

## MINISTRY OF HEALTH

### Out-of-Country Health Services Committee Mandate and Roles Document

This Mandate and Roles Document (“MRD”) has been developed jointly by the Out-of-Country Health Services Committee (“Committee”) and the Minister of Health (“Minister”) pursuant to and in accordance with the requirements of section 3 of *Alberta Public Agencies Governance Act*. This MRD is not a contract, nor does it establish or create legal obligations. Rather, it sets out the understanding of the Committee and the Minister on key issues.

#### 1. Mandate

The Committee was established under the *Alberta Health Care Insurance Regulation*, AR 216/81 and is continued pursuant to the *Out-of-Country Health Services Regulation*, AR 78/2006 (the “Regulation”) under the *Alberta Health Care Insurance Act*.

The Committee’s mandate is as follows:

To review, evaluate, and decide on all applications submitted by Alberta physicians or dentists on behalf of Alberta residents that are declared complete, for the approval of payment of expenses with respect to insured services or insured hospital services received outside of Canada, where the resident or resident’s dependant has endeavoured to receive the services in Canada but such services are not available in Canada within the time period generally accepted as reasonable by the medical or dental profession for any resident with a similar condition, provided all Regulation requirements are satisfied.

Nothing in this MRD is intended to or shall interfere with the Committee’s adjudicative function. The Committee operates independently from the Minister when executing such functions.

#### 2. Roles and Responsibilities

##### a) Committee and/or its Members

The Committee and its members have the following responsibilities:

- Comply with all applicable laws and regulations, including, as may be amended from time to time,:
  - *Alberta Health Care Insurance Act*
  - *Out-of-Country Health Services Regulation*
  - *Alberta Health Care Insurance Regulation*
  - *Oral and Maxillofacial Surgery Benefits Regulation*
  - *Medical Benefits Regulation*
  - *Extended Health Services Benefits Regulation*
  - *Optometric Benefits Regulation*
  - *Podiatric Benefits Regulation*
  - *Podiatric Surgery Benefits Regulation*
  - *Freedom of Information and Protection of Privacy Act (FOIPP)*
  - *Health Information Act (HIA)*

- *Lobbyists Act*
- *Financial Administration Act*
- *Alberta Public Agencies Governance Act*
- *Hospitals Act*
- *Health Insurance Premiums Act*
- *Health Insurance Premiums Regulation*
- Comply with policies set by the Minister;
- Comply with policies under which the Committee operates;
- Make all reasonable efforts to fulfill the Committee's mandate;
- Participate with the Minister in setting its long-term objectives and short-term targets, if any;
- Monitor the Committee's activities, as required;
- Evaluate the Committee's performance;
- Evaluate the members' performance;
- Be accountable to the Minister;
- implement and comply with a Code of Conduct for Committee members;
- Comply with the Committee's planning and reporting requirements;
- Provide advice to the Minister as appropriate and make all reasonable efforts to ensure that any advice provided to the Minister is evidence-based;
- Consult with health specialists if the Committee considers it advisable or necessary in respect to matters under consideration;
- Review and decide on applications declared complete; and
- Carry out any other activities related to insured services and insured hospital services that the Minister requests.

**b) Chair of the Committee**

The Chair is appointed by the Minister of Health and has the following responsibilities:

- Ensure that all applications to the Committee are made by an Alberta physician or dentist registered under the *Health Professions Act* in accordance with the Regulation and contain information that the Chair considers is required for the proper review by the Committee;
- In carrying out the initial screening of an application, may conduct any independent investigation that may be considered necessary in order to complete the initial screening of an application;
- Declare an application complete and forward it to the other members of the Committee for review after concluding the initial screening of an application and being satisfied that it meets the Regulation requirements;
- Schedule and chair all Committee meetings to meet regulatory timeframes;
- Ensure a written copy of the Committee's decision with reasons is sent to the applying physician or dentist, the resident, and the Minister within 10 working days of the decision; and
- Ensure that a notice of the right to appeal the decision is provided with the written decision to the resident and applying physician or dentist.

c) **Minister**

The Minister has the following responsibilities:

- Appoint four physician members to the Committee;
- Appoint a Department of Health (Department) employee, who will serve as the Chair of the Committee;
- Designate an employee of the Department to act as an alternate Chair if the appointed Chair is temporarily absent or unable to act;
- Pay for insured services or insured hospital services approved by the Committee in accordance with the Regulation;
- Monitor, to the extent possible, whether the Committee is acting within its mandate;
- If any long-term objectives or short-term targets are set, monitor, to the extent possible, whether the committee is achieving such;
- Advise the Committee of policies that apply to the or its activities or operations; and
- Conduct a review of the Committee's mandate and operations at least every seven years.
  - The Minister shall report the result to the Executive Council.

d) **Government of Alberta (Department of Health)**

The Department of Health ("Department" or "Alberta Health"), has the following responsibilities:

- Handle financial arrangements, including: providing remuneration of Committee members in accordance with Section 4(5) of the Regulation, funding for external legal counsel, and payment for any consultations with health specialists;
- Funding for external legal counsel;
- Coordinate the recruitment and orientation of Committee members;
- Provide administrative, technical and professional support for the Committee to enable the Committee to meet regulatory requirements; and
- Assist the Committee regarding the processing of requests for information under the *FOIPP* and the *HIA*.

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e) **Government of Alberta (Public Agency Secretariat)**

The Public Agency Secretariat ("PAS") provides resources and support to departments and agencies in the development of and amendments to MRDs. The PAS may also be utilized as a source for information, tools, advice and training on sound governance practices.

### **3. Recruitment, Appointment, and Remuneration of OCHS Members**

a) **Recruitment and Appointment Process**

- The recruitment of candidates is coordinated by the Department.
- Through consultation with the Committee members, the Department will develop a competency matrix that outlines the skills, knowledge, experience or attributes the Committee requires, including those of particular members where appropriate. When vacancies arise, the matrix will be used to identify competencies required of a new

recruit. A description of these competencies will be set out in the job advertisement which will be publicly posted.

- Candidates will be assessed based on the extent to which their experience and qualifications match the competencies recruited for. A member of the Committee (generally the Chair, and other Department staff, as appropriate) will be included in the process.
- Suggestions for possible candidates may be solicited from stakeholders.
- Qualified candidates will be interviewed and screened for eligibility and conflicts of interest.
- The Minister then appoints the member by Ministerial Order.
- Section 4(2) of the Regulation indicates that appointment of each member of the Committee shall not exceed 3 years, and the member is eligible for reappointment.
- An individual Committee member may only serve a maximum of twelve years of consecutive service, as determined in accordance with the *Alberta Public Agencies Governance Act*.

**b) Remuneration**

- The remuneration of members appointed to the Committee is set in accordance with Section 4(5) of the Regulation.
- Information related to remuneration will be disclosed to the public.

**4. Orientation and Training of Committee Members**

- An orientation for newly-appointed Committee members is offered by the Chair and the Committee's legal counsel.
- For existing members, periodic training, as required, is delivered at Committee meetings.
- Committee members may request training and discussions with experts.

**5. Performance Evaluations**

- Through a process led by the Chair, the Committee conducts an annual self-assessment survey as a mechanism to improve the performance of the Committee and its individual members.
- The Committee reviews the results of this evaluation, discusses potential ways to improve the Committee's performance, and adopts action-items for improvements.
- The Committee shares the results of the survey, and the results of action items with its program area contact in the department.

**6. Accountability, Planning and Reporting Requirements**

The Committee is accountable to the Minister. It has the following planning and reporting requirements:

- A written copy of each Committee decision with reasons is sent to the Minister within 10 working days of the decision.
- The Alberta Health Care Insurance Plan Statistical Supplement ("Supplement") is released to the public annually, and includes the number of Committee applications

reviewed, approved, deferred, denied, and approved on appeal. The annual payments made for medical and hospital services for the Out-of-Country Health Services Program are also provided in the Supplement.

- The Committee shall inform the Minister respecting its significant activities and operations and any significant events that may affect those activities or operations.
- The Minister may from time to time request from the Committee additional reporting which may be either specific or general and either periodic or one-time.

## **7. Interaction between the Minister, Department and the Committee**

The Minister, Department and the Committee agree to communicate, collaborate and consult with each other as follows:

- The Committee will continue to provide a copy of each Committee decision to the Minister.
- The Minister will communicate and consult with the Chair of the Committee on matters pertaining to the Committee as necessary.

The Minister, Department and/or the Committee will communicate with the public as follows:

- The Committee Application Form is available on the Alberta Health website.
- A Committee Information Sheet is to be forwarded to all applicants when acknowledging receipt of an Committee application.
- The public can call the telephone number available on the Alberta Health website for information.
- Committee applicants and residents receive a written decision from the Committee with reasons for the decision.
- The Supplement is released to the public annually and provides statistical information annually to the public regarding the Committee.
- The department prepares responses to inquiries filed under the *FOIPP* for all Committee inquiries.

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## **8. Code of Conduct**

The process for administering the Code of Conduct is referred to in the Code itself. The Code is available on the PAS website at: [www.alberta.ca/public-agency-list.cfm](http://www.alberta.ca/public-agency-list.cfm). The Code is also available from the Chair of the Committee at request.

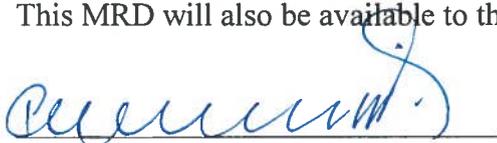
## **9. Administration of the MRD**

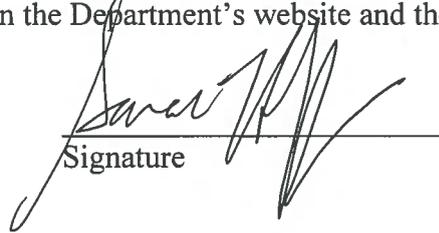
### **a) Review of the MRD**

- The MRD must be affirmed on an annual basis, or on a change of the Minister or Committee Chair and must be reviewed and renewed, amended or replaced within 3 years after the date on which it is signed or the most recent amendment to it was signed.
- This MRD may be amended at any time by the Committee and the Minister, and any amendment made to the MRD must be signed by a Committee representative and the Minister.

**b) Public Availability of the MRD**

Copies of the MRD will be filed with the Minister, the Department, the Committee and the PAS. This MRD will also be available to the public on the Department's website and the PAS website.

  
Signature

  
Signature

Marjorie Hubbert-chair  
Committee representative

HOFFMAN, S.  
Minister of Health

February 8, 2018  
Date

March 13, 2018  
Date