



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 78

ST. JOHN'S, FRIDAY, JUNE 13, 2003

No. 24

URBAN AND RURAL PLANNING ACT

NOTICE OF REGISTRATION ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 153, 2003 AND ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 277, 2003

Take notice that the City of St. John's Municipal Plan Amendment Number 153, 2003 and St. John's Development Regulations Amendment Number 277, 2003 adopted on the 10th day of March, 2003, and approved on the 2nd day of June, 2003, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of St. John's Municipal Plan Amendment Number 153, 2003, is to redesignate land on Main Road at Heffernan's Place to the Residential Low Density District and the Open Space District.

In general terms, the purpose of St. John's Development Regulations Amendment Number 277, 2003 is to rezone land on Main Road at Heffernan's Place to the Residential Low Density (R1) Zone and the Open Space (O) Zone.

The St. John's Municipal Plan Amendment Number 153, 2002 and the St. John's Development Regulations Amendment Number 277, 2003 come into effect

on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of St. John's Municipal Plan Amendment Number 153, 2003 and St. John's Development Regulations Amendment Number 277, 2003 may do so at the City of St. John's Department of Engineering and Planning, 3rd Floor, St. John's City Hall during regular business hours (Monday through Friday, (9:00 a.m. to 4:30 p.m.).

CITY OF ST. JOHN'S
Engineering & Planning Department

June 13

NOTICE OF REGISTRATION TOWN OF L'ANSE AU CLAIR MUNICIPAL PLAN AMENDMENTS NOS. 1, 2, 3 & 4, 2003 AND DEVELOPMENT REGULATIONS AMENDMENTS NOS. 1, 2, 3 & 4, 2003

Take notice that the Town of L'Anse Au Clair Municipal Plan Amendments Nos. 1, 2, 3 & 4, 2003 and Development Regulations Amendments Nos. 1, 2, 3 & 4, 2003, adopted on the 4th day of March, 2003 (as amended) and approved on the 28th day of April, 2003, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purposes of Municipal Plan Amendments Nos. 1, 2, 3 & 4, 2003 are to: (a) extend the

commercial designation and zoning along the Labrador South Highway towards Forteau; (b) allow residential uses in the commercial zone; (c) place the Town Office and Community Centre into the commercial designation and zone; (d) provide for residential development on Dam Road by redesignating and rezoning part of the industrial, conservation and rural area; and (e) extend the residential designation and zone toward the Tank Farm on Oceanview Extension. The purposes of the Development Regulations Amendments Nos. 1, 2, 3 & 4, 2003 are to implement the Municipal Plan Amendments.

The L'Anse Au Clair Municipal Plan Amendments Nos. 1, 2, 3 & 4, 2003 and Development Regulations Amendments Nos. 1, 2, 3 & 4, 2003 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the L'Anse Au Clair Municipal Plan Amendments Nos. 1, 2, 3 & 4, 2003 and Development Regulations Amendments Nos. 1, 2, 3 & 4, 2003 may do so at the Town Office, L'Anse Au Clair during normal working hours.

TOWN OF L'ANSE AU CLAIR
Town Clerk

June 13

**NOTICE OF REGISTRATION
CITY OF MOUNT PEARL
DEVELOPMENT REGULATIONS
AMENDMENT NO. 128, 2003**

TAKE NOTICE that the City of Mount Pearl Development Regulations Amendment No. 128, 2003, adopted by Council on the 13th of May 2003, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Development Regulations Amendment No. 128, 2003 is to define and revise the Development Regulations relating to Bed & Breakfast establishments. The use title is changed from "Boarding House (Residential)" to "Bed & Breakfast" to reflect the more commonly used term, and the use zone tables that list the use as either permitted or discretionary are amended accordingly with a more flexible set of conditions. The amendment affects the Definitions section, the Classification of Uses table, the Use Zone tables, and the Parking Requirements (Schedules A, B, C, and D).

The Mount Pearl Development Regulations Amendment No. 128, 2003 comes into effect on the day that this notice is published in *The Newfoundland & Labrador Gazette*. Anyone who wishes to inspect a copy of the

amendment may do so at City Hall, City of Mount Pearl, during normal working hours.

CITY OF MOUNT PEARL
Per: Gerard Lewis, City Clerk

June 13

**CITY OF MOUNT PEARL
DEVELOPMENT REGULATIONS AMENDMENT
NO. 129, 2003**

TAKE NOTICE that the City of Mount Pearl Development Regulations Amendment No. 129, 2003, adopted by Council on the 13th of May 2003, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Development Regulations Amendment No. 129, 2003 is to add "Open Air Assembly" as a use class (Schedule B) with "Outdoor Worship" listed as an example, and to change the *City Centre (CC)* Use Zone (Schedule C) to add "Open Air Assembly Uses" to the list of permitted uses with a set of conditions.

The Mount Pearl Development Regulations Amendment No. 129, 2003 comes into effect on the day that this notice is published in *The Newfoundland & Labrador Gazette*. Anyone who wishes to inspect a copy of the amendment may do so at City Hall, City of Mount Pearl, during normal working hours.

CITY OF MOUNT PEARL
Per: Gerard Lewis, City Clerk

June 13

**NOTICE OF REGISTRATION
CITY OF MOUNT PEARL
DEVELOPMENT REGULATIONS NO. 130, 2003**

TAKE NOTICE that the City of Mount Pearl Development Regulations Amendment No. 130, 2003, adopted by Council on the 13th of May 2003, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Development Regulations Amendment No. 130, 2003 is to define and revise the Development Regulations relating to Outdoor Garden Markets. The amendment affects the Definitions section, the Classification of Uses table, and the Use Zone tables (Schedules A, B, and C). In this amendment, the

Commercial – Recreation (CR) Use Zone is changed to add “Outdoor Garden Market” to the list of permitted uses with a set of conditions.

The Mount Pearl Development Regulations Amendment No. 130, 2003 comes into effect on the day that this notice is published in *The Newfoundland & Labrador Gazette*. Anyone who wishes to inspect a copy of the amendment may do so at City Hall, City of Mount Pearl, during normal working hours.

CITY OF MOUNT PEARL
Per: Gerard Lewis, City Clerk

June 13

**NOTICE OF REGISTRATION
CITY OF ST. MOUNT PEARL
DEVELOPMENT REGULATIONS AMENDMENT
NO. 128, 129 & 130, 2003**

TAKE NOTICE that the City of Mount Pearl Development Regulations Amendments No. 128, 129, and 130, 2003, all adopted by Council on the 13th of May 2003, have been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Development Regulations Amendment No. 128, 2003 is to define and revise the Development Regulations relating to Bed & Breakfast establishments. The use title is changed from “Boarding House (Residential)” to “Bed & Breakfast” to reflect the more commonly used term, and the use zone tables that list the use as either permitted or discretionary are amended accordingly with a more flexible set of conditions. The amendment affects the Definitions section, the Classification of Uses table, the Use Zone tables, and the Parking Requirements (Schedules A, B, C, and D).

In general terms, the purpose of Development Regulations Amendment No. 129, 2003 is to add “Open Air Assembly” as a use class (Schedule B) with “Outdoor Worship” listed as an example, and to change the City Centre (CC) Use Zone (Schedule C) to add “Open Air Assembly Uses” to the list of permitted uses with a set of conditions.

In general terms, the purpose of Development Regulations Amendment No. 130, 2003 is to define and revise the Development Regulations relating to Outdoor Garden Markets. The amendment affects the Definitions section, the Classification of Uses table, and the Use Zone tables (Schedules A, B, and C). In this amendment, the Commercial – Recreation (CR) Use Zone is changed to

add “Outdoor Garden Market” to the list of permitted uses with a set of conditions.

The Mount Pearl Development Regulations Amendments No. 128, 129, and 130, 2003 come into effect on the day that this notice is published in *The Newfoundland & Labrador Gazette*. Anyone who wishes to inspect a copy of any of these amendments may do so at City Hall, City of Mount Pearl, during normal working hours.

CITY OF MOUNT PEARL
Per: Gerard Lewis, City Clerk

June 13

TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER OF the Estate of Susan Gale, Widow, Homemaker, late of the Town of Channel, Port aux Basques, District of Burgeo and LaPoile, Province of Newfoundland and Labrador, Canada

All persons claiming to be creditors of or who have any claims or demands either as beneficiaries or next-of-kin, (by blood, legal adoption or marriage) upon or affecting the Estate of Susan Gale, Widow, Homemaker, deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the executor of the estate of the said deceased on or before 3rd day of July, 2003, after which date the said Executor will proceed to distribute the said estate having regard only to the claims to which he shall then have had notice.

DATED at the Town of Channel, Port aux Basques, Province of Newfoundland and Labrador, this 3rd day of June, 2003.

STAGG. MARKS & PARSONS
Solicitors for the Executor
Per: M. Beverley L. Marks, Q.C.

ADDRESS FOR SERVICE:
P. O. Box 640
35 Main Street
Port Aux Basques, NL
A0N 1C0

June 13

ESTATE NOTICE

IN THE MATTER OF the Estate and Effects of Gertrude Smith, late of Clarenville, in the Province of Newfoundland and Labrador, Deceased

All persons claiming to be creditors of or who have any claims or demands upon or affecting the estate of Gertrude Smith, late of the Town of Clarenville, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send particulars of the same in writing, duly attested, to the undersigned, Solicitors for the Executor of the estate on or before the 30th day of June, 2003, after which date the said Executor of the estate will proceed to distribute the said estate having regard only to the claim of which he shall then have had notice.

DATED at Clarenville, in the Province of Newfoundland and Labrador, this 6th day of June, 2003.

MILLS, HUSSEY & PITTMAN
Solicitors for the Executor
Per: Corwin Mills, Q. C.

ADDRESS FOR SERVICE:
P. O. Box 970
Manitoba Professional Building
Manitoba Drive
Clarenville, NL
A0E 1J0

June 13

ESTATE NOTICE

IN THE MATTER OF the Estate of Daniel P. Reddy, late of the City of Corner Brook in the Province of Newfoundland and Labrador, Retired, Papermaker, Deceased

All persons claiming to be creditors of or who have any claims or demands upon or affecting the estate of Daniel P. Reddy, deceased, who died at Corner Brook, aforesaid, on or about the 8th day of April, 2003, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitor for the Estate of the said deceased, on or before the 3rd day of July, 2003, after which date the said Executor will proceed to distribute the Estate having regard only to the claims of which he then shall have notice.

DATED at Corner Brook, Newfoundland and Labrador, this 3rd day of June, 2003.

EUGENE R. OZONE, Q.C.
Solicitor for the Executor

ADDRESS FOR SERVICE:
P. O. Box 1166, 62 Park Street
Corner Brook, NL
A2H 6T2

June 13

ESTATE NOTICE

IN THE MATTER OF the Estate of Elizabeth Madden late of the City of St. John's, in the Electoral District of St. John's East, in the Province of Newfoundland and Labrador, Retired Clerk, Single, Deceased

All persons claiming to be creditors of or who have any claims or demands upon or affecting the estate of Elizabeth Madden late of St. John's, aforesaid, deceased, are hereby requested to send particulars therein in writing, duly attested to Deanne M. Penney, PATTERSON PALMER, at Scotia Centre, 235 Water Street, P. O. Box 610, St. John's. Newfoundland, Solicitors for the estate of the deceased on or before 11th July, 2003, after which date the Solicitors will proceed to distribute the said estate, having regard only to the claims which they shall then have had notice.

DATED at St. John's this 6th day of June, 2003.

PATTERSON PALMER
Solicitors for the Estate of
Elizabeth Madden
Per: Deanne M. Penney

ADDRESS FOR SERVICE:
10th Floor, Scotia Centre
235 Water Street, P. O. Box 610
St. John's, NL A1C 5L3

June 13

CHANGE OF NAME ACT

C-8 RSN 1990

NOTICE OF APPLICATION FOR CHANGE OF NAME

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the Change of Name Act, by me:-

JEFFREY JOHN WINTER

of P. O. Box 167, Colliers, A0A 1Y0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

JEFFREY JOHN WINTER
to
JEFFREY JOHN COOMBS

DATED this 26th day of May, 2003.

JEFFREY WINTER
(Signature of Applicant)

June 13

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

SHANNON ELIZABETH WINTER
of P. O. Box 167, Colliers, A0A 1Y0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

SHANNON ELIZABETH WINTER
to
SHANNON ELIZABETH COOMBS

DATED this 26th day of May, 2003.

SHANNON WINTER
(Signature of Applicant)

June 6

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

KIMBERLY FRENCH
of 31 Fogerty Avenue, Conception Bay South, A1X 6J3, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

EMILY ANN LOCKE
to
EMILY ANN FRENCH

DATED this 2nd day of June, 2003.

KIMBERLY FRENCH
(Signature of Applicant)

June 13

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

RYAN KERRY WARREN RAIKE
of 706 Willow Drive, Labrador City, NL. A2V 1A2, in the Province of Newfoundland and Labrador, as follows:

To change my name from

RYAN KERRY WARREN RAIKE
to
RYAN KERRY WARREN STRICKLAND

DATED this 20th day of May, 2003.

RYAN RAIKE
(Signature of Applicant)

June 13

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

DANNY THOMAS WESLEY CANNING
of P. O. Box 49, Newville, New World Island, A0G 2R0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

DANNY THOMAS WESLEY CANNING
to
DANNY THOMAS WESLEY DYKE

DATED this 19th day of May, 2003.

DANNY CANNING
(Signature of Applicant)

June 13

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services and Lands for

a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

SHERRY TRAVERS

of P. O. Box 142, Lark Harbour, A0L 1H0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

CALLA CHRISTINA GILBERT

to

CALLA CHRISTINA TRAVERS

DATED this 2nd day of June, 2003.

SHERRY TRAVERS
(Signature of Applicant)

June 13



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

**SUBORDINATE LEGISLATION
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT**

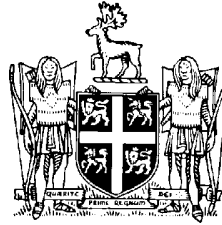
Vol. 78

ST. JOHN'S, FRIDAY, JUNE 13, 2003

No. 24

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 69/03



NEWFOUNDLAND AND LABRADOR REGULATION 69/03

Physicians and Fee Regulations
under the
Medical Care Insurance Act, 1999

(Filed June 10, 2003)

Under the authority of section 21 of the *Medical Care Insurance Act, 1999*, I make the following regulations.

Dated at St. John's, June 9, 2003.

Gerald Smith
Minister of Health and Community Services

REGULATIONS

Analysis

- | | |
|---|--|
| 1. Short title | 8. Application for payment of insured services |
| 2. Definitions | 9. Assignment of payments |
| 3. Provision of insured services outside the province | 10. Disclosure |
| 4. Fee payment to physician or beneficiary | 11. Charges against beneficiary |
| 5. Pattern of practice | 12. Debt due to minister |
| 6. Formula determining pattern of practice | 13. Delegation by minister |
| 7. Insured services received out of province | 14. Medical Consultant's Committee |
| | 15. Composition of committee |
| | 16. Transitional |
| | 17. Repeal |

Short title
Definitions

1. These regulations may be cited as the *Physicians and Fee Regulations*.

2. In these regulations

- (a) "Act" means the *Medical Care Insurance Act, 1999*;
- (b) "beneficiary" means a person who meets the requirements to be a beneficiary in the *Medical Care Insurance Beneficiaries and Inquiries Regulations*;
- (c) "committee" means the Medical Consultant's Committee referred to in section 14;
- (d) "department" means the department presided over by the minister;
- (e) "fee schedule" means
 - (i) in relation to services carried out by physicians, the Medical Payment Schedule set by the minister,
 - (ii) in relation to surgical-dental services carried out by dentists and anaesthetists, the Surgical-Dental Payment Schedule set by the minister;
- (f) "hospital" means a hospital as defined in the *Hospitals Act*;
- (g) "illness" includes mental illness, sickness, injury, disability or complaint;
- (h) "insured services" has the meaning assigned to that term by the *Medical Care Insurance Insured Services Regulations*;
- (i) "minister" means the minister appointed under the *Executive Council Act* to administer the *Medical Care Insurance Act, 1999*; and
- (j) "physician" includes a person entitled to provide an insured service.

Provision of insured services outside the province

3. (1) A person lawfully entitled to practise medicine in the place in which that practice is carried on by him or her shall be entitled to provide insured services to beneficiaries outside the province.

(2) A person lawfully entitled to practise dentistry in the place where that practice is carried on by him or her shall be entitled to provide the insured services referred to in paragraph 3(b) of the *Medical Care Insurance Insured Services Regulations*.

Fee payment to physician or beneficiary

4. (1) The minister shall pay to a physician or to a beneficiary the fees listed in the fee schedule for the insured services provided to the beneficiary subject to the conditions and limitations contained in the Act.

(2) An arrangement entered into under the Act may make provision for payments at negotiated rates and the minister shall instead of the payment required to be made by subsection (1) make a payment in accordance with that arrangement.

(3) Where an insured service is rendered to a beneficiary by a physician who is a specialist and the beneficiary was not referred to that person by another physician or a person authorized by the minister to do so, the payment to the specialist for the service shall be an amount equal to the amount that is payable under these regulations to a physician in general practice for a service of the kind provided, except that

- (a) the specialist fee listed in the surgical procedures section of the fee schedule will be paid to a specialist who performs surgery within his or her field of practice;
- (b) the specialist fee listed in the diagnostic and therapeutic procedures section of the fee schedule will be paid to the specialist if it is the only applicable fee; and
- (c) the specialist fee for hospital visits in the consultations and visits section of the fee schedule will be paid to a specialist who carries out hospital visits within his or her field of practice on a beneficiary who has been admitted to hospital.

(4) A payment shall not be made to a physician in respect of

- (a) the time taken or expenses incurred in travelling to consult a beneficiary; or

- (b) an insured service rendered to a beneficiary by a physician who is undergoing a period of clinical training unless that physician is providing coverage in a hospital casualty department or while he or she is on leave in accordance with a program approved for medical post graduate students by the Faculty of Medicine of Memorial University of Newfoundland.

(5) Nothing in this section shall prevent the minister from entering into an agreement with a participating physician to provide insured services to beneficiaries for rates of payment negotiated between the minister and the participating physician and, upon an agreement being entered, the minister shall, instead of the payment required to be made by subsection (1), make a payment to the participating physician at the rate negotiated and approved.

Pattern of practice

5. For the purposes of paragraph 15(1)(c) of the Act the term "pattern of practice" means the number and type of insured services provided by a participating physician on a quarterly basis as computed by the minister.

Formula determining pattern of practice

6. (1) The formula for the determination of the average pattern of practice of participating physicians is the pattern of practice profile prepared quarterly by the minister.

(2) For the purposes of subsection (1) the words "pattern of practice profile" mean the calculation by the minister of the number and type of insured services provided by participating physicians who are general practitioners in areas of the province as determined by the minister and for particular specialities and the average of insured services provided by those participating physicians calculated on a quarterly basis.

Insured services received out of province

7. (1) Where a beneficiary receives insured services outside the province but within Canada, the minister shall pay for those services the rates established by the public medical care insurance plan in the province or territory where the services were provided.

(2) Where a beneficiary receives insured services outside Canada that are available in the province, the minister shall pay for those services the rates in the fee schedule.

(3) Where a beneficiary receives insured services outside Canada that are not available in the province but are available within Canada, the minister shall pay for those services the rates established by the public medical care insurance plan in a province or territory selected by the minister in which the services are available.

(4) Where a beneficiary receives insured services outside Canada that are not available within Canada after receiving approval from the minister to do so, the minister shall pay for those services at a rate that the minister considers fair and reasonable.

(5) Where a beneficiary does not obtain the approval of the minister prior to receiving services outside Canada in accordance with subsection (4), the minister shall only be required to pay the rates established for similar services by the public medical care insurance plan in a province or territory selected by the minister.

(6) A beneficiary claiming the cost of insured services under this section shall supply to the minister information that he or she requires relating to the services provided.

Application for
payment of insured
services

8. (1) All applications for payment of sums for the provision of insured services shall be made to the minister on forms set by the minister for that purpose and shall be signed by the physician or someone duly authorized on his or her behalf not later than 90 days after completion of the insured services in respect of which the application is made.

(2) A person shall be considered to have been duly authorized to sign an application form on behalf of a physician after the minister has been notified in writing by the physician that such a person is authorized to do so and before the minister has been notified in writing by the physician that the authority has been revoked.

(3) Notwithstanding subsection (1), the minister may extend the time for making application for payment under this section if good cause for the extension is shown.

Assignment of
payments

9. (1) The minister may pay to the employer of a physician engaged under a contract of service or contract for services the amounts due to the physician under these regulations where that physician has assigned the right to receive the payment to the employer.

(2) The minister shall have the right to approve the terms and conditions of an assignment of amounts due under these regulations before making payment to an employer under subsection (1).

(3) Payment of amounts due under these regulations to a participating physician who is in partnership or works in association with other physicians may on the request of the participating physician be made to the partnership firm or the association of practitioners.

Disclosure

10. Every beneficiary who applies for payment or in respect of whom an application for payment is made under these regulations shall, if called upon by the minister disclose whether or not a person may have contributed to the illness for which insured services were provided.

Charges against
beneficiary

11. The extent of the charges which may be made against the beneficiary under subsection 8(3) of the Act is the extent to which the fees payable by the minister for the non-referred insured services are exceeded by the fees payable by the minister for corresponding insured services which are referred.

Debt due to minister

12. (1) Amounts paid by the minister under these regulations to a participating physician or a beneficiary in respect of a service which is not an insured service or in respect of an insured service to a person who is not a beneficiary shall be a debt due by the person for whom the payment was made and may be recovered by the minister.

(2) A sum paid by the minister in error, whether the payment was made to a participating physician or a beneficiary, shall be a debt due to the minister by the person to whom the payment was made and may be recovered by the minister.

Delegation by
minister

13. The minister may delegate a power or authority granted to the minister under sections 4 to 12 and section 14 to a person employed under him or her, subject to those limitations, restrictions, conditions and requirements as the minister may impose.

Medical Consult-
ant's Committee

14. (1) The Medical Consultants' Committee shall, upon the request of the minister, review the patterns of practice and billing procedures of participating physicians and the utilization of services by beneficiaries and the committee shall advise the minister with respect to its findings.

(2) Where the committee concludes that no corrective action is warranted beyond notification to the physician of a finding that a deviant pattern or unacceptable billing practice exists, that notification may be given or authorized by the committee.

(3) Recovery of funds or other disciplinary or investigative action may be recommended by the committee to the minister.

Composition of
committee

15. (1) The Medical Consultants' Committee shall consist of:

(a) a salaried general practitioner, a non-salaried general practitioner and a specialist appointed by the minister from a list of physicians submitted by the Newfoundland and Labrador Medical Association;

(b) a chartered accountant appointed by the minister; and

(c) the medical director, the assistant medical director and the dental director employed in the department.

(2) The committee may invite the attendance and advice of legal counsel on a matter being considered.

(3) The chairperson of the committee shall be the assistant medical director referred to in paragraph (1)(c).

(4) The members of the committee appointed under paragraphs (1)(a) and (b) shall be appointed on terms and conditions that the minister may set, but a member appointed under paragraph (1)(a) may not serve longer than 5 consecutive years.

(5) Members of the committee appointed under paragraphs (1)(a) and (b) who do not receive a salary from funds voted for the purpose by the legislature shall be remunerated on an hourly basis for their committee service.

(6) Where the term of office of an appointed committee member expires, he or she shall continue to be a committee member until replaced.

(7) A person appointed under paragraphs (1)(a) or (b) may resign as a committee member by written notice to the minister.

(8) The committee shall meet at the call of the chairperson.

(9) A quorum of the committee is 3 members, of which one shall be a physician appointed under paragraph (1)(a).

(10) The committee may establish rules and procedures governing review and investigation of cases.

(11) The committee's review and investigation of cases may include the following methods:

- (a) review of physician profiles which depict individual billing history as compared to area and provincial averages;
- (b) request and review of patient medical information, i.e., records, charts, reports, etc. which relate to services for which payment has been made;
- (c) review of reports, statistical data and other information prepared by medical audit staff;
- (d) review of evidence, including sworn statements, obtained from program beneficiaries;
- (e) interviews with physicians, patients or others who may be identified as being able to provide information relevant to any case; and
- (f) review of other information which may be of assistance to the committee in completion of its work.

Transitional

16. (1) The members of the committee appointed prior to the coming into force of this regulation shall cease to hold office on the coming into force of this regulation.

(2) Where, before the day this regulation comes into force, an inquiry by the committee was commenced, the members of the committee appointed after this regulation comes into force may continue the inquiry and investigation under sections 14 and 15.

Repeal

17. The *Medical Care Insurance Physicians and Fees Regulations*, Consolidated Newfoundland and Labrador Regulation 1193/96, are repealed.

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Index

PART I

Change of Name Act — Applications	286
Trustee Act — Notices	285
Urban and Rural Planning Act — Notices	283

PART II

CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
Medical Care Insurance Act			
Physicians and Fees Regulations	NLR 69/03	CNLR 1193/96 R & S	June 13/03, p. 627

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Copy for publication must be received before **Friday, 4:30 p.m.**, seven days before publication, to ensure inclusion in next issue. Advertisements should be typewritten or printed legibly, separate from covering letter. Number of insertions required must be stated and the names of all signing officers typewritten or printed.

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