



Province of Alberta

PUBLIC HEALTH ACT

**COMMUNICABLE DISEASES
REGULATION**

Alberta Regulation 238/1985

With amendments up to and including Alberta Regulation 122/2021

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Office Consolidation

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(Consolidated up to 122/2021)

ALBERTA REGULATION 238/85

Public Health Act

COMMUNICABLE DISEASES REGULATION

1 In this Regulation,

- (a) “biological agent” includes sera, immune globulins, vaccines and toxoids;
- (a.1) “carrier” means a person who, without apparent symptoms of a communicable disease, harbours and may disseminate an infectious agent;
- (b) “case” means a person who has a communicable disease;
- (b.01) “Chief Medical Officer” means the Chief Medical Officer of Health appointed by the Minister under section 13 of the Act;
- (b.1) “cleaning” means removing, by scrubbing and washing with hot water and either soap or a detergent, infectious agents which may be adherent to surfaces or removing organic matter favourable to the survival of such agents;
- (c) “communicable disease” means an illness in humans that is caused by an organism or micro-organism or its toxic products and is transmitted directly or indirectly from an infected person or animal or the environment;
- (c.1) “community health nurse” means a registered nurse as defined in the *Nursing Profession Act* who is employed or engaged by a regional health authority or a provincial health board established under the *Regional Health Authorities Act* or the Department to provide public health services;
- (d) “concurrent decontamination” means decontamination as soon as possible after the discharge of infectious material from the body of an infected person or after the soiling of articles with infectious discharges;
- (d.1) repealed AR 96/2005 s2;
- (e) “contact” means any person or animal suspected to have been in association with an infected person or animal or a

- contaminated environment to a sufficient degree to have had the opportunity to become infected;
- (e.1) “contamination” means the presence of an infectious agent on a body surface, or on or in an inanimate article or substance including food;
- (f) “decontamination” means the process of making free from contamination any body surface, inanimate article or substance;
- (f.1) “Department” means the Department of which the Minister is charged with the administration;
- (f.2) “Deputy Chief Medical Officer” means the Deputy Chief Medical Officer of Health appointed by the Minister under section 13 of the Act;
- (g), (g.1) and (h) repealed AR 96/2005 s2;
- (h.1) “disinfestation” means the destruction or removal, by any physical or chemical process, of animal forms present on domestic animals or humans or in the environment;
- (i) “epidemic” means the occurrence in a community of persons of a number of cases of a communicable disease in excess of normal expectations;
- (i.01) “executive officer” means an executive officer within the meaning of section 9 or 16 of the Act;
- (i.1) “facility” means any place where a person can receive treatment for communicable diseases;
- (j) “familial contact” means any person living within the same household as an infected person during the period of infectivity;
- (j.01) “health region” means a health region established under the *Regional Health Authorities Act*;
- (j.1) “hospital” means an approved hospital as defined in the *Hospitals Act*;
- (k) “immunization” means the administration of a biological agent to a person to increase that person’s resistance to the effect of an infectious agent or its toxic products;
- (k.1) “incubation period” means the period of time between the exposure of a person to an infectious agent and the appearance of the first sign or symptom of the disease in question;

- (l) “infected person” means a person who harbours an infectious agent;
- (l.1) “infection” means the entry and multiplication of an infectious agent in the body of a person or animal;
- (m) “infectious agent” means an organism or micro-organism that is capable of producing a communicable disease;
- (m.1) “institution” means
 - (i) a correctional institution as defined in the *Corrections Act*,
 - (ii) a facility as defined in the *Mental Health Act*,
 - (iii) a nursing home within the meaning of the *Nursing Homes Act*, and
 - (iv) a hostel or other establishment operated to provide accommodation and maintenance for unemployed or indigent persons;
- (n) “isolation” means the separation of a person or animal infected with a communicable disease from other persons or animals in a place and under conditions that will prevent the direct or indirect conveyance of the infectious agent from the infected person or animal to a susceptible person or animal;
- (n.1) “laboratory” means a medical diagnostic laboratory where examinations of specimens of blood, spinal fluid, sputum, stool, urine, gastric washings, exudate or other specimen or discharge derived from a body are made for the purpose of determining the presence or absence of an infectious agent;
- (o) repealed AR 96/2005 s2;
- (o.1) “medical officer of health” means a physician appointed by a regional health authority or designated by the Minister under the Act as a medical officer of health, and includes the Chief Medical Officer and the Deputy Chief Medical Officer;
- (p) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for the Act;
- (q) “notifiable disease” means any communicable disease listed in Schedule 1 or 2 and any communicable disease in epidemic form;

- (r) “outbreak” means a distribution of cases of a communicable disease that is unusual in terms of time, place or persons affected;
- (s) “public place” includes any place in which the public has an interest arising out of the need to safeguard the public health and includes, without limitation,
- (i) public conveyances and stations and terminals used in connection with them,
 - (ii) places of business and places where business activity is carried on,
 - (iii) learning institutions,
 - (iv) institutions,
 - (v) places of entertainment or amusement,
 - (vi) places of assembly,
 - (vii) dining facilities and licensed premises,
 - (viii) accommodation facilities, including all rental accommodation,
 - (ix) recreation facilities,
 - (x) medical, health, personal and social care facilities, and
 - (xi) any other building, structure or place visited by or accessible to the public;
- (t) “quarantine” means
- (i) in respect of persons or animals, the limitation of freedom of movement and contact with other persons or animals, and
 - (ii) in respect of premises, the prohibition against or the limitation on entering or leaving the premises,
- during the incubation period of the communicable disease in respect of which the quarantine is imposed;
- (u) “school” means
- (i) a school operating under the *Education Act*,

- (ii) a place where an early childhood services program is offered or provided, and
- (iii) the premises where a child care program that is licensed under the *Child Care Licensing Act* is offered or provided;
- (v) repealed AR 96/2005 s2;
- (w) “surveillance” means the practice of close medical and other supervision of cases and contacts, as determined by the medical officer of health, in order to mitigate or eliminate a communicable disease or to promote prompt recognition of infection or illness with a communicable disease;
- (x) “teacher” includes an instructor, lecturer, professor, principal, president, supervisor or superintendent of any school, college, university, polytechnic institution or other learning institution;
- (y) “terminal decontamination” means the decontamination of
 - (i) the clothing of a person,
 - (ii) the physical environment of a person,
 - (iii) the contents of the isolation room, and
 - (iv) any article or piece of equipment used in the diagnosis or treatment of a personafter the person has been removed from isolation or has ceased to be a source of infection or after isolation procedures have been discontinued.
- (z) repealed AR 96/2005 s2.
AR 238/85 s1;357/88;206/2001;96/2005;44/2014;10/2019;
81/2019

2(1) The Minister may

- (a) provide health promotional, preventive, diagnostic, treatment, rehabilitative or palliative services, supplies, equipment and care and any drugs, medicines and biological agents for the prevention, treatment or modification of communicable diseases, and
- (b) with respect to the services or things referred to in clause (a), determine