

EC2021-244

FINANCIAL ADMINISTRATION ACT
 AUTHORITY TO CANCEL AND DISCLOSE
 CERTAIN DEBT
 STUDENT FINANCIAL ASSISTANCE CORPORATION

Pursuant to subsection 26(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized cancellation of debt from seventy-seven (77) accounts owing to Student Financial Assistance Corporation in the total amount of \$614,188.00, as at March 31, 2021.

Further, pursuant to subsection 26.2(3)(b) of the said *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9 Council disclosed the following authorized cancellations:

SCHEDULE
 (CANCELLATIONS)

Borrower	Address	Total Debt, Including Interest
77 Student Loans	Exempt per S.26.2(3)(b)	\$614,188.00
Total		\$614,188.00

EC2021-245

ISLAND INVESTMENT DEVELOPMENT ACT
 FINANCIAL ASSISTANCE REGULATIONS
 ARSENAULT BROS. HOLDINGS 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 provide a 10-year term loan in the amount of one million, two hundred thirty-seven thousand, eight hundred twenty-one (\$1,237,821.00) dollars at a rate of four (4%) percent to Arsenault Bros. Holdings Inc. for the purchase of capital assets, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2021-246

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
101435 P.E.I. 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 101435 P.E.I. Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately thirteen decimal two (13.2) acres of land at St. Peters, Lot 41, Kings County, Province of Prince Edward Island, being acquired from The Inn at St. Peters Inc. of St. Peters Bay, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said 101435 P.E.I. Inc. and on all successors in title.

EC2021-247

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
COUNTRY ROAD CONSTRUCTION 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 Country Road Construction Inc. of Mount Stewart, Prince Edward Island to acquire a land holding of approximately three decimal six three (3.63) acres of land at West St. Peters, Lot 39, Kings County, Province of Prince Edward Island, being acquired from 100283 P.E.I. Inc. of Riverview, New Brunswick.

EC2021-248

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
COUNTRY ROAD CONSTRUCTION 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 Country Road Construction Inc. of Mount Stewart, Prince Edward Island to acquire a land holding of approximately nine decimal six eight (9.68) acres of land at West St. Peters, Lot 39, Kings County, Province of Prince Edward Island, being acquired from Shelley Basterache of Riverview, New Brunswick.

EC2021-249

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
D & S CATTLE CO. 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 D & S Cattle Co. Inc. of Breadalbane, Prince Edward Island to acquire a land holding of approximately thirty-three (33) acres of land at Rock Barra, Lot 46, Kings County, Province of Prince Edward Island, being acquired from the Province of Prince Edward Island, as represented by the Minister of Finance.

Further, Council noted that upon transfer to D & S Cattle Co. Inc., the said land, being Provincial Property #550194, will be identified for non-development use pursuant to section 21 of the said Act.

EC2021-250

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JBM EARTHWORKS 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 JBM Earthworks Ltd. of Tyne Valley, Prince Edward Island to acquire a land holding of approximately zero decimal eight seven (0.87) acres of land at Ellerslie-Bideford, Lot 12, Prince County, Province of Prince Edward Island, being acquired from Roger Palmer and Charlene Palmer both of East Bideford, Prince Edward Island.

EC2021-251

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JASPER WYMAN & SON CANADA 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 Jasper Wyman & Son Canada Inc. of Canavoy, Prince Edward Island to acquire, by share acquisition, an interest in a land holding of approximately three hundred seventy-two decimal four six (372.46) acres of land at West St. Peters, Lot 39, Kings County, Province of Prince Edward Island, being acquired from Kathleen MacNearney of Brudenell, 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. THIS PERMISSION IS GRANTED ON THE CONDITION THAT Jasper Wyman & Son Canada Inc. divest of land holdings totaling not less than nine decimal three eight (9.38) acres (the "Divestiture"); AND FURTHER ON THE CONDITION THAT the acquisition of lands approved hereunder does not occur until after the Divestiture.

EC2021-252

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KOUWENBERG FARM 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 Kouwenberg Farm Inc. of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately three (3) acres of land at Vernon Bridge, Lot 50, Queens County, Province of Prince Edward Island, being acquired from Hans Kouwenberg, Kees Kouwenberg and Theo Kouwenberg all of Vernon Bridge, Prince Edward Island.

EC2021-253

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HANS, KEES, AND THEO KOUWENBERG, DOING BUSINESS AS
KOUWENBERG FARMS PARTNERSHIP
(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 Hans, Kees, and Theo Kouwenberg, doing business as Kouwenberg Farms Partnership of Vernon Bridge, Prince Edward Island to acquire a land holding of approximately fifty-six (56) acres of land at Vernon Bridge, Lot 50, Queens County, Province of Prince Edward Island, being acquired from Furness Farms Inc. of Vernon River, 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.

EC2021-254

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PURE PORK FARMS LIMITED
(TO RESCIND)

Council, having under consideration Order-in-Council EC2019-605 of September 3, 2019, rescinded the said Order forthwith, thus rescinding permission for Pure Pork Farms Limited of Mount Albion, Prince Edward Island to acquire a land holding of approximately two hundred and eight decimal eight two (208.82) acres of land at Johnstons River, Lots 35 and 48, Queens County, Province of Prince Edward Island, being acquired from Adrian Francis Beagan of Johnstons River, 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.

EC2021-255

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PURE PORK FARMS LIMITED
(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 Pure Pork Farms Limited of Mount Albion, Prince Edward Island to acquire a land holding of approximately two hundred and six decimal three two (206.32) acres of land at Johnstons River, Lots 35 and 48, Queens County, Province of Prince Edward Island, being acquired from Adrian Francis Beagan of Johnstons River, 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.

EC2021-256

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SUNSET DUNES PEI HOMEOWNERS ASSOCIATION 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 Sunset Dunes PEI Homeowners Association Inc. of Borden-Carleton, Prince Edward Island to acquire a land holding of approximately seventy-six (76) acres of land at Cape Traverse, Lot 28, Prince County, Province of Prince Edward Island, being acquired from Sunset Dunes at Bell's Point Inc. of Charlottetown, Prince Edward Island.

EC2021-257

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TANGIBLE 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 Tangible Capital Inc. of Mount Albion, Prince Edward Island to acquire a land holding of approximately zero decimal five five (0.55) acres of land at Oyster Bed Bridge, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Jetty VanNieuwenhuyzen of Winsloe, Prince Edward Island.

EC2021-258

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TOTAL PROPERTY DEVELOPMENT 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 Total Property Development Inc. of Tyne Valley, Prince Edward Island to acquire a land holding of approximately thirty-one decimal two six (31.26) acres of land at Enmore, Lot 10, Prince County, Province of Prince Edward Island, being acquired from the Province of Prince Edward Island, as represented by the Minister of Finance.

Further, Council noted that upon transfer to Total Property Development Inc., the said land, being Provincial Property #481598, will be identified for non-development use pursuant to section 21 of the said Act.

EC2021-259

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WSH CYMBRIA HOLDINGS 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 WSH Cymbria Holdings Inc. of Charlottetown, Prince Edward Island to acquire, by share acquisition, an interest in a land holding of approximately thirty-one (31) acres of land at Cymbria, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Trent Howlett of Hunter River, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said WSH Cymbria Holdings Inc. and on all successors in title.

EC2021-260

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WALSH FARMS LIMITED
(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 Walsh Farms Limited of Georgetown, Prince Edward Island to acquire a land holding of approximately ten (10) acres of land at Georgetown, Kings County, Province of Prince Edward Island, being acquired from Randy MacKinnon and Paulette Soloman both 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.

EC2021-261

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
FARMBOYS INC.
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Farmboys Inc. of Richmond, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one hundred thirty (130) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Farmboys Inc. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2021-262

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAULA C. ANTHONY AND LESTER K. BEREZOWSKI
(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 Paula C. Anthony and Lester K. Berezowski, both of Canmore, Alberta to acquire a land holding of approximately five decimal one nine (5.19) acres of land at Beach Point, Lot 64, Kings County, Province of Prince Edward Island, being acquired from Rebecca MacPhee and Brian MacPhee both of Shubenacadie, Nova Scotia 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.

EC2021-263

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ELIZABETH DOUDOUMOPOULOS, NICHOLAS DOUDOUMOPOULOS,
SARAH BEECHLER, ELIZABETH LANE, THOMAS WILKINSON AND
JOHN WILKINSON
(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 Elizabeth Doudoumopoulos of Chevy Chase, Maryland; Nicholas Doudoumopoulos of Garret Park, Maryland; Sarah Beechler of Pittsburgh, Pennsylvania, Elizabeth Lane of Steuben Maine; Thomas Wilkinson of Hudson, Massachusetts; and John Wilkinson of Cape Neddick, Maine to acquire a land holding of approximately three hundred seventy-two decimal four six (372.46) acres of land at West St. Peters, Lot 39, Kings County, Province of Prince Edward Island, being acquired from Kathleen MacNearney of Brudenell, Prince Edward Island.

EC2021-264

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KIRSTEN J. HARKER
(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 Kirsten J. Harker of Pickering, Ontario to acquire a land holding of approximately six (6) acres of land at Savage Harbour, Lot 37, Queens County, Province of Prince Edward Island, being acquired from Rhonda Talbot and Shawn Talbot, both of Calgary, Alberta 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.

EC2021-265

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JASON HUNKE AND CHRISTINA HUNKE
(DENIAL)

Council, having under consideration an application (#N6115) 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 Jason Hunke and Christina Hunke both of Ayr, Ontario to acquire a land holding of approximately twenty (20) acres of land at Goose River, in Lot 42, Kings County, currently owned by Gladys King and the Estate of Wilfred King, both of Goose River, Prince Edward Island.

EC2021-266

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JASON HUNKE AND CHRISTINA HUNKE
(DENIAL)

Council, having under consideration an application (#N6116) 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 Jason Hunke and Christina Hunke both of Ayr, Ontario to acquire a land holding of approximately fifty (50) acres of land at Goose River, in Lot 42, Kings County, currently owned by the Estate of Wilfred King, of Goose River, Prince Edward Island.

EC2021-267

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RONALD DARRIN JAMIESON AND HEATHER KING
(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 Ronald Darrin Jamieson and Heather King both of High River, Alberta to acquire a land holding of approximately twenty-five (25) acres of land at Point Prim, Lot 57, Queens County, Province of Prince Edward Island, being acquired from Adel El-Mowafi of Hafrsjord, Norway 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.

EC2021-268

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BETHANY MACDONALD AND PARRY MACDONALD
(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 Bethany MacDonald and Parry MacDonald both of Salt Springs, Nova Scotia to acquire a land holding of approximately fourteen decimal three (14.3) acres of land at North Lake, Lot 47, Kings County, Province of Prince Edward Island, being acquired from Murray Bilz of Thornhill, Ontario.

EC2021-269

**POLICE ACT
GENERAL REGULATIONS
AMENDMENT**

Pursuant to section 58 of the *Police Act* R.S.P.E.I. 1988, Cap. P-11.1, Council made the following regulations:

1. Subsection 7(1) of the *Police Act* General Regulations (EC141/10) is amended

(a) in clause (a), by the deletion of the words “subsection 8(1)” and the substitution of the words “ clauses 8(1)(a) to (e) and (f) to (h)”; and

(b) by the addition of the following after clause (a):

(a.1) have the security clearance required by the Minister;

2. Subsection 8(1) of the regulations is amended by the addition of the following after clause (e):

(e.1) have the security clearance required by the chief officer of the police department;

3. Section 8.1 of the regulations is amended by the addition of the following after clause (d):

(d.1) have the security clearance required by the Minister;

4. Section 9 of the regulations is amended

(a) in clause (a), by the deletion of the words “subsection 8(1); and” and the substitution of the words “clauses 8(1)(a) to (e) and (f) to (h);”; and

(b) by the addition of the following after clause (a):

(a.1) have the security clearance required by the Minister; and

5. Section 11 of the regulations is amended

(a) in clause (a), by the deletion of the words “subsection 8(1); and” and the substitution of the words “clauses 8(1)(a) to (e) and (f) to (h);”; and

(b) by the addition of the following after clause (a):

(a.1) have the security clearance required by the Minister; and

6. Section 12 of the regulations is revoked and the following substituted:

12. A person shall, in order to qualify for appointment under section 48 of the Act as an instructing officer, Instructing officer

(a) have all the qualifications set out in clauses 8(1)(a) to (e) and (f) to (h); and

(b) have the security clearance required by the Director of the Atlantic Police Academy.

7. Section 13 of the regulations is revoked and the following substituted:

13. A person shall, in order to qualify for appointment under section 50 of the Act as a police cadet, Police cadets

(a) have all the qualifications set out in clauses 8(1)(a), (b), (e) and (f) to (h); and

(b) have the security clearance required by the Director of the Atlantic Police Academy.

8. Section 14 of the regulations is revoked and the following substituted:

14. A person shall, in order to qualify for appointment under section 51 of the Act as a civilian instructor, Civilian instructor

(a) have all of the qualifications set out in clauses 8(1)(a), (b), (e) and (f) to (h); and

(b) have the security clearance required by the Director of the Atlantic Police Academy.

9. These regulations come into force on April 17, 2021.

EXPLANATORY NOTES

SECTION 1 amends subsection 7(1) of the regulations to specify which clauses of subsection 8(1) apply to the applicant for the appointment under that subsection, and to add a new requirement for the specified security clearance.

SECTION 2 amends subsection 8(1) of the regulations to add a new requirement that the applicant under that subsection have the specified security clearance.

SECTION 3 amends section 8.1 of the regulations to add a new requirement that the applicant under that subsection have the specified security clearance.

SECTION 4 amends section 9 of the regulations to specify which clauses of subsection 8(1) apply to the applicant for the appointment under that subsection, and to add a new requirement for the specified security clearance.

SECTION 5 amends section 11 of the regulations to specify which clauses of subsection 8(1) apply to the applicant for the appointment

under that subsection, and to add a new requirement for the specified security clearance.

SECTION 6 revokes section 12 of the regulations and substitutes a new section 12 that sets out the requirements that apply to an applicant for an appointment as an instructing officer.

SECTION 7 revokes section 13 of the regulations and substitutes a new section 13 that sets out the requirements that apply to an applicant for an appointment as a police cadet.

SECTION 8 revokes section 14 of the regulations and substitutes a new section 14 that sets out the requirements that apply to an applicant for an appointment as a civilian instructor.

SECTION 9 provides for the commencement of these regulations.

EC2021-270

PROVINCIAL COURT 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 Sarah Marie Drummond of Summerside, in Prince County, Prince Edward Island, as Justice of the Peace in and for the Province of Prince Edward Island for a term of five (5) years, effective April 6, 2021.

Further, Council ordered that should Sarah Marie Drummond cease to be employed by the Province of Prince Edward Island in her present capacity in the Department of Justice and Public Safety, her appointment as Justice of the Peace shall terminate coincident with the date the employment terminates.

EC2021-271

PUBLIC HEALTH ACT CONTINUATION OF DECLARATION STATE OF PUBLIC HEALTH EMERGENCY

WHEREAS a state of public health emergency was declared in Prince Edward Island on March 16, 2020, pursuant to Order-in-Council EC2020-174; and continued on April 15, 2020 by Order-in-Council EC2020-254; on May 15, 2020 by Order-in-Council EC2020-305; and on June 15, 2020 by Order-in-Council EC2020-350; on July 15, 2020 by Order-in-Council EC2020-435; on August 14, 2020 by Order-in-Council EC2020-488; on September 13, 2020 by Order-in-Council EC2020-542; on October 13, 2020 by Order-in-Council EC2020-603; on November 12, 2020 by Order-in-Council EC2020-649; on December 12, 2020 by Order-in-Council EC2020-724; on January 11, 2021 by Order-in-Council EC2021-1; on February 10, 2021 by Order-in-Council EC2021-71; and on March 12, 2021 by Order-in-Council EC2021-138;

WHEREAS Council has determined, on the advice of the Chief Public Health Officer, that a public health emergency continues to exist as a result of COVID-19 (coronavirus);

AND WHEREAS continued coordination of action or special measures are required in order to protect the public health of the population;

THEREFORE, Council continues Order-in-Council EC2020-174 pursuant to subsection 49(5) of the *Public Health Act*, R.S.P.E.I. Cap. P-30.1 effective April 11, 2021 for a period of thirty (30) days, unless it is sooner terminated or continued by Council.

EC2021-272

REGULATED HEALTH PROFESSIONS ACT ALLIED HEALTH PROFESSIONALS REGULATIONS

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

PART 1 – INTERPRETATION AND ADMINISTRATION

- | 1. In these regulations | Definitions |
|--|---------------------------------|
| (a) “Act” means the <i>Regulated Health Professions Act</i> R.S.P.E.I. 1988, Cap. R-10.1; | Act |
| (b) “College” means the College of Allied Health Professionals of Prince Edward Island established under section 3; | College |
| (c) “community hospital” means a hospital that is designated as a community hospital under the <i>Hospitals Act</i> R.S.P.E.I. 1988, Cap. H-10.1; | community hospital |
| (d) “Council” means the Council of the College; | Council |
| (e) “discipline” means a discipline of medical radiation technology, namely, <ul style="list-style-type: none"> (i) magnetic resonance imaging, (ii) nuclear medicine, (iii) radiography, or (iv) radiation therapy; | discipline |
| (f) “medical laboratory technologist” means a person who is registered in the register for medical laboratory technology; | medical laboratory technologist |
| (g) “medical laboratory technology” means the health profession in which a person applies particular knowledge, skills and judgment in <ul style="list-style-type: none"> (i) performing laboratory investigations on the human body or specimens taken from the human body, (ii) interpreting and evaluating quality control data to verify the accuracy and precision of the results of laboratory investigations referred to in subclause (i), and (iii) conducting research, education, management or administrative activities incidental to performing the services referred to in subclauses (i) and (ii); | medical laboratory technology |
| (h) “medical radiation technologist” means a person registered in the register for medical radiation technology; | medical radiation technologist |
| (i) “medical radiation technology” means the health profession in which a person applies particular knowledge, skills and judgment in <ul style="list-style-type: none"> (i) using ionizing and non-ionizing radiation, magnetic fields, high frequency sound waves and other energy forms in the provision of diagnostic and therapeutic modalities, and (ii) conducting research, education, management or administrative activities incidental to those described in subclause (i); | medical radiation technology |
| (j) “refresher program” means a refresher program in a regulated health profession consisting of a formal curriculum, a set of individualized assignments of studies and experiences, a set of continuing education credits, a practicum or a combination of these elements; | refresher program |
| (k) “respiratory therapist” means a person who is registered in the register for respiratory therapy; | respiratory therapist |
| (l) “respiratory therapy” means the health profession in which a person applies particular knowledge, skills and judgment in | respiratory therapy |

- (i) providing diagnostic, assessment and therapeutic modalities to assist in the management of cardio-respiratory and related disorders and to achieve optimal respiratory health, wellness and functional performance, and
- (ii) conducting research, education, management or administrative activities incidental to those described in subclause (i).
- 2.** (1) The following are designated as regulated health professions:
- (a) medical laboratory technology;
 - (b) medical radiation technology;
 - (c) respiratory therapy.
- (2) The prohibition in subsection 2(3) of the Act against practising a regulated health profession except as a member of the college governing the regulated health profession does not apply
- (a) in respect of medical laboratory technology, to a person employed by Health PEI in a community hospital as a cross-trained technologist or a combined technician; and
 - (b) in respect of medical radiation technology, to a person employed by Health PEI in a community hospital as a combined technician.
- 3.** The College of Allied Health Professionals of Prince Edward Island is established as the college for the regulated health professions designated under subsection 2(1).

Designation of regulated health professions

Exception, prohibition against practice

College established

PART 2 – MEDICAL LABORATORY TECHNOLOGISTS

Registration

- 4.** The register for medical laboratory technology is divided into the following parts:
- (a) general registration;
 - (b) provisional registration;
 - (c) special registration.
- 5.** An applicant for general registration under this Part shall
- (a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 11;
 - (b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examinations set out in subsection 12(1);
 - (c) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 13; and
 - (d) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 14.
- 6.** (1) An applicant for provisional registration under this Part shall
- (a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 11;
 - (b) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 13; and
 - (c) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 14.
- (2) A medical laboratory technologist registered in the provisional registration part of the register shall be supervised in practising medical laboratory technology by a medical laboratory technologist registered in the general registration part or special registration part of the register, approved by the Council.
- (3) Provisional registration is not subject to reinstatement.
- 7.** (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 register.
- (2) Special registration is not subject to renewal or reinstatement.

Register parts

General registration

Provisional registration

Subject to supervision

No reinstatement

Special registration

No renewal or reinstatement

Renewal of Registration

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

Renewal of general registration

- (a) for the purpose of subclause 22(2)(a)(i) of the Act, fulfil the requirements for continuing education and competency set out in subsection 15(1);
- (b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 13; and
- (c) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 14.

9. An applicant for the renewal of provisional registration under this Part shall

Renewal of provisional registration

- (a) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 13; and
- (b) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 14.

Reinstatement of Registration

10. (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 four years.

Reinstatement period

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

Reinstatement of general registration

- (a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 13; and
- (b) for the purpose of clause 24(4)(f) of the Act, hold or be covered by professional liability insurance or protection as required in section 14.

Prescribed Requirements

11. For the purpose of this Part, the requirement with respect to education is

Education

- (a) the successful completion of a post-secondary diploma program or baccalaureate degree program in medical laboratory science of at least two years' duration provided at a Canadian post-secondary educational institution, approved by the Council; or
- (b) qualifications that the Council considers to be substantially equivalent to the requirements in clause (a).

12. (1) For the purpose of this Part, the required examinations are

Examinations

- (a) the certification examination administered by the Canadian Society for Medical Laboratory Science or other competency exam approved by the Council; and
- (b) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing medical laboratory technology in the province.

(2) The successful completion of an examination referred to in subsection (1) means

Successful completion of examination

- (a) in respect of the certification examination or other competency examination, obtaining the established pass mark in not more than three attempts; and
- (b) in respect of the provincial examination, meeting the minimum standard established by the Council.

13. For the purpose of this Part, to demonstrate currency of professional knowledge and skills, an applicant shall meet one of the following requirements within the four years immediately preceding the date of the application:

Currency requirements

- (a) successful completion of the educational requirement set out in section 11;

- (b) active practice of medical laboratory technology without any restrictions for at least 900 hours;
- (c) successful completion of a refresher program in medical laboratory technology approved by the registrar.

14. (1) For the purpose of this Part and clause 25(3)(c) of the Act, where required, an applicant or medical laboratory technologist, as the case may be, shall hold or be covered by professional liability insurance or protection with coverage of not less than \$2,000,000 per claim or occurrence and an aggregate limit of not less than \$2,000,000 excluding legal or court costs.

Insurance requirements

(2) Proof of professional liability insurance that meets the requirements of subsection (1) shall be provided to the registrar in the form of a certificate of insurance issued by the insurer.

Proof of insurance

15. (1) For the purpose of this Part, the requirements for continuing education and competency are the participation in and successful completion of the continuing competency program for medical laboratory technologists established by the Council pursuant to section 60.1 of the Act.

Continuing education and competency

(2) A medical laboratory technologist registered in the general registration part of the register shall

Record

- (a) keep a record in a form satisfactory to the registrar of the activities that the medical laboratory technologist 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.

Designations and Reserved Activities

16. For the purpose of subsection 89(1) of the Act, the designations of a medical laboratory technologist include the following titles, abbreviations and initials:

Designations

- (a) medical laboratory technologist;
- (b) registered medical laboratory technologist;
- (c) MLT or RMLT.

17. (1) Subject to subsections (2) and (3) and any terms or conditions on the medical laboratory technologist's registration, a medical laboratory technologist is authorized to perform the following reserved activities:

Reserved activities

- (a) performing a procedure on tissue below the dermis for the purpose of taking a blood sample from a vein or by skin pricking;
- (b) applying electrical energy for the purpose of administering a sweat chloride test.

(2) A medical laboratory technologist shall not perform a reserved activity set out in subsection (1) except pursuant to

Pre-condition

- (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 Canadian jurisdiction, or
 - (ii) a person authorized to practise as a dentist under the laws of this province; or
- (b) a hospital protocol.

(3) A medical laboratory technologist registered in the provisional registration part of the register shall not perform a reserved activity set out in subsection (1) except under the supervision of a medical laboratory technologist registered in the general registration part or the special registration part of the register.

Supervision, provisional registration

PART 3 – MEDICAL RADIATION TECHNOLOGISTS

Registration

18. (1) The register for medical radiation technology is divided into the following parts by type of registration and discipline, respectively:

Register parts

- (a) general registration
 - (i) magnetic resonance imaging,
 - (ii) nuclear medicine,

- (iii) radiation therapy,
(iv) radiography;
- (b) provisional registration
(i) magnetic resonance imaging,
(ii) nuclear medicine,
(iii) radiation therapy,
(iv) radiography;
- (c) special registration
(i) magnetic resonance imaging,
(ii) nuclear medicine,
(iii) radiation therapy,
(iv) radiography.
- (2) A medical radiation technologist shall be registered in the technologist's primary discipline and may be registered in one or more secondary disciplines, in accordance with the technologist's qualifications. Primary and secondary disciplines
- 19.** An applicant for general registration under this Part shall General registration
(a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 25;
(b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examinations set out in subsection 26(1);
(c) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 27; and
(d) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 28.
- 20.** (1) An applicant for provisional registration under this Part shall Provisional registration
(a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 25;
(b) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 27; and
(c) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 28.
- (2) A medical radiation technologist registered in the provisional registration part of the register shall be supervised in practising a discipline of medical radiation technology by a medical radiation technologist registered in the general registration part or special registration part of the register in that discipline, approved by the Council. Subject to supervision
- (3) Provisional registration is not subject to reinstatement. No reinstatement
- 21.** (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 register in the appropriate primary discipline and secondary discipline, if applicable. Special registration
- (2) Special registration is not subject to renewal or reinstatement. No renewal or reinstatement
- Renewal of Registration**
- 22.** An applicant for the renewal of general registration under this Part shall Renewal of general registration
(a) for the purpose of subclause 22(2)(a)(i) of the Act, fulfil the requirements for continuing education and competency set out in subsection 29(1);
(b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 27; and
(c) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 28.
- 23.** An applicant for the renewal of provisional registration under this Part shall Renewal of provisional registration

(a) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 27; and

(b) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 28.

Reinstatement of Registration

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

Reinstatement
period

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

Reinstatement of
general registration

(a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 27; and

(b) for the purpose of clause 24(4)(f) of the Act, hold or be covered by professional liability insurance or protection as required in section 28.

Prescribed Requirements

25. For the purpose of this Part, the requirement with respect to education is the successful completion of

Education

(a) a post-secondary diploma program or baccalaureate degree program, of at least two years' duration, in medical radiation technology with a focus on at least one discipline at a Canadian post-secondary educational institution, approved by the Council; or

(b) education activities considered substantially similar to the requirements in clause (a) by the Canadian Association of Medical Radiation Technologists.

26. (1) For the purpose of this Part, the required examinations are

Examinations

(a) the certification examination administered by the Canadian Association of Medical Radiation Technologists or other competency exam approved by the Council; and

(b) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing medical radiation technology in the province.

(2) The successful completion of an examination referred to in subsection (1) means

Successful
completion of
examination

(a) in respect of the certification examination, passing the examination in not more than four attempts within the time frame required by the Canadian Association of Medical Radiation Technologists;

(b) in respect of a competency examination approved by the Council, meeting the minimum standard established by the examination administrator; and

(c) in respect of the provincial examination, meeting the minimum standard established by the Council.

27. (1) For the purpose of this Part, to demonstrate currency of professional knowledge and skills in the applicant's primary discipline, an applicant shall meet one of the following requirements within the three years immediately preceding the date of the application:

Currency
requirements,
primary discipline

(a) successful completion of the educational requirement set out in section 25, with a primary focus on the applicant's primary discipline;

(b) active practice in the applicant's primary discipline without any restrictions for at least 600 hours;

(c) successful completion of a refresher program in the applicant's primary discipline, approved by the registrar.

(2) For the purpose of this Part, to demonstrate currency of professional knowledge and skills in the applicant's secondary discipline,

Currency
requirements,
secondary discipline

an applicant shall meet one of the following requirements within the three years immediately preceding the date of the application:

- (a) successful completion of the educational requirement set out in section 25, with a secondary focus on the secondary discipline;
- (b) active practice in the secondary discipline without any restrictions for at least 160 hours;
- (c) successful completion of a refresher program in the secondary discipline, approved by the registrar.

28. (1) For the purpose of this Part and clause 25(3)(c) of the Act, where required, an applicant or a medical radiation technologist, as the case may be, shall hold or be covered by professional liability insurance under a policy that provides coverage of not less than \$2,000,000 per claim or occurrence and an aggregate limit of not less than \$2,000,000 excluding legal or court costs.

Insurance requirements

(2) Proof of professional liability insurance that meets the requirements of subsection (1) shall be provided to the registrar in the form of a certificate of insurance issued by the insurer.

Proof of insurance

29. (1) For the purpose of this Part, the requirements for continuing education and competency are the participation in and successful completion of the continuing competency program in medical radiation technology established by the Council pursuant to section 60.1 of the Act.

Continuing education and competency

(2) A medical radiation technologist registered in the general registration part shall

Record

- (a) keep a record in a form satisfactory to the registrar of the activities that the medical radiation technologist 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.

Designations and Reserved Activities

30. For the purpose of subsection 89(1) of the Act, the designations of a medical radiation technologist include the following titles, abbreviations and initials:

Designations

- (a) where the technologist is registered in the discipline of magnetic resonance imaging, MRT(MR);
- (b) where the technologist is registered in the discipline of nuclear medicine, MRT(N);
- (c) where the technologist is registered in the discipline of radiation therapy, MRT(T);
- (d) where the technologist is registered in the discipline of radiography, MRT(R).

31. (1) Subject to subsections (6) and (7) and any terms or conditions on the medical radiation technologist's registration, a medical radiation technologist is authorized to perform the reserved activities set out in this section in accordance with the discipline or disciplines in which the technologist is registered.

Reserved activities

(2) A medical radiation technologist registered in the discipline of magnetic resonance imaging is authorized to perform the following reserved activities in that discipline:

Reserved activities, MRT(MR)

- (a) performing a procedure on tissue below the dermis for the purpose of starting an intravenous line;
- (b) administering a drug or diagnostic imaging contrast agent by any means for the purpose of conducting a diagnostic scan and imaging of body tissue;
- (c) putting an instrument, hand or finger
 - (i) beyond the opening of the urethra, or
 - (ii) beyond the anal verge;
- (d) applying electromagnetic or sound energy in the form of non-ionizing radiation.

(3) A medical radiation technologist registered in the discipline of nuclear medicine is authorized to perform the following reserved activities in that discipline:

Reserved activities, MRT(N)

- (a) performing a procedure on tissue below the dermis for the purpose of starting an intravenous line or taking a blood sample from a vein;
- (b) administering a radiopharmaceutical, radiolabelled substance, radioactive gas or radioaerosol by any means for a diagnostic or therapeutic purpose;
- (c) putting an instrument beyond the opening of the urethra;
- (d) applying electrical energy in the form of ionizing radiation.
- (4) A medical radiation technologist registered in the discipline of radiation therapy is authorized to perform the following reserved activities in that discipline: Reserved activities,
MRT(T)
- (a) performing a procedure on tissue below the dermis for the purpose of starting an intravenous line;
- (b) administering a drug or diagnostic imaging contrast agent by any means;
- (c) putting an instrument, hand or finger
- (i) beyond the external ear canal,
 - (ii) beyond the opening of the urethra,
 - (iii) beyond the labia majora,
 - (iv) beyond the anal verge, or
 - (v) into an artificial opening into the body;
- (d) applying electrical energy in the form of ionizing radiation.
- (5) A medical radiation technologist registered in the discipline of radiography is authorized to perform the following reserved activities in that discipline: Reserved activities,
MRT(R)
- (a) performing a procedure on tissue below the dermis for the purpose of starting an intravenous line;
- (b) administering a drug or diagnostic imaging contrast agent by any means for the purpose of conducting a diagnostic scan and imaging of body tissue;
- (c) putting an instrument, hand or finger
- (i) beyond the opening of the urethra,
 - (ii) beyond the anal verge, or
 - (iii) into an artificial opening into the body;
- (d) applying electrical and sound energy in the form of ionizing or non-ionizing radiation.
- (6) A medical radiation technologist shall not perform a reserved activity except pursuant to Pre-condition
- (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 Canadian jurisdiction, or
 - (ii) a person authorized to practise as a dentist under the laws of this province; or
- (b) a hospital protocol.
- (7) A medical radiation technologist registered in the provisional registration part of the register shall not perform a reserved activity except under the supervision of a medical radiation technologist registered in the general registration part or the special registration part of the register in the same discipline in which the reserved activity is being performed. Supervision,
provisional
registration

PART 4 – RESPIRATORY THERAPISTS

Registration

- 32.** The register for respiratory therapy is divided into the following parts: Register parts
- (a) general registration;
 - (b) provisional registration;
 - (c) special registration.
- 33.** An applicant for general registration under this Part shall General registration
- (a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 39;
 - (b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examinations set out in subsection 40(1);

- (c) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 41; and
- (d) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 42.
- 34.** (1) An applicant for provisional registration under this Part shall Provisional registration
- (a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 39;
- (b) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 41; and
- (c) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 42.
- (2) A respiratory therapist registered in the provisional registration part of the register shall be supervised in practising respiratory therapy by a respiratory therapist registered in the general registration part or special registration part of the register, approved by the Council. Subject to supervision
- (3) Provisional registration is not subject to reinstatement. No reinstatement
- 35.** (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 register. Special registration
- (2) Special registration is not subject to renewal or reinstatement. No renewal or reinstatement
- Renewal of Registration**
- 36.** An applicant for the renewal of general registration under this Part shall Renewal of general registration
- (a) for the purpose of subclause 22(2)(a)(i) of the Act, fulfil the requirements for continuing education and competency set out in subsection 43(1);
- (b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 41; and
- (c) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 42.
- 37.** An applicant for the renewal of provisional registration under this Part shall Renewal of provisional registration
- (a) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 41; and
- (b) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 42.
- Reinstatement of Registration**
- 38.** (1) For the purpose of subsection 24(1) of the Act, the maximum prescribed period of time following a lapse in general registration under this Part during which a person may apply for reinstatement is three years. Reinstatement period
- (2) An applicant for the reinstatement of general registration under this Part shall Reinstatement of general registration
- (a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 41; and
- (b) for the purpose of clause 24(4)(f) of the Act, hold or be covered by professional liability insurance or protection as required in section 42.

Prescribed Requirements

- 39.** For the purpose of this Part, the requirement with respect to education is Education
- (a) the successful completion of a post-secondary diploma or baccalaureate degree program in respiratory therapy provided at a Canadian post-secondary educational institution, approved by the Council; or
 - (b) qualifications that the Council considers to be substantially equivalent to the requirements in clause (a).
- 40.** (1) For the purpose of this Part, the required examinations are Examinations
- (a) the national respiratory therapy examination established by the Canadian Board for Respiratory Care or other competency exam approved by the Council; and
 - (b) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing respiratory therapy in the province.
- (2) The successful completion of an examination referred to in subsection (1) means Successful completion of examination
- (a) in respect of the national respiratory therapy examination or other competency examination, obtaining the established pass mark; and
 - (b) in respect of the provincial examination, meeting the minimum standard established by the Council.
- 41.** For the purpose of this Part, to demonstrate currency of professional knowledge and skills, an applicant shall meet one of the following requirements within the four years immediately preceding the date of the application: Currency requirements
- (a) successful completion of the educational requirement set out in section 39;
 - (b) active practice of respiratory therapy without any restrictions for at least 1,500 hours;
 - (c) successful completion of a refresher program in respiratory therapy approved by the registrar.
- 42.** (1) For the purpose of this Part and clause 25(3)(c) of the Act, where required, an applicant or a respiratory therapist, as the case may be, shall hold or be covered by professional liability insurance under a policy that provides coverage of not less than \$2,000,000 per claim or occurrence and an aggregate limit of not less than \$2,000,000 excluding legal or court costs. Insurance requirements
- (2) Proof of professional liability insurance that meets the requirements of subsection (1) shall be provided to the registrar in the form of a certificate of insurance issued by the insurer. Proof of insurance
- 43.** (1) For the purpose of this Part, the requirements for continuing education and competency are the participation in and successfully completed of the continuing competency program in respiratory therapy established by the Council pursuant to section 60.1 of the Act. Continuing education and competency
- (2) A respiratory therapist registered in the general registration part of the register shall Record
- (a) keep a record in a form satisfactory to the registrar of the activities that the respiratory therapist 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.

Designations and Reserved Activities

- 44.** For the purpose of subsection 89(1) of the Act, the designations of a respiratory therapist include registered respiratory therapist and RRT. Designations
- 45.** (1) Subject to subsections (2) and (3) and any terms or conditions on the respiratory therapist's registration, a respiratory therapist is authorized to perform the following reserved activities: Reserved activities
- (a) performing a procedure on tissue below the dermis for the purpose of

- (i) taking a blood sample from a blood vessel or by skin pricking, or
- (ii) placing a catheter in the vascular system;
- (b) administering a drug by any means;
- (c) administering a substance by injection, inhalation, mechanical ventilation or respiratory instillation;
- (d) putting an instrument, hand or finger
 - (i) beyond the point in the nasal passages where they normally narrow for the purpose of intubation or suctioning,
 - (ii) beyond the larynx for the purpose of intubation or suctioning,
 - (iii) into an artificial opening in the body for the purpose of maintaining an airway;
- (e) applying electrical energy for the purpose of providing cardiopulmonary resuscitation and stability;
- (f) applying sound energy for the assessment of vascular lines.

(2) A respiratory therapist shall not perform a reserved activity set out in subsection (1) except pursuant to an order made by a person authorized to practise as a medical practitioner or nurse practitioner under the laws of this province or another Canadian jurisdiction. Pre-condition

(3) A respiratory therapist registered in the provisional registration part of the register shall not perform a reserved activity set out in subsection (1) except under the supervision of a respiratory therapist registered in the general registration part or special registration part of the register. Supervision, provisional registration

PART 5 – GENERAL

46. (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 medical laboratory technologist, medical radiation technologist or respiratory therapist shall be, in the opinion of the registrar, in good taste, dignified and professional. Name of corporation

(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). Change of name

47. (1) A person who, during the year preceding the date this section comes into force, practises medical laboratory technology in the province is deemed, on and after the date this section comes into force, to be registered in the general registration part of the register for medical laboratory technology. Transitional, medical laboratory technologist

(2) Subsection (1) does not apply to a person employed by Health PEI in a community hospital as a cross-trained technologist or a combined technician. Exception

48. (1) A person who, during the year preceding the date this section comes into force, practises medical radiation technology in the province is deemed, on and after the date this section comes into force, to be registered in the general registration part of the register for medical radiation technology in the person's primary discipline. Transitional, medical radiation technologist

(2) Subsection (1) does not apply to a person employed by Health PEI in a community hospital as a combined technician. Exception

49. A person who, during the year preceding the date this section comes into force, practises respiratory therapy in the province is deemed, on and after the date this section comes into force, to be registered in the general registration part of the register for respiratory therapy. Transitional, respiratory therapist

50. (1) The registration of a person referred to in subsection 47(1) or 48(1) or section 49 expires 90 days after the date this section comes into force, unless it is sooner revoked, and may be renewed in accordance with section 22 of the Act. Expiry of registration

(2) Subclauses 22(2)(a)(i) and (ii) of the Act do not apply to a person referred to in subsection (1) the first time the person applies to renew the person's registration. Exception on renewal

51. These regulations come into force on May 1, 2021. Commencement

EXPLANATORY NOTES

SECTION 1 defines terms used in these regulations.

SECTION 2 designates medical laboratory technology, medical radiation technology and respiratory therapy as regulated health professions. It also provides exceptions to prohibitions on practising medical laboratory technology and medical radiation technology except as members of the College.

SECTION 3 establishes the College of Allied Health Professionals of Prince Edward Island as the college for medical laboratory technology, medical radiation technology and respiratory therapy.

SECTION 4 divides the register for medical laboratory technology into parts by type of registration.

SECTION 5 sets out applicable prescribed requirements for registration in the general part of the register for medical laboratory technology.

SECTION 6 sets out applicable prescribed requirements for registration in the provisional part of the register for medical laboratory technology. The section provides that a medical laboratory technologist registered in the provisional registration part of the register shall be supervised by a medical laboratory technologist registered in the general registration part or special registration part of the register. Finally, it states that provisional registration is not subject to reinstatement.

SECTION 7 provides for registration in the special registration part of the register for medical laboratory technology. It states that registration in this part is not subject to renewal or reinstatement.

SECTION 8 sets out the applicable prescribed requirements for renewal of registration in the general registration part of the register for medical laboratory technology.

SECTION 9 sets out the applicable prescribed requirements for renewal of registration in the provisional registration part of the register for medical laboratory technology.

SECTION 10 provides that the maximum prescribed period of time a former member's general registration may lapse before applying for reinstatement of general registration is four years. It sets out the applicable prescribed requirements for reinstatement of registration in the general registration part of the register for medical laboratory technology.

SECTION 11 prescribes the education requirement for the purpose of Part 2.

SECTION 12 sets out the required examinations and defines what constitutes successful completion of the respective examinations under Part 2.

SECTION 13 sets out three options to demonstrate currency of professional knowledge and skills for the purpose of Part 2.

SECTION 14 prescribes insurance requirements for applicants and members registered under Part 2.

SECTION 15 prescribes continuing education requirements for the purpose of Part 2.

SECTION 16 sets out some protected designations of members registered under Part 2.

SECTION 17 sets out the reserved activities a medical laboratory technologist is authorized to perform, subject to certain conditions.

SECTION 18 divides the register for medical radiation technology into parts by type of registration and discipline. It requires that a medical radiation technologist be registered in the technologist's primary discipline and provides for registration in one or more secondary disciplines in accordance with the technologist's qualifications.

SECTION 19 sets out applicable prescribed requirements for registration in the general part of the register for medical radiation technology.

SECTION 20 sets out applicable prescribed requirements for registration in the provisional part of the register for medical radiation technology. The section provides that a medical radiation technologist registered in the provisional registration part of the register shall be supervised while practising a particular discipline by a medical laboratory technologist registered in the general registration part or special registration part of the register in that discipline. Finally, it states that provisional registration is not subject to reinstatement.

SECTION 21 provides for registration in the special registration part of the register for medical radiation technology. It states that registration in this part is not subject to renewal or reinstatement.

SECTION 22 sets out the applicable prescribed requirements for renewal of registration in the general registration part of the register for medical radiation technology.

SECTION 23 sets out the applicable prescribed requirements for renewal of registration in the provisional registration part of the register for medical radiation technology.

SECTION 24 provides that the maximum prescribed period of time a former member's general registration may lapse before applying for reinstatement of general registration is three years. It sets out the applicable prescribed requirements for reinstatement of registration in the general registration part of the register for medical radiation technology.

SECTION 25 prescribes the education requirement for the purpose of Part 3.

SECTION 26 sets out the required examinations and defines what constitutes successful completion of the respective examinations under Part 3.

SECTION 27 sets out options to demonstrate currency of professional knowledge and skills in a primary discipline or a secondary discipline for the purpose of Part 3.

SECTION 28 prescribes insurance requirements for applicants and members registered under Part 3.

SECTION 29 prescribes continuing education requirements for the purpose of Part 3.

SECTION 30 sets out some protected designations of members registered under Part 3.

SECTION 31 sets out the reserved activities a medical laboratory technologist registered in a particular discipline is authorized to perform, subject to certain conditions.

SECTION 32 divides the register for respiratory therapy into parts by type of registration.

SECTION 33 sets out applicable prescribed requirements for registration in the general part of the register for respiratory therapy.

SECTION 34 sets out applicable prescribed requirements for registration in the provisional part of the register for respiratory therapy. The section provides that a respiratory therapist registered in the provisional

registration part of the register shall be supervised by a respiratory therapist registered in the general registration part or special registration part of the register. Finally, it states that provisional registration is not subject to reinstatement.

SECTION 35 provides for registration in the special registration part of the register for respiratory therapy. It states that registration in this part is not subject to renewal or reinstatement.

SECTION 36 sets out the applicable prescribed requirements for renewal of registration in the general registration part of the register for respiratory therapy.

SECTION 37 sets out the applicable prescribed requirements for renewal of registration in the provisional registration part of the register for respiratory therapy.

SECTION 38 provides that the maximum prescribed period of time a former member's general registration under Part 4 may lapse before applying for reinstatement of general registration is three years. It sets out the applicable prescribed requirements for reinstatement of registration in the general registration part of the register for respiratory therapy.

SECTION 39 prescribes the education requirement for the purpose of Part 4.

SECTION 40 sets out the required examinations and defines what constitutes successful completion of the respective examinations under Part 4.

SECTION 41 sets out three options to demonstrate currency of professional knowledge and skills for the purpose of Part 4.

SECTION 42 prescribes insurance requirements for applicants and members registered under Part 4.

SECTION 43 prescribes continuing education requirements for the purpose of Part 4.

SECTION 44 sets out some protected designations of members registered under Part 4.

SECTION 45 sets out the reserved activities a respiratory therapist is authorized to perform, subject to certain conditions.

SECTION 46 requires the name of a health profession corporation established for the purposes of these regulations to be in good taste, dignified and professional.

SECTIONS 47 – 50 set out transitional provisions for persons practising medical laboratory technology, medical radiation technology or respiratory therapy before these regulations come into force.

SECTION 51 provides for the commencement of these regulations.

EC2021-273

REGULATED HEALTH PROFESSIONS ACT RESERVED ACTIVITIES REGULATIONS AMENDMENT

Pursuant to subsection 96(1) of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

1. Clause 2(a) of the *Regulated Health Professions Act* Reserved Activities Regulations (EC536/15) is revoked and the following substituted:

- (a) administering a substance by
 - (i) enteral or parenteral instillation or transfusion, or
 - (ii) respiratory instillation;

2. The regulations are amended by the addition of the following after section 4:

5. For the purpose of subsections 86(3) and (4) of the Act, the following persons are exempted in respect of performing, in the course of their employment, a procedure on tissue below the dermis by skin pricking to obtain a blood sample or venipuncture to obtain a blood sample or blood donation:

Exemption, tissue
below dermis

- (a) persons employed by Health PEI in a health care facility or program managed or operated by Health PEI;
- (b) persons employed by Canadian Blood Services in a blood donation facility or program managed or operated by Canadian Blood Services; or
- (c) persons employed by and working under the supervision of a medical practitioner or nurse practitioner who is physically present.

6. For the purpose of subsections 86(3) and (4) of the Act, persons employed by Health PEI in a community hospital as combined technicians are exempted in respect of applying, in the course of their employment, electrical and sound energy in the form of ionizing or non-ionizing radiation.

Exemption,
electrical and sound
energy

3. These regulations come into force on April 17, 2021.

EXPLANATORY NOTES

SECTION 1 amends section 2 of the regulations to add administering a substance by respiratory instillation as a reserved activity.

SECTION 2 adds new sections 5 and 6 to the regulations to exempt specified classes of persons, in respect of specified reserved activities, from the prohibition against performing reserved activities unless authorized as a regulated health professional or under another Act.

SECTION 3 provides for the commencement of these regulations.