



# Health

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## Overview

The health care industry is continually changing and becoming increasingly complex. For over 70 years Field Law's dedicated, deep and multi-disciplinary team has been providing a broad range of strategic advice and direction on issues related to healthcare organizations, clinical leaders and front line professionals in the province of Alberta.

We guide our clients every step of the way, providing comprehensive legal services to help them adapt and succeed regardless of the challenges that may arise.

**Field Law helps with:**

## Industries

Hospital + Medical Staff Relations  
 Insurance  
 Medical Malpractice  
 Professional Regulatory  
 Public Health

## Services

Business  
 Labour + Employment  
 Workplace Human Rights  
 Litigation  
 Professional Regulatory

#### Resolving disputes

- Negligence and other tort litigation
- Medical malpractice litigation defence
- Urgent court proceedings including injunctions and restraining orders
- Judicial review of administrative tribunal decisions
- Prosecutions under the *Public Health Act*
- Representation at Fatality Inquiries and Coroner's Inquests
- Class action support and advice

#### Commercial operations

- Negotiating and preparing commercial agreements
- Clinical services agreements and research agreements
- Joint ventures
- Construction agreements
- Lending arrangements including all security documentation

#### Labour relations

- Labour Relations Board hearings
- Workplace health and safety hearings, reviews and appeals
- Collective bargaining
- Strike and lockout preparation and management
- Picket line activity

#### Finding solutions to financial problems

- Negotiating and preparing loan agreements, commitment letters, or other documents of such nature
- Reviewing, preparing, and registering various financing and related security documents and related registrations
- Providing legal opinions on enforceability of security both on behalf of lenders and borrowers

#### Acquiring, developing, leasing or disposing of real estate property

- Ownership structuring
- Land assembly
- Municipal/development issues
- Environmental issues
- Deal negotiation

#### Tax-efficient structuring

- Structuring employee benefit plans
- Validity of donations and in-kind gifts
- Representation before Canada Revenue Agency (CRA)

#### Protecting and preserving your research

- Confidentiality and non-disclosure agreements
- Industrial design protection
- Licensing + commercialization
- Trademark registration
- Resolution of copyright issues

#### Maintaining the security and confidentiality

- Advice concerning the collection, use and disclosure of information under the applicable legislation
- Representation before privacy commissioners
- Drafting privacy policies, procedures and manuals

of patient and  
staff records

- Assistance with the management of employee and patient information

Employee  
mobility

- Canadian labour market impact assessments
- Work authorizations and permits
- Permanent residence and citizenship
- Appeals before the Immigration Appeal Division, Citizenship Judges and the Federal Court of Canada

## People

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## Fatality Inquiries Act

The *Fatality Inquiries Act* in Alberta provides a framework for both mandatory and discretionary fatality inquiries. For decades members of the Field Law Health Law Group have represented health care organizations and personnel in Fatality Inquiries as well as Coroner's Inquest outside of Alberta. These inquiries focus upon deaths that arise directly or indirectly in the realm of provincial health care and have a legislative mandate that includes making recommendations to prevent deaths in similar circumstances.

The Health Law Group works diligently with our clients to prepare for these public inquiries which often focus upon both systemic and policy issues. Our preparation includes thoroughly briefing frontline staff who are witnesses before the Inquiry, meeting with and briefing communications staff regarding potential media risks, and assisting with the development of key messages for internal distribution. When warranted, we have daily debriefings with senior administrative and communications staff to summarize crucial evidence and anticipate media headlines.

During the Inquiry we engage in careful consultation and advocacy to ensure that our clients are represented fairly and to ensure, as much as possible, that any recommendations arising from the Inquiry are warranted and practical. Field lawyers also work with our clients in relation to the implementation of any recommendations made by the Courts.

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