



DECISION-MAKING STANDARDS FOR NURSES IN THE SUPERVISION OF HCAS

BILL 46 UPDATES TO LEGISLATION REFERENCE TABLE

This document was developed collaboratively by the College of Licensed Practical Nurses of Alberta (CLPNA), the College of Registered Psychiatric Nurses of Alberta (CRPNA), and the College of Registered Nurses of Alberta (CRNA). Members of these regulatory bodies should contact their respective organizations if they have any questions about this document or wish to seek practice guidance about this topic.

INTRODUCTION

On March 31, 2023, various provisions of *Health Statutes Amendment Act, 2020 (No. 2)* (commonly called “Bill 46”) and regulation made under it will come into force. As a consequence, many of the cross-references to legislation in the standards of practice *Decision-Making Standards for Nurses in the Supervision of Health Care Aides* will no longer be correct.

You may consult the table below for the cross-references made in the standards and what legislation those cross-references will refer to from March 31, 2023.

Further below is an excerpt from the amended *Health Professions Act* that is the legislation that replaces the legislation currently excerpted in Appendix A to the standards.

Updated Cross-References to Acts and Regulations

Current Cross-Reference	Pages	New Cross-Reference
“authorized under their professional regulation”	2, 4	authorized under the <i>Health Professions Restricted Activities Regulation, AR 2023/22</i>
“Government Organization Act”; “GOA”; “Schedule 7.1 of the Government Organization Act”; “Government Organization Act, Schedule 7.1”	1, 2, 3, 11, 15	<i>Health Professions Act, Part 0.1</i>
“GOA, Schedule 7.1, Section 1(a)”; “Health Services Restricted Activities, Definitions, Section 1”	3, 15	<i>Health Professions Act, s 1.2(a)</i>
“GOA, Schedule 7.1, Section 2(1)”; “Health Services Restricted Activities, Definitions, Section 2(1)”	3, 15, 17	<i>Health Professions Act, s 1.3(1)</i>
“GOA, Schedule 7.1, Section 2(2)”	3, 17	<i>Health Professions Act, s 1.3(2)</i>

Part 0.1 – Health Services Restricted Activities

Definitions

1.2 In this Part,

- (a) “activity of daily living” means an activity that individuals normally perform on their own behalf to maintain their health and well being, and includes
 - (i) routine and invasive self care activities, including but not restricted to the removal of slivers and the cleaning of wounds, and
 - (ii) specifically taught procedures, which generally result in predictable and stable responses, including but not restricted to catheterization, maintenance of drainage tubes and administration of drugs by injection;
- (b) “administration of a drug” means the supplying of a dose of a drug to a person for the purpose of immediate ingestion, application, inhalation, insertion, instillation or injection;
- (c) “compound” means to mix together 2 or more ingredients of which at least one is a drug for the purposes of dispensing a drug or drugs, but does not include reconstituting a drug or drugs with only water;
- (d) “dispense” means
 - (i) with respect to drugs, to provide a drug pursuant to a prescription for a person, but does not include the administration of a drug to a person, and
 - (ii) with respect to corrective lenses, to verify corrective lenses objectively to the prescription;
- (e) “drug” means drug as defined in the *Pharmacy and Drug Act*;
- (f) “restricted activity” means an activity named as a restricted activity in section 1.3;
- (g) “sell” includes
 - (i) distribute, trade or barter for money or other valuable consideration,
 - (ii) distributing and giving away without expectation or hope of compensation or reward,
 - (iii) keeping for sale, and
 - (iv) offering for sale;
- (h) “surrogate” means a person authorized by an individual or by the individual’s guardian, if the guardian is authorized to give such authorization, to assist the individual in carrying on an activity of daily living.

Restricted activities

1.3(1) The following, carried out in relation to or as part of providing a health service, are restricted activities:

- (a) to cut a body tissue, to administer anything by an invasive procedure on body tissue or to perform surgical or other invasive procedures on body tissue
 - (i) below the dermis or the mucous membrane or in or below the surface of the cornea, or
 - (ii) in or below the surface of teeth, including scaling of teeth;
- (b) to insert or remove instruments, devices, fingers or hands
 - (i) beyond the cartilaginous portion of the ear canal,
 - (ii) beyond the point in the nasal passages where they normally narrow,

- (iii) beyond the pharynx,
 - (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;
- (c) to insert into the ear canal
 - (i) under pressure, liquid, air or gas, or
 - (ii) a substance that subsequently solidifies;
 - (d) to set or reset a fracture of a bone;
 - (e) to reduce a dislocation of a joint except for a partial dislocation of the joints of the fingers and toes;
 - (f) to use a deliberate, brief, fast thrust to move the joints of the spine beyond the normal range but within the anatomical range of motion, which generally results in an audible click or pop;
 - (g) to prescribe a Schedule 1 drug within the meaning of the *Pharmacy and Drug Act*;
 - (h) to dispense, compound, provide for selling or sell a Schedule 1 drug or Schedule 2 drug within the meaning of the *Pharmacy and Drug Act*;
 - (i) to administer a vaccine or parenteral nutrition;
 - (j) to prescribe, compound or administer blood or blood products;
 - (k) to prescribe or administer diagnostic imaging contrast agents;
 - (l) to prescribe or administer anesthetic gases, including nitrous oxide, for the purposes of anesthesia or sedation;
 - (m) to prescribe or administer radiopharmaceuticals, radiolabelled substances, radioactive gases or radioaerosols;
 - (n) to order or apply any form of ionizing radiation in
 - (i) medical radiography,
 - (ii) nuclear medicine, or
 - (iii) radiation therapy;
 - (o) to order or apply non-ionizing radiation in
 - (i) lithotripsy,
 - (ii) magnetic resonance imaging, or
 - (iii) ultrasound imaging, including any application of ultrasound to a fetus;
 - (p) to prescribe or fit
 - (i) an orthodontic or periodontal appliance,
 - (ii) a fixed or removable partial or complete denture, or
 - (iii) an implant-supported prosthesis;
 - (q) to perform a psychosocial intervention with an expectation of treating a substantial disorder of thought, mood, perception, orientation or memory that grossly impairs

- (i) judgment,
- (ii) behaviour,
- (iii) capacity to recognize reality, or
- (iv) ability to meet the ordinary demands of life;

(r) to manage labour or deliver a baby;

(s) to prescribe or dispense corrective lenses.

(2) Despite subsection (1), the following are not restricted activities:

- (a) activities of daily living, whether performed by the individual or by a surrogate on the individual's behalf;
- (b) giving information and providing advice with the intent of enhancing personal development, providing emotional support or promoting spiritual growth of individuals, couples, families and groups;
- (c) drawing venous blood.