

2009 Bill 46

Second Session, 27th Legislature, 58 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 46

GUNSHOT AND STAB WOUND MANDATORY DISCLOSURE ACT

MR. QUEST

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 46
Mr. Quest

BILL 46

2009

GUNSHOT AND STAB WOUND MANDATORY DISCLOSURE ACT

(Assented to , 2009)

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HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

- (a) “emergency medical technician” means a person who is regulated under the *Emergency Medical Technicians Regulation* (AR 48/93);
- (b) “health care facility” means a facility that provides health care services;
- (c) “stab wound” means a wound caused by a knife or other sharp or pointed instrument.

Application

2 This Act does not apply to

- (a) a stab wound that is reasonably believed by a health care facility or emergency medical technician to be self-inflicted or unintentionally inflicted,
- (b) a gunshot or stab wound that is exempted in the regulations, or
- (c) a health care facility or emergency medical technician who is exempted in the regulations.

Mandatory disclosure

3(1) A health care facility or emergency medical technician who treats a gunshot or stab wound shall disclose the following information to the local police service:

- (a) the injured person's name, if known;
- (b) whether the injury was a gunshot or stab wound;
- (c) in the case of a health care facility, the name and location of the health care facility;
- (d) in the case of an emergency medical technician, the location attended to treat the injured person;
- (e) any other information that may be required by the regulations.

(2) An injured person is considered to have been treated when treatment is offered.

(3) The disclosure must

- (a) subject to the regulations, be made orally, and
- (b) be made as soon as it is reasonably practicable to do so without
 - (i) interfering with the injured person's treatment, or
 - (ii) disrupting the regular activities of the health care facility or the emergency medical technician.

(4) Subsection (1) does not apply to an emergency medical technician who delivers the injured person to a health care facility.

(5) A health care facility shall ensure that a person is responsible at all times to make disclosure on behalf of the health care facility to the local police service.

Liability

4 No action or proceeding may be brought against a person in respect of anything done or omitted to be done in good faith under this Act.

Regulations

5 The Lieutenant Governor in Council may make regulations

- (a) respecting information required to be disclosed under section 3(1)(e);
- (b) requiring a further or different manner of disclosure than that provided for in section 3(3)(a);
- (c) exempting a gunshot or stab wound or a health care facility or emergency medical technician from the application of this Act, including providing for classes and the circumstances and conditions under which the exemption is effective;
- (d) defining for the purposes of this Act any term used but not defined in this Act;
- (e) respecting any matter that the Lieutenant Governor in Council considers necessary or advisable to carry out the intent of this Act.

Coming into force

6 This Act comes into force on Proclamation.

