

EC2023-424

EXECUTIVE COUNCIL ACT
 MINISTER OF ECONOMIC GROWTH, TOURISM AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (SECOND PROTOCOL OF AMENDMENT
 TO THE CANADIAN FREE TRADE AGREEMENT)
 WITH THE
 GOVERNMENTS OF CANADA, THE OTHER PROVINCES
 AND THE TERRITORIES

Pursuant to clauses 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Economic Development, Innovation and Trade to enter into an amended agreement with the Governments of Canada, the other Provinces and the Territories, as represented by their respective Ministers Responsible for Trade, to add provisions for the sale and distribution of cannabis in Canada and to provide further clarification regarding government procurement and energy transmission services, such as more particularly described in the draft agreement.

EC2023-425

INTREPRETATION ACT
 ISLAND REGULATORY AND APPEALS COMMISSION ACT
 APPOINTMENT
 (TO RESCIND)

Having under consideration Order-in-Council EC2019-848 dated December 17, 2019 and the resignation of Erin T. Mitchell as a full-time commissioner of the Island Regulatory and Appeals Commission effective May 23, 2023, pursuant to subsection 10(1) of the *Interpretation Act* R.S.P.E.I. 1988, Cap. I-8.1, Council rescinded the appointment of Ms. Mitchell as a full-time commissioner of the Island Regulatory and Appeals Commission, effective May 23, 2023.

EC2023-426

ISLAND INVESTMENT DEVELOPMENT ACT
 FINANCIAL ASSISTANCE REGULATIONS
 PAN AMERICAN PROPERTIES INC.
 AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to renew a five-year term loan in the amount of five hundred seventy-one thousand, six hundred sixty-nine (\$571,669.00) dollars at a rate of five decimal four four (5.44%) percent to Pan American Properties for the renewal of a term loan, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2023-427

PROVINCIAL COURT ACT
AND
MARRIAGE ACT
AND
VICTIMS OF FAMILY VIOLENCE ACT
JUSTICE OF THE PEACE
APPOINTMENT

Under authority of section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council appointed Erin T. Mitchell of Mermaid, Prince Edward Island, as Justice of the Peace in and for the Province of Prince Edward Island for a term of May 23, 2023 to August 1, 2023.

Further and under authority of subsection 14(1.2) of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25, Council designated Ms. Mitchell as a Justice of the Peace who may perform marriage ceremonies under the *Marriage Act* R.S.P.E.I. 1988, Cap. M-3.

Further and under authority of section 14 of the *Victims of Family Violence Act* R.S.P.E.I. 1988, Cap. V-3.2, Council designated Ms. Mitchell as a Justice of the Peace who may hear and determine emergency protection applications.

EC2023-428

**REGULATED HEALTH PROFESSIONS ACT
PHYSICIAN ASSISTANTS 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;
- (b) “**College**” means the College of Physicians and Surgeons of Prince Edward Island, continued under the *Regulated Health Professions Act* Medical Practitioner Regulations (EC843/21);
- (c) “**Council**” means the Council of the College;
- (d) “**physician assistant**” means a person who is registered in the register for physician assisting;
- (e) “**physician assisting**” means the health profession in which a person applies particular knowledge, skills and judgment in
 - (i) the promotion, maintenance and restoration of health,
 - (ii) the prevention, treatment and palliation of illness and injury, primarily by
 - (A) assessing health status,
 - (B) planning, implementing and evaluating interventions, and
 - (C) coordinating health services, and
 - (iii) conducting research, education, management or administrative activities incidental to those described in subclauses (i) and (ii);

- (f) **“refresher program”** means a refresher program in physician assisting 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

Physician assisting is designated as a regulated health profession.

3. College

The College of Physicians and Surgeons of Prince Edward Island is the college for physician assisting.

PART 2 – REGISTRATION

Register

4. Register

The register for physician assisting is divided into the following parts:

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

5. General registration

- (1) The registrar shall register an applicant in the general registration part of the register 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 former member may apply for reinstatement of general registration within three years after a lapse in the registration.

6. Provisional registration

- (1) Where an applicant for general registration has not successfully completed an examination set out in section 9, the Council may direct the registrar to register the applicant in the provisional registration part of the register, subject to the term or condition that the applicant successfully completes an examination set out in section 9 within a specified time period.

Satisfaction of term or condition

- (2) Where a physician assistant with provisional registration satisfies the term or condition imposed under subsection (1), the registrar shall register the physician assistant in the general registration part of the register.

Subject to direct supervision

- (3) A physician assistant with provisional registration shall be directly supervised in practising physician assisting by a medical practitioner referred to in clause 13(1)(a).

No reinstatement

- (4) Provisional registration may not be reinstated.

7. 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 of the register.

No renewal or reinstatement

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

Prescribed Requirements**8. Education**

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

- (a) a post-secondary program in physician assisting recognized by the Physician Assistant Certification Council of Canada or accredited by the Accreditation Review Commission on Education for the Physician Assistant in the United States of America; or
- (b) an education program that the Council considers to be substantially equivalent to one referred to in clause (a).

9. Examination

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

- (a) the Physician Assistant Certification Examination administered by the Physician Assistant Certification Council of Canada;
- (b) the Physician Assistant National Certifying Examination® (PANCE) administered by the National Commission on Certification of Physician Assistants in the United States of America; or
- (c) an examination the Council considers to be substantially equivalent to one referred to in clause (a) or (b).

10. Currency of knowledge and skills

For the purpose of clauses 12(2)(f), subclause 22(2)(a)(ii) and clause 24(4)(c) of the Act, to demonstrate currency of professional knowledge and skills, an applicant shall have done one of the following within the three years immediately preceding the application:

- (a) successfully completed the education requirement under section 8;
- (b) actively practised physician assisting 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.

11. Insurance

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 physician assistant, as the case may be, shall hold or be covered by professional liability insurance under a policy that provides coverage of not less than \$10,000,000 per claim or occurrence and an aggregate limit of not less than \$10,000,000, excluding legal or court costs.

12. Other requirements

- (1) For the purpose of clause 12(2)(k), subclause 22(2)(a)(v.1) and clause 24(4)(g) of the Act, an applicant shall have
- (a) entered into an agreement with a medical practitioner or medical practitioners, approved by the Council, to oversee and supervise the applicant's practise; and
- (b) submitted a practice description, approved by the Council, describing the duties of and services to be provided by the applicant.

Term and condition

- (2) It is a term and condition of a physician assistant's registration that the agreement and practice description shall be maintained and amended when changes occur.

Qualifications of supervisor

- (3) For the purpose of clause (1)(a), a medical practitioner may be approved to oversee and supervise a physician assistant's practise if the medical practitioner
- (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 area or discipline in which the physician assistant will be assisting;
 - (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 has been, in this or another jurisdiction,
 - (i) the subject of a finding of professional misconduct or incompetence,
 - (ii) the subject of a judgment in negligence, or
 - (iii) found guilty of an offence.

PART 3 - DESIGNATIONS AND RESERVED ACTIVITIES**13. Designations**

For the purpose of subsection 89(1) of the Act, the designations of a physician assistant include "physician assistant" or "PA".

14. Reserved activities

- (1) Subject to subsections (2) and (3) and any terms or conditions on the registration, a physician assistant is authorized to perform the following reserved activities:
- (a) performing a procedure on tissue below the dermis, below the surface of a mucous membrane or on the surface of the cornea;
 - (b) setting or casting a fracture of a bone or a dislocation of a joint;
 - (c) administering a substance by injection, transfusion, inhalation, mechanical ventilation, irrigation or enteral or parenteral instillation;
 - (d) administering a drug or vaccine by any means;
 - (e) putting an instrument, hand or finger
 - (i) beyond the external ear canal,
 - (ii) beyond the point in the nasal passages where they normally narrow,
 - (iii) beyond the larynx,
 - (iv) beyond the opening of the urethra,
 - (v) beyond the labia majora,
 - (vi) beyond the anal verge, or
 - (vii) into an artificial opening into the body;
 - (f) applying sound energy or electrical energy, other than ionizing radiation;
 - (g) performing allergy challenge testing by any method.

Order or protocol

- (2) A physician assistant shall not perform a reserved activity referred to in subsection (1) unless it is performed pursuant to
- (a) an order made by
 - (i) a person authorized to practise as a medical practitioner or a nurse practitioner under the laws of this province or another province or territory, or
 - (ii) a person authorized to practise as a dentist under the laws of this province; or
 - (b) a Health PEI protocol.

Other conditions

- (3) A physician assistant shall not perform a reserved activity referred to in subsection (1) unless
- (a) the physician assistant is competent to perform the reserved activity; and

- (b) it is appropriate in the clinical circumstances.

PART 4 - GENERAL

15. 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 physician assistant 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).

16. Commencement

These regulations come into force on June 17, 2023.

EC2023-429

FINANCIAL ADMINISTRATION ACT AUTHORIZATION FOR TEMPORARY BORROWING

Pursuant to section 46 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the Minister of Finance to enter into a Committed Line of Credit not to exceed one hundred million dollars (\$100,000,000.00) for a term no greater than 90 days from the Canadian Imperial Bank of Commerce, Charlottetown, for the period June 1, 2023 through June 1, 2026.