definitions of “authorized practitioner”, “midwife” and “most responsible practitioner” to the regulations. It revokes the definitions “attending dental practitioner”, “attending medical practitioner”, “attending oral and maxillofacial surgeon”, “medical director”, “oral and maxillofacial surgeon” and “registered nurse” from the regulations. It also adds a new subsection 1(3) to the regulations, which mirrors subsection 1(2) of the regulations but in respect of nurse practitioners and midwives.

SECTION 2 revokes and replaces section 3 of the regulations to provide for the admission of patients on the order of an authorized practitioner and to improve the wording.

SECTION 3 revokes and replaces section 4 of the regulations to update the required content of a hospital register.

SECTION 4 amends subsection 6(1) of the regulations to include oral and maxillofacial surgery as medical treatment and to apply the requirements to the most responsible practitioner. It amends subsection 6(2) of the regulations to include oral and maxillofacial surgery as dental treatment and to apply the requirements to the most responsible practitioner. It revokes subsection 6(3) of the regulations after incorporating its contents into subsections 6 (1) and (2).

SECTION 5 revokes and replaces subsection 7(1) of the regulations to provide that only a patient’s most responsible practitioner is authorized to order treatment for the patient. It also amends subsection 7(2) of the regulations to update terminology and adds a new subsection 7(3) to the regulations to clarify when a transfer of principal responsibility for the care of a patient takes effect.

SECTION 6 amends subsection 8(2) of the regulations to update terminology.

SECTION 7 amends clauses 9(1)(b) and (c) of the regulations to update terminology.

SECTION 8 amends subsection 10(3) of the regulations to provide for care of a surgical patient to be assumed by an authorized practitioner.

SECTION 9 amends clause 11(5)(c) of the regulations to add a nurse practitioner as a family practitioner to whom a pathology report is to be provided.

SECTION 10 revokes and replaces section 12 of the regulations to provide that only the most responsible practitioner may discharge an in-patient, to set out the circumstances in which discharge is required or may be delayed, and to require the administrator to ensure discharge occurs within 24 hours of an order.

SECTION 11 amends subsection 13(1) of the regulations to update terminology and amends subsection 13(2) of the regulations to apply certain recordkeeping requirements to all authorized practitioners involved in a patient's treatment.

SECTION 12 amends subsections 16(2) and (3) of the regulations to update terminology and to require the reports of all authorized practitioners involved in a patient's treatment to be included in the patient's medical record.

SECTION 13 revokes sections 17 to 20 of the regulations, the subject matter of which is now covered under the *Health Information Act*.

SECTION 14 revokes subsection 21(2) of the regulations as access to health records for accreditation purposes is now covered under the *Health Information Act*.

SECTION 15 provides for the commencement of these regulations.

EC2023-86

**PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ANGELA HENBEST
(APPROVAL)**

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Angela Henbest of Edmonton, Alberta to acquire a land holding of approximately nine decimal nine one (9.91) acres of land at Mount Buchanan, Lot 58, Queens County, Province of Prince Edward Island, being acquired from William T. Slaven and Lyanne Wheeler, both of Mount Buchanan, Prince Edward Island.

EC2023-87

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MARK MALLET AND DIANNE MALLET
 (DENIAL)

Council, having under consideration an application (#N6435) for acquisition of a land holding under authority of section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Mark Mallett and Dianne Mallett, both of Burlington, Ontario to acquire a land holding of approximately one decimal five (1.5) acres of land at Rocky Point, Lot 65, Queens County, currently owned by Janet L. MacDonald of Ettenheim, Germany.

EC2023-88

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ANITA OSBORNE AND EDWARD OSBORNE
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Anita Osborne and Edward Osborne, both of Courtice, Ontario to acquire an interest in a land holding of approximately two decimal three six (2.36) acres of land at Cape Wolfe, Lot 7, Prince County, Province of Prince Edward Island, being acquired from Andrew Power and Michael Vandermeer, both of Vancouver, British Columbia; Pamela Power and Doug Brubacher, both of Ottawa, Ontario; Robert Power and Kathy Power, both of Whitby, Ontario; and Jean Power of Charlottetown, Prince Edward Island.

EC2023-89

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 KATHLEEN POWER AND ROBERT POWER
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Kathleen Power and Robert Power, both of Whitby, Ontario to acquire an interest in a land holding of approximately two decimal three (2.3) acres of land at Cape Wolfe, Lot 7, Prince County, Province of Prince Edward Island, being acquired from Andrew Power and Michael Vandermeer, both of Vancouver, British Columbia; Pamela Power and Doug Brubacher, both of Ottawa, Ontario; Anita Osborne and Edward Osborne, both of Courtice, Ontario; and Jean Power of Charlottetown, Prince Edward Island.

EC2023-90

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JODI LOUISE TOWNSEND AND ANDREW MARTIN JOHN TOWNSEND
(TO RESCIND)

Council, having under consideration Order-in-Council EC2022-844 of November 1, 2022, rescinded the said Order forthwith, thus rescinding permission for Jodi Louise Townsend and Andrew Martin John Townsend, both of Cochrane, Alberta to acquire a land holding of approximately one decimal zero five (1.05) acres of land at Beach Point, Lot 64, Kings County, Province of Prince Edward Island, being acquired from DCT Ventures LLC of Rogers, Arizona.

EC2023-91

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILLIAM WESTWICK AND LISA KENNEDY
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to William Westwick and Lisa Kennedy, both of Ottawa, Ontario to acquire a land holding of approximately nine decimal nine eight (9.98) acres of land at Appin Road, Lot 30, Queens County, Province of Prince Edward Island, being acquired from Ilsa Matsuers of Bonshaw, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2023-92

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
102997 P.E.I. INC.
(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 102997 P.E.I. Inc. of Mermaid, Prince Edward Island to acquire a land holding of approximately two decimal seven eight (2.78) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Capreit Apartments Inc., of Toronto, Ontario.

EC2023-93

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ACRE DEVELOPMENT CORP.
 (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 ACRE Development Corp. of Montague, Prince Edward Island to acquire a land holding of approximately eleven decimal one (11.1) acres of land at Brudenell, Lot 52, Kings County, Province of Prince Edward Island, being acquired from Baker & Son Inc., of Brudenell, Prince Edward Island.

EC2023-94

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 HALLMARK PROPERTIES INC.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2022-958 of December 14, 2022, rescinded the said Order forthwith, thus rescinding permission for Hallmark Properties Inc. of Stratford, Prince Edward Island to acquire a land holding of approximately three decimal one nine (3.19) acres of land at Lower Montague, Lot 59, Kings County, Province of Prince Edward Island, being acquired from Ivan MacInnis of Lower Montague, Prince Edward Island.

EC2023-95

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 HALLMARK PROPERTIES INC.
 (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 Hallmark Properties Inc. of Stratford, Prince Edward Island to acquire a land holding of approximately one decimal seven (1.7) acres of land at Lower Montague, Lot 59, Kings County, Province of Prince Edward Island, being acquired from William Zafiris and George Zafiris, both of Stratford, Prince Edward Island.

EC2023-96

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HATTON FARMS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hatton Farms Inc. of Morell, Prince Edward Island to acquire a land holding of approximately eight (8) acres of land at Marie, Lot 40, Kings County, Province of Prince Edward Island, being acquired from Colette Hatton of Morell, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2023-97

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-nine (39) acres of land at East Baltic, Lot 46, Kings County, Province of Prince Edward Island, being acquired from Susan Birt, of Souris, Prince Edward Island.

EC2023-98

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

Pursuant to section 5 and section 9 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-five (65) acres of land at Murray River, Lot 63, Kings County, Province of Prince Edward Island, being acquired from Stan I. Buell of Stratford, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2023-99

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
P.E.I. AGROMART LTD.
(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 P.E.I. Agromart Ltd. of Travellers Rest, Prince Edward Island to acquire an interest, by way of share acquisition, in a land holding of approximately four decimal eight two (4.82) acres of land at Pownal, Lot 49, Queens County, Province of Prince Edward Island, being acquired from John D. Scales, of Charlottetown, Prince Edward Island.

EC2023-100

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RED EARTH FARMS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Red Earth Farms Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately ninety-seven decimal five (97.5) acres of land at St-Raphael, Lot 15, Prince County, Province of Prince Edward Island, being acquired from Francis Wright of Wellington, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2023-101

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SANDERSON CAPITAL INC.
(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 Sanderson Capital Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately eight decimal five (8.5) acres of land at Cornwall, Lot 32, Queens County, Province of Prince Edward Island, being acquired from Robert Sanderson, of Cornwall, Prince Edward Island.

EC2023-102

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TSA FISHING INC.
(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 TSA Fishing Inc. of Tignish, Prince Edward Island to acquire a land holding of approximately one decimal nine five (1.95) acres of land at Christopher Cross, Lot 1, Prince County, Province of Prince Edward Island, being acquired from Tyson Arsenault and Sarah Arsenault, both of Tignish, Prince Edward Island.

EC2023-103

PRINCE EDWARD ISLAND LANDS PROTECTION ACT
EXEMPTION REGULATIONS
LINKLETTER FARMS LTD. AND LINK AGRO SERVICES LTD.
COOPERATIVE VENTURE
AMENDMENT

Pursuant to subsection 1.1(10) of the *Prince Edward Island Lands Protection Act* Exemption Regulations (EC368/88), Council amended the approval granted to Linkletter Farms Ltd. and Link Agro Services Ltd., a cooperative venture pursuant to subsection 1.1(6) of the said Regulations, to increase the land holding specified in Order-in-Council EC2007-300 dated May 22, 2007 by five decimal eight one (5.81) acres, SUBJECT TO the additional land being consolidated with Provincial Property No. 65219, located at Linkletter, Lot 17, Prince County, being the land previously approved for establishment and operation of the said potato services facility.

Order-in-Council EC2007-300 is hereby amended by the deletion of the words “twenty-one decimal nine two (21.92) acres” and the substitution of the words “twenty-seven decimal seven three (27.73) acres”.

This Order-in-Council comes into force on February 10, 2023.

EC2023-104

NOTARIES AND COMMISSIONERS ACT
DECLARATION RE

Under authority of section 32 of the *Notaries and Commissioners Act* Stats. P.E.I. 2022, c. 82 Council ordered that a Proclamation do issue proclaiming the said "*Notaries and Commissioners Act*" to come into force effective March 1, 2023.

EC2023-105

NOTARIES AND COMMISSIONERS ACT**NOTARIES AND COMMISSIONERS REGULATIONS**

Pursuant to section 24 of the *Notaries and Commissioners Act* R.S.P.E.I. 1988, Cap. N-3.3, Council made the following regulations:

1. Definition, "Act"

In these regulations, "Act" means the *Notaries and Commissioners Act* R.S.P.E.I. 1988, Cap. N-3.3.

2. Code of conduct - notaries public

- (1) The code of conduct referred to in clause 13(1)(a) of the Act is set out in Schedule A to these regulations.

Code of conduct- commissioners

- (2) The code of conduct referred to in clause 13(1)(b) of the Act is set out in Schedule B to these regulations.

3. Form of directive

A directive referred to in subsection 13(2) of the Act shall be published in the form and manner determined by the Minister.

4. Application for appointment

- (1) An application for an appointment under section 3 or 8 of the Act shall be submitted in the form and manner determined by the Minister.

Documents required

- (2) An applicant under section 3 or 8 of the Act shall provide the following documents with the application at the request of the Minister or the Prothonotary, as the case may be:
- (a) evidence satisfactory to the Minister or Prothonotary, as the case may be, of the applicant's identity and age;
 - (b) evidence satisfactory to the Minister or Prothonotary, as the case may be, that the applicant is a resident of Prince Edward Island;
 - (c) a signature specimen, if requested by the Minister or Prothonotary.

Renewal of appointment

- (3) A person whose appointment under section 3 or 8 of the Act has expired or is about to expire
- (a) may apply in the form and manner determined by the Minister for a renewal of the appointment; and
 - (b) shall confirm that the person continues to be eligible for appointment under section 3 or 8 of the Act, as the case may be.

5. Requirement to provide information

For the purposes specified in clause 24(h) of the Act, the Minister or Prothonotary may require that a notary public or commissioner provide any or all of the following information to the Minister or Prothonotary:

- (a) evidence specified in clause 4(2)(a) or (b);
- (b) a statutory declaration that the notary public or commissioner continues to be eligible for appointment under section 3 or 8 of the Act, as the case may be;
- (c) the results of a criminal record check satisfactory to the Minister or Prothonotary, as the case may be;
- (d) a statutory declaration as to whether the notary public or commissioner has been found guilty or convicted of misrepresentation, fraud, breach of

trust or an offence under the Criminal Code (Canada) for which an absolute discharge or a pardon has not been granted.

6. Issuing written direction

- (1) A written direction issued to a notary public or commissioner under section 14 of the Act shall be sent to the last known address or email address of the notary public or commissioner, as the case may be.

Sending refusal, notice of suspension or revocation

- (2) The refusal of an application or a notice of suspension or revocation of an appointment referred to in section 12 of the Act shall be
- (a) provided in writing; and
 - (b) sent to the applicant, notary public or commissioner, as the case may be, at that person's last known address or email address.

7. Commencement

These regulations come into force on March 1, 2023.

SCHEDULE A

CODE OF CONDUCT FOR NOTARIES PUBLIC

1. A notary public shall
 - (a) discharge all of the notary public's official responsibilities with honesty, dignity and integrity;
 - (b) treat all persons fairly, courteously and with respect;
 - (c) provide services in a professional, ethical and responsible manner;
 - (d) comply with the terms and conditions of the notary public's appointment;
 - (e) comply with the Act, the regulations and any other law or directive that governs the conduct of notaries public in the discharge of their responsibilities;
 - (f) comply with any written direction issued to the notary public under section 14 of the Act;
 - (g) act in a manner that maintains and upholds the honour and reputation of the office of notary public;
 - (h) maintain up-to-date knowledge on the law and directives governing the duties and conduct of notaries public; and
 - (i) hold in strict confidence all information of a confidential nature that comes to the notary public's knowledge, except as is required to perform the services of the notary public or as otherwise required by law.

2. A notary public shall not knowingly
 - (a) mislead or attempt to mislead anyone in the discharge of the notary public's responsibilities;
 - (b) notarize or participate in the preparation or delivery of any document that is false, incomplete, misleading, deceptive or fraudulent; or
 - (c) notarize or participate in the preparation or delivery of any document that
 - (i) has the appearance of being validly issued by a court or other legitimate authority but is not,
 - (ii) is intended to or has the effect of deceiving any person, or
 - (iii) is otherwise lacking valid legal effect.

SCHEDULE B

CODE OF CONDUCT FOR COMMISSIONERS

1. A commissioner shall
 - (a) discharge all of the commissioner's official responsibilities with honesty, dignity and integrity;

- (b) treat all persons fairly, courteously and with respect;
 - (c) provide services in a professional, ethical and responsible manner;
 - (d) comply with the terms and conditions of the commissioner's appointment;
 - (e) comply with the Act, these regulations and any other law or directive that governs the conduct of commissioners in the discharge of their responsibilities;
 - (f) comply with any written direction issued to the commissioner under section 14 of the Act;
 - (g) act in a manner that maintains and upholds the honour and reputation of the office of commissioner;
 - (h) maintain up-to-date knowledge on the law and directives governing the duties and conduct of commissioners; and
 - (i) hold in strict confidence all information of a confidential nature that comes to the commissioner's knowledge, except as is required to perform the services of the commissioner or as otherwise required by law.
2. A commissioner shall not knowingly
- (a) mislead or attempt to mislead anyone in the discharge of the commissioner's responsibilities;
 - (b) commission or participate in the preparation or delivery of any document that is false, incomplete, misleading, deceptive or fraudulent; or
 - (c) commission or participate in the preparation or delivery of any document that
 - (i) has the appearance of being validly issued by a court or other legitimate authority but is not,
 - (ii) is intended to or has the effect of deceiving any person, or
 - (iii) is otherwise lacking valid legal effect.

EC2023-106

POLICE ACT
AND
EXECUTIVE COUNCIL ACT
MINISTER OF JUSTICE AND PUBLIC SAFETY
AUTHORITY TO ENTER INTO AN AGREEMENT
(FRAMEWORK AGREEMENT FOR THE USE OF
THE ROYAL CANADIAN MOUNTED POLICE (RCMP) FIRST NATIONS
COMMUNITY POLICE SERVICES (FNCPS)
IN PRINCE EDWARD ISLAND)
WITH THE
GOVERNMENT OF CANADA

Pursuant to section 8 of the *Police Act*, R.S.P.E.I. 1988, Cap. P-11.1 and clause 10(a) of the *Executive Council Act*, R.S.P.E.I. 1988, Cap. E-12, Council authorized the Minister of Justice and Public Safety to enter into an agreement with the Government of Canada, as represented by the Minister of Public Safety and Emergency Preparedness, respecting delivery of police services by Royal Canadian Mounted Police in First Nations Communities in Prince Edward Island for the period April 1, 2022 to March 31, 2027, such as more particularly described in the draft agreement.

EC2023-107

PROVINCIAL COURT ACT
AND
VICTIMS OF FAMILY VIOLENCE ACT
JUSTICES OF THE PEACE
APPOINTMENTS AND DESIGNATIONS

Under authority of section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council reappointed the following persons as justices of the peace and designated them pursuant to section 14 of the *Victims of Family Violence Act*, R.S.P.E.I. 1988, Cap. V-3.2 as justices of the peace to hear and determine applications within the Province of Prince Edward Island:

NAME	TERM OF APPOINTMENT
J. Hatton	4 March 2023 to 4 March 2026
B.A. MacDonald	4 March 2023 to 4 March 2026

EC2023-108

**REGULATED HEALTH PROFESSIONS ACT
DENTAL HYGIENISTS 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 DESIGNATION**1. Definitions**

In these regulations

- (a) **“Act”** means the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1;
- (b) **“College”** means the College of Dental Hygienists of Prince Edward Island established under section 3;
- (c) **“Council”** means the Council of the College;
- (d) **“dental hygiene”** means the health profession in which a person applies particular knowledge, skills and judgment in
 - (i) promoting oral health,
 - (ii) assessing teeth and adjacent tissues,
 - (iii) providing preventative and therapeutic treatment for teeth and adjacent tissues,
 - (iv) conducting research, education, management or administrative activities incidental to those described in subclauses (i) to (iii);
- (e) **“dental hygienist”** means a person who is registered in the register for dental hygienists;
- (f) **“refresher program”** means a refresher program in dental hygiene 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.

2. Designation

Dental hygiene is designated as a regulated health profession.

3. College

The College of Dental Hygienists of Prince Edward Island is hereby established as a body corporate and the college for dental hygiene.

PART 2 - REGISTRATION**Register****4. Parts of register**

The register for dental hygiene is divided into the following parts:

- (a) general registration;
- (b) special registration.

5. General registration

- (1) The registrar shall register an applicant in the general registration part where
 - (a) the registrar is satisfied that the applicant meets all the requirements for registration set out in subsection 12(2) of the Act and these regulations and registers the applicant pursuant to subsection 12(3) of the Act; or
 - (b) the Council directs the registrar to register the applicant pursuant to subsection 12(6) of the Act or reinstate the registration of the applicant pursuant to subsection 24(4) of the Act.

Reinstatement period

- (2) For the purpose of subsection 24(1) of the Act, a dental hygienist may apply for reinstatement of registration in the general registration part within three years after a lapse in the registration.

6. Special registration

- (1) Where the Council directs the registrar to register an applicant pursuant to subsection 13(3) of the Act, the registrar shall register the applicant in the special registration part.

No renewal or reinstatement

- (2) Special registration may not be renewed or reinstated.

Prescribed Requirements for General Registration**7. Education**

For the purpose of clause 12(2)(c) of the Act, an applicant shall have successfully completed

- (a) a diploma or degree program in dental hygiene accredited by the Commission on Dental Accreditation of Canada, approved by the Council; or
- (b) education that the Council considers substantially equivalent to the program described in clause (a).

8. Examinations

For the purpose of clause 12(2)(d) of the Act, an applicant shall have successfully completed

- (a) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing dental hygiene in the province; and
- (b) either
 - (i) both of the following examinations:
 - (A) National Dental Hygiene Certification Examination,

- (B) Canadian Performance Exam in Dental Hygiene, or
- (ii) a competency examination established, approved or adopted by the Council.

9. Currency of professional knowledge and skills

- (1) For the purpose of clauses 12(2)(f), subclause 22(2)(a)(ii) and clause 24(4)(c) of the Act, an applicant shall have done one of the following within the three years preceding the application to demonstrate currency of professional knowledge and skills:
 - (a) successfully completed the educational requirement set out in section 7;
 - (b) actively practised dental hygiene, as a dental hygienist authorized by the laws of the jurisdiction where he or she is practising to practise without any restrictions, for at least 600 hours;
 - (c) successfully completed a refresher program satisfactory to the registrar.

Failure to demonstrate currency

- (2) Where an applicant fails to demonstrate currency under subsection (1), the Council may require the applicant to successfully complete a refresher program approved by the Council within the time period specified by the Council.

10. Insurance

- (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 dental hygienist, as the case may be, is required to hold or be covered by professional liability insurance under a policy that provides coverage of not less than \$1,000,000 per claim or occurrence and an aggregate limit of not less than \$3,000,000, excluding legal or court costs.

Valid certificate required

- (2) An applicant or dental hygienist shall provide or ensure the registrar is provided with the most current certificate of professional liability insurance issued by the insurer that confirms the applicant or dental hygienist is insured under a policy that meets the requirements of subsection (1).

11. Continuing competency

- (1) For the purpose of subclause 22(2)(a)(i) of the Act, an applicant shall have utilised methods or participated in programs established by the Council in accordance with section 60.1 of the Act to assess the competency of its members in practising dental hygiene, as required by the Council.

Record

- (2) A dental hygienist shall
 - (a) keep a record in a form satisfactory to the registrar of the activities that the dental hygienist undertakes for the purpose of this section; and
 - (b) provide copies of the record referred to in clause (a) on the request of and in accordance with the directions of the registrar.

12. Additional requirements

For the purpose of clause 12(2)(k), subclause 22(2)(a)(v.1) and clause 24(4)(g) of the Act, hold current certification in cardiopulmonary resuscitation and first aid.

PART 3 - DESIGNATIONS AND RESERVED ACTIVITIES

13. Designations of a member

For the purpose of subsection 89(1) of the Act, the designations of a dental hygienist include the following titles, abbreviations or initials:

- (a) dental hygienist or DH;
- (b) registered dental hygienist or RDH.

14. Reserved activities

- (1) Subject to any terms or conditions imposed on the dental hygienist's registration, a dental hygienist is authorized to perform the following reserved activities:
- (a) diagnosing gingivitis or periodontitis and communicating the diagnosis in circumstances in which it is reasonably foreseeable that it will be relied on in health care decisions;
 - (b) subject to subsection (2), performing any of the following procedures on or below the surfaces of the teeth:
 - (i) scaling,
 - (ii) dental debridement,
 - (iii) root planing;
 - (c) performing a procedure, other than a procedure referred to in clause (b), on or below the surfaces of the teeth on the order or under the supervision of a dentist;
 - (d) applying or ordering the application of electrical energy to conduct an X-ray for the purpose of dental screening, diagnosis or treatment;
 - (e) prescribing or administering the following classes of drugs:
 - (i) antimicrobial agents, other than antibiotics, and
 - (ii) anticariogenic agents;
 - (f) administering a local anesthetic drug topically.

Approval required

- (2) Where any of the following conditions or circumstances in respect of a client are reported to the dental hygienist or the dental hygienist knows they are present or occurring, the dental hygienist shall not perform scaling, dental debridement or root planing on the client except with the approval of a dentist, medical practitioner or nurse practitioner:
- (a) a cardiac condition for which antibiotic prophylaxis is recommended in the guidelines set by the American Heart Association;
 - (b) a condition, other than one referred to in clause (a), for which antibiotic prophylaxis is recommended or required;
 - (c) an unstable medical or oral health condition that may affect the appropriateness or safety of the procedure;
 - (d) a medical or oral health condition that the dental hygienist is unfamiliar with or that could affect the appropriateness, efficacy or safety of the procedure;
 - (e) drug therapy that the dental hygienist is unfamiliar with or that could affect the appropriateness, efficacy or safety of the procedure;
 - (f) drug or alcohol dependency that may affect the appropriateness or safety of the procedure;
 - (g) active chemotherapy or radiation therapy, or previous head or neck radiation;
 - (h) immunosuppression caused by disease, medications or treatment modalities;
 - (i) a blood disorder;
 - (j) active tuberculosis;
 - (k) a high risk of infective endocarditis;
 - (l) a medical history that indicates a known medical intervention requiring a dental pre-screening.

15. Application for special authorization

- (1) A dental hygienist may apply to the registrar, in the form approved by the Council, for special authorization to perform the reserved activity of administering a local anesthetic drug by injection.

Eligibility

- (2) An applicant is eligible for special authorization to perform the reserved activity referred to in subsection (1) if the applicant has successfully completed an education program on the administration of local anesthesia, approved by the Council.

Granting of special authorization

- (3) On receipt and review of an application made in accordance with subsection (1), the registrar may, if the registrar is satisfied the applicant is eligible in accordance with subsection (2),
- (a) grant the applicant special authorization to perform the reserved activity; and
 - (b) note the special authorization in the register in relation to the dental hygienist and on the dental hygienist's certificate of registration.

Referral to the Council

- (4) Where the registrar is not satisfied that the applicant is eligible in accordance with subsection (2), the registrar shall refer the application to the Council.

Review by the Council

- (5) On receipt of an application referred by the registrar, the Council shall review the application and may
- (a) direct the registrar to
 - (i) grant the applicant special authorization to perform the reserved activity, and
 - (ii) note the special authorization in the register in relation to the dental hygienist and on the dental hygienist's certificate of registration; and
 - (b) impose any terms and conditions on the special authorization that the Council considers appropriate.

Notice

- (6) Where the Council refuses to grant a special authorization, the Council shall serve on the applicant written notice of, and reasons for, the refusal.

Suspension, cancellation, expiration, renewal

- (7) A special authorization granted under this section is suspended or cancelled, or expires, on the suspension, cancellation or expiration of the dental hygienist's registration, as the case may be, and may be renewed on renewal of the dental hygienist's registration.

PART 4 - GENERAL**16. Name of corporation**

- (1) For the purpose of clause 15(1)(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 dental hygienist shall be, in the opinion of the registrar, in good taste, dignified and professional.

Change of name

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

17. Commencement

These regulations come into force on March 1, 2023.

EC2023-109

REGULATED HEALTH PROFESSIONS ACT**DENTISTS 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. Definitions

In these regulations

- (a) “**Act**” means the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, except where otherwise indicated;
- (b) “**College**” means the Prince Edward Island Dental College continued under section 3;
- (c) “**Council**” means the Council of the College;
- (d) “**dentist**” means a person who is registered in the register for dentistry;
- (e) “**dentistry**” means the health profession in which a person applies particular knowledge, skills and judgment in
 - (i) promoting dental health,
 - (ii) the assessment of the physical condition of the oral-facial complex,
 - (iii) the diagnosis, treatment and prevention of any disease, disorder or dysfunction of the oral-facial complex, and
 - (iv) conducting research, education, management or administrative activities incidental to those described in subclauses (i) to (iii);
- (f) “**refresher program**” means a refresher program in dentistry 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.

2. Designation

Dentistry is designated as a regulated health profession.

3. College continued

The Dental Association of Prince Edward Island, established under the *Dental Profession Act* R.S.P.E.I. 1988, Cap. D-6, is hereby continued as the Prince Edward Island Dental College, the college for dentistry.

4. Register

The register for dentistry is divided into the following sub-registers and parts:

- (a) general dentistry register
 - (i) general registration,
 - (ii) special registration;
- (b) specialty dentistry register
 - (i) general registration,
 - (ii) special registration.

PART 2 - GENERAL DENTISTRY REGISTER

General Registration

5. Education

- (1) For the purpose of clause 12(2)(c) of the Act, an applicant for general registration under this Part shall have successfully completed
 - (a) a degree program in general dentistry accredited by the Commission on Dental Accreditation of Canada; or
 - (b) an education program that the Council considers to be substantially equivalent to the one referred to in clause (a).

Examination

- (2) For the purpose of clause 12(2)(d) of the Act, an applicant for general registration under this Part shall have successfully completed
 - (a) the competency and clinical examinations administered by the National Dental Examining Board of Canada; 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 dentistry in the province.

Currency of knowledge and skills

- (3) 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:
 - (a) successfully completed the education requirement under subsection (1);
 - (b) actively practised dentistry 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.

Other requirements

- (4) Pursuant to clause 12(2)(k) of the Act, an applicant for general registration under this Part shall be
 - (a) certified in general dentistry by the National Dental Examining Board of Canada; and
 - (b) certified in cardiopulmonary resuscitation and first aid.

6. Renewal of general registration

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

- (a) for the purpose of subclause 22(2)(a)(i) of the Act, meet the requirements of any continuing education and competency program established by the Council pursuant to section 60 or 60.1 of the Act;
- (b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills by having done one of the following within the three years immediately preceding the application:
 - (i) successfully completed the education requirement under subsection 5(1),
 - (ii) actively practised dentistry in the province or in another jurisdiction recognized by the Council to an extent that is acceptable to the Council,
 - (iii) successfully completed a refresher program approved by the Council; and
- (c) for the purpose of clause 22(2)(k) of the Act, be certified in cardiopulmonary resuscitation and first aid.

7. Reinstatement period

- (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 of general registration

- (2) An applicant for the reinstatement of general registration under this Part shall
 - (a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills by having done one of the following within the three years immediately preceding the application:
 - (i) successfully completed the education requirement under subsection 5(1),
 - (ii) actively practised dentistry in the province or in another jurisdiction recognized by the Council to an extent that is acceptable to the Council,
 - (iii) successfully completed a refresher program approved by the Council; and
 - (b) for the purpose of clause 24(4)(g) of the Act, be certified in cardiopulmonary resuscitation and first aid.

Special Registration

8. Special registration

- (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 general dentistry register.

No renewal or reinstatement

- (2) Special registration may not be renewed under section 22 of the Act or reinstated under section 24 of the Act.

Designations and Reserved Activities

9. Designations

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

- (a) dentist;
- (b) dental surgeon;
- (c) Dr.

10. Reserved activities

- (1) Subject to subsection (2) and any terms or conditions imposed on the dentist's registration, a dentist registered under this Part is authorized to perform the following reserved activities:

- (a) diagnosing a disease, disorder or condition of the oral-facial complex and communicating that diagnosis;
- (b) performing a procedure on tissue of the oral-facial complex and associated anatomical structures below the dermis, below the surface of a mucous membrane, or in or below the surfaces of the teeth, including scaling of the teeth;
- (c) setting a fracture of a bone of the oral-facial complex or setting a dislocation of a joint of the oral-facial complex;
- (d) administering a substance by inhalation for the purpose of anaesthesia or sedation;
- (e) prescribing and administering a drug;
- (f) applying or ordering the application of electric energy or sound energy;
- (g) fitting or dispensing an oral prosthesis, or an orthodontic or periodontal appliance or a device used inside the mouth to protect teeth from abnormal functioning.

Conditions

- (2) A dentist registered under this Part shall not perform a reserved activity set out in subsection (1) unless
- (a) the activity is being performed within the practice of general dentistry;
 - (b) the dentist is competent to perform the activity; and
 - (c) the activity is appropriate in the clinical circumstances.

PART 3 - SPECIALTY DENTISTRY REGISTER

General Registration

11. Education

- (1) For the purpose of clause 12(2)(c) of the Act, an applicant for general registration under this Part shall have
- (a) successfully completed a master's degree program in a dental specialty recognized in Canada, accredited or recognized by the Commission on Dental Accreditation of Canada; or
 - (b) successfully completed both

- (i) a master's degree program in a dental specialty recognized in Canada, at a post-secondary institution authorized by the government of the country in which it is located to award such degrees, and
- (ii) a dental specialty assessment and training program recognized by the National Dental Examining Board of Canada.

Examination

- (2) For the purpose of clause 12(2)(d) of the Act, an applicant for general registration under this Part shall have successfully completed
 - (a) where the applicant completed the education requirements set out in subsection (1)(b), the Dental Specialty Core Knowledge Examination, administered by the National Dental Examining Board of Canada;
 - (b) the National Dental Specialty Examination administered by the National Dental Examining Board of Canada; and
 - (c) 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 dentistry in the province.

Currency of knowledge and skills

- (3) 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:
 - (a) successfully completed the education requirement under subsection (1);
 - (b) actively practised specialty dentistry 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.

Other requirements

- (4) Pursuant to clause 12(2)(k) of the Act, an applicant for general registration under this Part shall be
 - (a) certified in a dentistry specialty by the National Dental Examining Board of Canada; and
 - (b) certified in cardiopulmonary resuscitation and first aid.

12. Renewal of general registration

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

- (a) for the purpose of subclause 22(2)(a)(i) of the Act, meet the requirements of any continuing education and competency program established by the Council pursuant to section 60 or 60.1 of the Act;
- (b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills by having done one of the following within the three years immediately preceding the application:
 - (i) successfully completed the education requirement under subsection 11(1),
 - (ii) actively practised specialty dentistry in the province or in another jurisdiction recognized by the Council to an extent that is acceptable to the Council,
 - (iii) successfully completed a refresher program approved by the Council; and
- (c) for the purpose of clause 22(2)(k) of the Act, be certified in cardiopulmonary resuscitation and first aid.

13. Reinstatement period

- (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 of general registration

- (2) An applicant for the reinstatement of general registration under this Part shall

- (a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills by having done one of the following within the three years immediately preceding the application:
 - (i) successfully completed the education requirement under subsection 11(1),
 - (ii) actively practised specialty dentistry in the province or in another jurisdiction recognized by the Council to an extent that is acceptable to the Council,
 - (iii) successfully completed a refresher program approved by the Council; and
- (b) for the purpose of clause 24(4)(g) of the Act, be certified in cardiopulmonary resuscitation and first aid.

Special Registration

14. Special registration

- (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 specialty dentistry register.

No renewal or reinstatement

- (2) Special registration may not be renewed under section 22 of the Act or reinstated under section 24 of the Act.

Designations and Reserved Activities

15. Designations

For the purpose of subsection 89(1) of the Act, the designations of a dentist registered under this Part include

- (a) the following titles, abbreviations and initials:
 - (i) dentist,
 - (ii) dental surgeon,
 - (iii) Dr.; and
- (b) any title, abbreviation or initials commonly utilized in respect of the specialty in which the dentist is certified.

16. Reserved activities

- (1) Subject to subsection (2) and any terms or conditions imposed on the dentist's registration, a dentist registered under this Part is authorized to perform the following reserved activities:
 - (a) diagnosing a disease, disorder or condition of the oral-facial complex and communicating that diagnosis;
 - (b) performing a procedure on tissue of the oral-facial complex and associated anatomical structures below the dermis, below the surface of a mucous membrane, or in or below the surfaces of the teeth, including scaling of the teeth;
 - (c) setting a fracture of a bone of the oral-facial complex or setting a dislocation of a joint of the oral-facial complex;
 - (d) administering a substance by inhalation for the purpose of anaesthesia or sedation;
 - (e) prescribing and administering a drug;
 - (f) applying or ordering the application of electric energy or sound energy;
 - (g) fitting or dispensing an oral prosthesis, or an orthodontic or periodontal appliance or a device used inside the mouth to protect teeth from abnormal functioning.

Conditions

- (2) A dentist registered under this Part shall not perform a reserved activity set out in subsection (1) unless
 - (a) the activity is being performed within the practice of general dentistry or the specialty in which the dentist is certified;

- (b) the dentist is competent to perform the activity; and
- (c) the activity is appropriate in the clinical circumstances.

PART 4 - GENERAL

17. Minimum insurance requirements

- (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
 - (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 \$5,000,000 per claim or occurrence and an aggregate limit of not less than \$5,000,000; and
 - (d) extends to professional liability for any professional service the applicant will be providing or the member provides in practising dentistry.

Confirmation required

- (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).

18. Name of corporation

- (1) For the purpose of clause 15(1)(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 dentist shall be, in the opinion of the registrar, in good taste, dignified and professional.

Change of name

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

19. Commencement

These regulations come into force on March 1, 2023.