



Premier of Alberta

Office of the Premier, 307 Legislature Building, Edmonton, Alberta T5K 2B6 Canada

## **MINISTERIAL ORDER No. 01/2025**

### **DEPARTMENT OF EXECUTIVE COUNCIL PROVINCE OF ALBERTA**

#### **INDEPENDENT INVESTIGATION INTO PROCUREMENT PROCESSES AND OUTCOMES AT ALBERTA HEALTH AND ALBERTA HEALTH SERVICES**

I, Danielle Smith, President of Executive Council, make the following Order:

#### **The Independent Investigator**

1. The Honourable Raymond E. Wyant will serve as an independent investigator, to investigate procurement processes and outcomes at Alberta Health and Alberta Health Services (the "Independent Investigator"). To ensure additional independence from departments or parties involved in legal or other review processes, and in recognition of its expertise in and responsibility for procurement within the Government of Alberta, the Department of Service Alberta and Red Tape Reduction will provide the resources for the independent investigation.

#### **Mandate and Deliverables**

2. The mandate and deliverables of the Independent Investigator are as set out in the Terms of Reference attached as Appendix A to this Order.

#### **Government Support**

3. The work of the Independent Investigator will be supported by the Government of Alberta through the provision of documents and access to relevant individuals for the purpose of interviews. The Government of Alberta will also facilitate the Independent Investigator's access to documents held by its agencies, and also facilitate interviews with relevant individuals.
4. The Government of Alberta will provide administrative support to the Independent Investigator as needed and will enter into contracts with third party vendors for such further support as the Independent Investigator may request. The maximum cost of such third-party support will be \$500,000, or such higher amount as may be approved by the Deputy Minister of Service Alberta and Red Tape Reduction.

#### **Remuneration and Expenses**

5. The Independent Investigator will be provided remuneration of \$31,900 per month, in accordance with and subject to a contract to be entered into between the Independent

Investigator and the Deputy Minister of Service Alberta and Red Tape Reduction, pursuant to s.6 of the *Government Organization Act*.

6. The Independent Investigator will be entitled to reimbursement of their reasonable expenses on the same basis as if they were employees of the Government of Alberta and subject to the *Travel, Meal and Hospitality Expenses Directive*, being Treasury Board Directive 05/2020, including any amendments thereto.

#### **Timelines**

7. The final report of the Independent Investigator will be delivered by June 30, 2025, unless an extension is agreed to by the Deputy Minister of Service Alberta and Red Tape Reduction.

#### **Public Communications**

8. The Independent Investigator's final report will be published on alberta.ca.

DATED this 3<sup>rd</sup> day of March, 2025.



Danielle Smith  
President of Executive Council

## **Appendix "A"**

### **Terms of Reference – Independent Investigation Into Procurement Processes and Outcomes at Alberta Health and Alberta Health Services**

The Independent Investigator will review Alberta Health (AH) and Alberta Health Services' (AHS) procurement of children's medicine and services of chartered surgical facilities, having regard to relevant legislation, regulations, and policies related to procurement typically used by the Government of Alberta's (GoA) departments and agencies. The Independent Investigator will make recommendations to the GoA for improvement or further action as appropriate.

#### **Scope of the Independent Investigation**

In conducting this review, the Independent Investigator will consider questions including but not limited to:

- Were AH and AHS procurement decisions consistent with established policies in the context of the government's expressed policy objectives and the operational and environmental contexts at the time of the procurements?
- Did AH and AHS decision makers, individually and collectively, exercise their authority appropriately during the procurement?
- Did AH and AHS employees, and the agents and/or staff of the companies involved in the procurements, properly disclose or investigate potential conflicts of interest during the procurement processes?
- Did any elected official or member of a minister's staff, or any member of the Alberta Public Service or AHS, or other individuals, act improperly during the procurement processes in the context of the government's expressed policy objectives and the operational and environmental contexts at the time of the procurements?
- If inquiries were made of AH and AHS by any elected official or member of a minister's staff, or by any member of the Alberta Public Service, regarding procurement processes, were such inquiries consistent with the exercise of accountability for implementing the government's expressed policy objectives?

The Independent Investigator will also:

- Review relevant Alberta legislation, regulations, orders in council, ministerial orders, directives, agreements, reports and reviews prepared to date, and any other document held by the GoA or AHS they deem relevant;
- Review any procurement policies and practices the Independent Investigator determines advisable;
- Interview all relevant parties; and,
- Undertake any other related activities determined to be necessary by the Independent Investigator, including any additional analysis and providing recommendations in relation to the Independent Investigator's review.

#### **Department Contacts for the Independent Investigator**

The Independent Investigator's primary contacts in the GoA will be the Deputy Minister of Jobs, Economy and Trade and the Deputy Minister of Service Alberta and Red Tape Reduction (the

“Department Contacts”).

### **Support for the Independent Investigator**

Support will be provided to the Independent Investigator for their work from such departments of the GoA as determined by the Department Contacts. This support will include arranging for access to information as required, including in relation to all departments and agencies of the Government of Alberta.

Third party contract support will be selected by the Independent Investigator in consultation with the Department Contacts.

### **Deliverables and Reporting**

The Independent Investigator must deliver to the Department Contacts an interim written report on or before May 30, 2025, and final written report and recommendations on or before June 30, 2025, unless otherwise agreed by the Independent Investigator and Department Contacts.