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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 67  
(2024, chapter 31)

**An Act to amend the Professional  
Code for the modernization of the  
professional system and to broaden  
certain professional practices in the  
field of health and social services**

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Passed in principle 25 September 2024  
Passed 7 November 2024  
Assented to 7 November 2024

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## EXPLANATORY NOTES

*This Act amends the Professional Code with respect to access to professions in order to add situations allowing the board of directors of a professional order to issue a temporary restrictive permit and a special permit for certain professional activities. The Act also provides that, in an emergency situation, the minister responsible for the administration of legislation respecting the professions may authorize a professional order to issue special authorizations to engage in professional activities reserved for members of an order. The Act also allows the implementation of pilot projects.*

*The Act allows members of professional orders to carry on their professional activities within an organization constituted mainly for that purpose, regardless of its juridical form, if certain conditions are met.*

*The Act also amends the Professional Code to provide that a notary may become the chair of a disciplinary council of a professional order and that the Commissioner for Admission may not be compelled to give a testimony relating to information or a document obtained in the exercise of his duties. It extends immunity from judicial proceedings to the Commissioner for Admission and to the council of arbitration of a professional order or its members.*

*It also amends the approval procedure of a regulation giving effect to mutual recognition of professional competence and a regulation allowing the carrying on of professional activities within a limited liability partnership or a joint-stock company.*

*The Act specifies that certain information concerning members of a professional order is not public if its disclosure could endanger the safety of a person or cause prejudice to the person who is the source or the subject of the information.*

*The Act allows certain professionals in the field of health to make mental health diagnoses. It also amends the Pharmacy Act to, among other things, assign new duties to the board of directors of the Ordre des pharmaciens du Québec, including advising the Minister of Health and Social Services or Santé Québec on the quality of pharmaceutical care or services provided in the centres operated by the institutions*

*and making inquiries. It revises the field of practice of pharmacists and the activities reserved to them, including the prescription of medications and the renewal of prescriptions, and provides that the board of directors of the Ordre des pharmaciens du Québec determines, by regulation, the regulation of certain activities reserved to pharmacists.*

*Lastly, the Act contains consequential provisions and various transitional measures.*

#### **LEGISLATION AMENDED BY THIS ACT:**

- Insurers Act (chapter A-32.1);
- Act respecting the Barreau du Québec (chapter B-1);
- Professional Code (chapter C-26);
- Nurses Act (chapter I-8);
- Notaries Act (chapter N-3);
- Pharmacy Act (chapter P-10).

#### **REGULATIONS AMENDED BY THIS ACT:**

- Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5);
- Regulation respecting the practice of the profession of advocate within a non-profit legal person (chapter B-1, r. 8.2);
- Règlement sur la formation continue obligatoire des avocats (chapter B-1, r. 12.1, French only);
- Regulation respecting the roll of professional orders (chapter C-26, r. 9);
- Règlement sur une activité de formation des conseillers d’orientation pour l’évaluation des troubles mentaux (chapter C-26, r. 65.1, French only);

- Règlement sur une activité de formation des psychologues pour l'évaluation des troubles neuropsychologiques (chapter C-26, r. 208.3, French only);
- Regulation respecting certain professional activities that may be engaged in by persons other than psychologists and by psychologists (chapter C-26, r. 208.4);
- Règlement sur une activité de formation des sexologues pour l'évaluation des troubles sexuels (chapter C-26, r. 221.1.001, French only);
- Regulation respecting the training and clinical experience required of nurses to assess mental disorders (chapter I-8, r. 15.1);
- Regulation respecting the practice of the notarial profession within a non-profit legal person (chapter N-3, r. 6.2);
- Regulation respecting certain professional activities that may be engaged in by persons other than sexologists and by sexologists, approved by Order in Council 88-2024 (2024, G.O. 2, 374).

**REGULATION REPEALED BY THIS ACT:**

- Regulation respecting certain professional activities that may be engaged in by a pharmacist (chapter M-9, r. 12.2.1).

## Bill 67

### AN ACT TO AMEND THE PROFESSIONAL CODE FOR THE MODERNIZATION OF THE PROFESSIONAL SYSTEM AND TO BROADEN CERTAIN PROFESSIONAL PRACTICES IN THE FIELD OF HEALTH AND SOCIAL SERVICES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### PROFESSIONAL CODE

**1.** The Professional Code (chapter C-26) is amended by inserting the following section after section 12.0.1:

“**12.0.2.** The Office may, by regulation, determine certain terms and conditions and certain restrictions according to which members of the orders or members of certain orders may engage in professional activities within an organization or certain types of organizations. In addition, the regulation may provide that engaging in professional activities is forbidden within certain types of organizations.

The provisions of the regulation provided for in the first paragraph apply despite any inconsistent provision of a regulation made under subparagraph *p* of the first paragraph of section 94.”

**2.** Section 16.10 of the Code is amended by replacing subparagraph *d* of subparagraph 1 of the second paragraph by the following subparagraph:

“(d) the issue of any special authorization; or”

**3.** The Code is amended by inserting the following section after section 16.10.2:

“**16.10.3.** Neither the Commissioner nor a person the Commissioner designates under section 16.10.2 may be compelled to give testimony relating to information obtained in the exercise of their functions or to produce any document containing such information.”

**4.** Section 37.1 of the Code is amended

(1) in paragraph 1.1.1,

(a) by replacing “or evaluation of” in subparagraph *a* by “established by”;

(b) by inserting “, temporary representation of an incapable person of full age” after “age” in subparagraph *f*;

(2) by replacing “or evaluation of” in subparagraph *a* of paragraph 1.1.2 by “established by”;

(3) in paragraph 1.2,

(a) by replacing “or evaluation of” in subparagraph *a* by “established by”;

(b) by replacing “assess” in subparagraphs *b* and *c* by “diagnose”;

(4) in paragraph 1.3,

(a) by replacing “or evaluation of” in subparagraph *a* by “established by”;

(b) by replacing “assess” in subparagraph *b* by “diagnose”;

(c) by replacing subparagraph *c* by the following subparagraph:

“(c) diagnose intellectual disabilities; and”;

(5) in paragraph 2,

(a) by replacing subparagraph *a* by the following subparagraph:

“(a) assess hearing disorders;”;

(b) by replacing subparagraph *d* by the following subparagraphs:

“(d) diagnose language disorders and learning disorders related to language;

“(d.1) assess speech and voice disorders;”;

(6) by replacing “or evaluation of” in subparagraph *f* of paragraph 4 by “established by”;

(7) by replacing “or evaluation of” in subparagraph *a* of paragraph 8 by “established by”;

(8) by replacing “or evaluation of” in subparagraph *a* of paragraph 9 by “established by”;

(9) in paragraph 10,

(a) by replacing “assess” in subparagraph *a* by “diagnose”;

(b) by replacing “or evaluation of” in subparagraph *b* by “established by”.

**5.** Section 42.1 of the Code is amended

(1) by inserting “the first paragraph of” after “section 42 or” in subparagraph 2 of the first paragraph;

(2) by adding the following subparagraph at the end of the first paragraph:

“(3) the person must acquire training, serve a training period or pass an examination provided for in a regulation made under subparagraph *i* of the first paragraph of section 94, in an Act constituting a professional order or in a regulation made under that Act to be issued a permit or a specialist’s certificate.”;

(3) by inserting “for which the holder has the skills or that are required to complete training or a training period imposed as part of the process for the issue of a permit or a specialist’s certificate,” after “permit,” in the second paragraph.

**6.** Section 42.2 of the Code is amended by adding the following paragraphs at the end:

“The board of directors may also issue a special permit for certain professional activities to a person who is in any of the situations referred to in subparagraphs 1 to 2 of the first paragraph of section 42.1 or in the first paragraph of section 45.3 and who renounces, for any reason the order considers valid, to meet any of the conditions referred to in those sections. If applicable, the board of directors shall determine, from among the professional activities the members of the order may engage in, those that may be engaged in by the holder of the permit, and the conditions the holder must meet to engage in those activities. The board of directors may, in particular, determine the title, abbreviation and initials that the holder of the permit may use.

The holder of a special permit for certain professional activities provided for in the second paragraph who, after obtaining the permit, has completed training or acquired skills related to the professional activities that the members of the order may engage in may ask the board of directors to modify the holder’s authorized professional activities or the conditions the holder must meet to engage in those activities.”

**7.** The Code is amended by inserting the following section after section 42.4:

**“42.5.** In an emergency situation and on the recommendation of a minister concerned, the Minister may, for the duration of the emergency situation, authorize a professional order to issue special authorizations to engage in professional activities reserved for members of the order.

Such an authorization may be issued to categories of persons, in accordance with the terms and conditions determined by the order of the Minister, in particular the validity period of that authorization.

An order made under this section comes into force on the date it determines and is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) or to the date of coming into force set out in section 17 of that Act.

For the purposes of this section, an “emergency situation” is an objectively serious, actual or imminent event to which it is not possible to adequately respond within the scope of normal operating standards and that requires the use of an exceptional measure to counter or prevent harm to persons or damage to property or the environment.”

**8.** Section 45.3 of the Code is amended by adding the following paragraphs at the end:

“Despite the third paragraph, the board of directors may issue a special permit under the second paragraph of section 42.2 to an applicant for a permit under the first paragraph.

Following the results of the assessment of the competence of an applicant for entry on the roll under the second paragraph and the applicant renouncing to complete the requirements provided for in subparagraph 2 of the third paragraph, the board of directors may, if the applicant consents to it, restrict the applicant’s right to engage in professional activities.”

**9.** Section 46 of the Code is amended by replacing “the partnership or the company, in accordance with paragraph *d* or *g* of section 93” in paragraph 3 by “the organization within which he engages in professional activities, in accordance with paragraph *d* of section 93 or, as the case may be, paragraph 3 of section 187.11 or a regulation referred to in paragraph 1 or 2 of that section”.

**10.** Section 46.2 of the Code is amended by striking out “under section 42.4” in the second paragraph.

**11.** Section 85.1.1 of the Code is amended by replacing “paragraphs *d* and *g* of section 93” in the introductory clause by “paragraph *d* of section 93 or, if applicable, subparagraph *p* of the first paragraph of section 94”.

**12.** Section 85.2 of the Code is amended, in the first paragraph,

(1) by replacing “paragraphs *d* and *g* of section 93” by “paragraph *d* of section 93 and subparagraph *p* of the first paragraph of section 94 or in accordance with paragraph 3 of section 187.11”;

(2) by replacing “paragraph *g* of section 93” by “subparagraph *p* of the first paragraph of section 94”;

(3) by replacing “a partnership or a company” by “an organization”.

**13.** The Code is amended by inserting the following sections after section 86.0.1:

**“86.0.2.** The board of directors may develop and implement, after consultation with the Office, a pilot project to improve the matters covered by a regulation approved under section 95.2 or to experiment or innovate in those matters, except a regulation made under paragraph *d* of section 93 or subparagraph *p* of the first paragraph of section 94 with respect to professional liability insurance.

A pilot project must be in line with the objectives pursued by this Code or by the Act constituting a professional order.

The board of directors shall determine, by regulation, the standards and obligations applicable under a pilot project, which may differ from the standards and obligations set out in the regulations approved in accordance with section 95.2.

A pilot project is established for a period of up to two years, which the board of directors may extend by up to one year, after consultation with the Office.

The board of directors shall report to the Office annually on the implementation of a pilot project, and, at the Office’s request, at any other time.

In the six months following the end of a pilot project, the board of directors shall evaluate the pilot project and send its report and any recommendations to the Office. The report shall be made public, within the same period, on the order’s website.

**“86.0.3.** Section 95 and the Regulations Act (chapter R-18.1) do not apply to a regulation adopted by the board of directors that is necessary to implement a pilot project referred to in section 86.0.2. A description of the pilot project and the regulation shall be made public on the order’s website.”

**14.** Section 86.1 of the Code is amended by replacing “paragraph *d* or *g* of section 93” in the third paragraph by “paragraph *d* of section 93 or subparagraph *p* of the first paragraph of section 94”.

**15.** Section 86.4 of the Code is amended by replacing “paragraph *d* or *g* of section 93” in the first paragraph by “paragraph *d* of section 93 or, if applicable, subparagraph *p* of the first paragraph of section 94”.

**16.** Section 86.6 of the Code is amended by replacing “a partnership or other group of professionals” in the second paragraph by “an organization referred to in Chapter VI.3”.

**17.** Section 86.8 of the Code is amended by replacing “, in a partnership or in a group of professionals” by “or within an organization”.

**18.** Section 93 of the Code is amended

(1) by inserting “; the board of directors must, before adopting a regulation under this paragraph, consult the Minister of International Relations at least 30 days before its adoption” at the end of paragraph *c.2*;

(2) by striking out paragraphs *g* and *h*.

**19.** Section 94 of the Code is amended by replacing subparagraph *p* of the first paragraph by the following subparagraph:

“(p) determine, in addition to what is provided for in the regulation made by the Office under section 12.0.2, the other terms and conditions and the other restrictions according to which members of an order may engage in professional activities within an organization or certain types of organizations, in particular the obligation to furnish and maintain, on behalf of the organization, security to cover professional liability the organization may incur for any fault committed by the members who practise their profession within the organization that is at least equivalent to the requirements prescribed by the regulation made under paragraph *d* of section 93. Such a regulation may prescribe that engaging in professional activities is forbidden within certain types of organizations;”.

**20.** Section 95.0.1 of the Code is amended

(1) by replacing “*c, c.1 or c.2*” in the first paragraph by “*c or c.1*”;

(2) by striking out the third paragraph.

**21.** Section 95.2 of the Code is amended, in the first paragraph,

(1) by replacing “*d, e, f, g or h*” by “*c.2, d, e or f*”;

(2) by replacing “paragraph *a, j, n or o* or paragraph” by “subparagraph *a, j, n, o or p* of the first paragraph of section”;

(3) by striking out the last sentence.

**22.** Section 95.3 of the Code is amended by replacing “paragraph *d* or *g* of section 93 or paragraph *j, o or p*” by “paragraph *d* of section 93 or subparagraph *j, o or p* of the first paragraph”.

**23.** Section 108.3 of the Code is amended by replacing “a company or partnership referred to in Chapter VI.3 or another group of professionals” in the third paragraph by “an organization referred to in Chapter VI.3”.

**24.** Section 108.8 of the Code is amended

- (1) by inserting the following paragraph after the first paragraph:

“However, the information referred to in the first paragraph is not public information to the extent that its release must be refused under paragraph 3 or paragraph 4 of section 108.4.”;

- (2) by striking out “However,” in the last paragraph.

**25.** Section 108.9 of the Code is amended by replacing paragraph 2 by the following paragraphs:

“(2) the professional liability group insurance plan contract entered into by an order in accordance with the requirements determined in a regulation referred to in paragraph *d* of section 93 or subparagraph *p* of the first paragraph of section 94, or entered into for the purposes of paragraph 3 of section 187.11, as the case may be, including any riders;

“(2.1) for the other types of contracts provided for in the provisions referred to in paragraph 2, the declaration or statement of a member of an order or of an organization referred to in Chapter VI.3, according to which they are covered by security consistent with the requirements determined in a regulation referred to in paragraph 2 or with the prescriptions of paragraph 3 of section 187.11 or they have been excluded or exempted, including any information relating to the nature of the exclusion or exemption; and”.

**26.** Section 108.10 of the Code is amended by replacing “a company or partnership referred to in Chapter VI.3, or on another group of professionals” by “an organization referred to in Chapter VI.3”.

**27.** Section 115.3 of the Code is amended by inserting “or a notary” after “advocate”.

**28.** Section 162 of the Code is amended

- (1) by striking out “to replace him if he is absent or unable to act”;

- (2) by adding the following paragraph at the end:

“If the chair is absent or unable to act, he shall be replaced by the vice-chair. If another judge of the Tribunal is absent, the chief judge of the Court of Québec may designate a judge of such Court to replace him. The replacement shall last until the chair or the judge resumes the exercise of his functions or is replaced. A judge seized of a case the hearing of which has begun may complete such a case despite the expiry of the term of replacement.”

**29.** Section 184 of the Code is amended by adding the following sentence at the end of the second paragraph: “The regulation may prescribe the terms of cooperation, between the order and the educational institutions concerned, applicable to a program of study leading to a diploma that leads to a training certificate issued pursuant to a regulation under subparagraph *o* of the first paragraph of section 94 or under an Act constituting a professional order.”

**30.** The heading of Chapter VI.3 of the Code is amended by replacing “A LIMITED LIABILITY PARTNERSHIP OR A JOINT-STOCK COMPANY” by “AN ORGANIZATION”.

**31.** Section 187.11 of the Code is replaced by the following section:

**“187.11.** Subject to the provisions of an Act, the members of an order may carry on their professional activities within an organization constituted mainly for that purpose, regardless of its juridical form, if the following conditions are met:

(1) they comply with the provisions of this Chapter and, if applicable, the regulation of the Office made under section 12.0.2 where such a regulation determines the terms, conditions and restrictions according to which the professional activities may be carried on within an organization or certain types of organizations;

(2) they comply, if applicable, with the provisions of the regulation made by the order’s board of directors under subparagraph *p* of the first paragraph of section 94 where such a regulation determines the terms, conditions and restrictions according to which the professional activities may be carried on within an organization or certain types of organizations; and

(3) they maintain, when the organization in which they practise their profession is a legal person or a limited liability partnership, security to cover professional liability the organization may incur for any fault committed by the members in the practice of their profession that is at least equivalent to the security prescribed by a regulation made under paragraph *d* of section 93 or, if applicable, in compliance with the greater requirements prescribed by a regulation referred to in paragraph 1 or 2.”

**32.** The Code is amended by inserting the following section after section 187.11:

**“187.11.1.** In the course of their professional activities within an organization referred to in section 187.11, the members comply with the obligations set out in the provisions of this Code, of the Act constituting the order of which they are members, or of the regulations adopted in accordance with this Code or that Act, and they ensure that the organization permits the members to comply with such obligations.”

**33.** Section 187.18 of the Code is amended by replacing “a joint-stock company” and “the company” by “an organization” and “the organization”, respectively.

**34.** Section 187.19 of the Code is amended by replacing “a joint-stock company” by “an organization”.

**35.** Section 187.20 of the Code is amended

(1) by replacing “a limited liability partnership or a joint-stock company” in the first paragraph by “an organization”;

(2) by replacing all occurrences of “a partnership or company” and “the partnership or company” in the second paragraph by “an organization” and “the organization”, respectively.

**36.** Section 193 of the Code is amended by adding the following paragraphs at the end:

“(11) the Commissioner for Admission to Professions, the employees under the Commissioner’s direction and a person the Commissioner designates under section 16.10.2;

“(12) a council of arbitration or one of its members.”

**37.** The Code is amended by inserting the following section after section 198:

**“198.1.** The Minister may, by order, in particular on the suggestion of the Office, the Interprofessional Council or a professional order, authorize the implementation of a pilot project related to any matter within the scope of this Code, of an Act constituting a professional order or of a regulation made under them with a view to studying or improving in those matters or experimenting, innovating or defining standards applicable to those matters.

All pilot projects must be in line with the objectives pursued by this Code or the Act constituting an order. Where the pilot project is on the initiative of the Minister or on the suggestion of the Office, it must be the subject of a consultation with, as the case may be, the Interprofessional Council or the orders specifically concerned.

The Minister determines the standards and obligations applicable under a pilot project, which apply despite any inconsistent provision of an Act, of this Code, of the Act constituting an order or of the regulations made under this Code or the said Act.

A pilot project is established for a period of up to two years which the Minister may extend by up to one year. The Minister may modify or terminate a pilot project at any time.

Within six months after the end of the pilot project, the Office evaluates the pilot project and sends its report and recommendations to the Minister.

If the standards and obligations determined for a pilot project authorized in accordance with the first paragraph are incompatible with the standards and obligations determined in accordance with section 86.0.2, the standards and obligations of the former prevail.”

## INSURERS ACT

**38.** Section 35 of the Insurers Act (chapter A-32.1) is amended by replacing “a partnership or company referred to in Chapter VI.3 of that Code. A legal person referred to in section 131.1 of the Act respecting the Barreau du Québec (chapter B-1) or section 26.1 of the Notaries Act (chapter N-3) is considered such a partnership or company for the purposes of this section” by “the organization referred to in Chapter VI.3 of that Code”.

**39.** Section 41 of the Act is amended by replacing “one referred to in Chapter VI.3 of the Professional Code (chapter C-26). A legal person referred to in section 131.1 of the Act respecting the Barreau du Québec (chapter B-1) or section 26.1 of the Notaries Act (chapter N-3) is considered such a partnership or company for the purposes of this section” by “organization referred to in Chapter VI.3 of the Professional Code (chapter C-26)”.

## ACT RESPECTING THE BARREAU DU QUÉBEC

**40.** Section 54.1 of the Act respecting the Barreau du Québec (chapter B-1) is amended by replacing “legal person referred to in section 131.1 in accordance with the by-law adopted under that section” in subparagraph 1 of the second paragraph by “non-profit legal person or a cooperative in accordance with the provisions of a regulation made under subparagraph *p* of the first paragraph of section 94 of the Professional Code (chapter C-26), if applicable”.

**41.** Section 125 of the Act is amended by replacing subsection 1 by the following subsection:

“1. If an advocate carries on his professional activities within a joint-stock company, a non-profit legal person or a cooperative in accordance with a regulation made by the board of directors under subparagraph *p* of the first paragraph of section 94 of the Professional Code (chapter C-26), the company, legal person or cooperative is entitled, unless otherwise agreed, to the professional fees and costs owing to the advocate. If an advocate carries on his professional activities within another type of organization, the organization is entitled to those professional fees and costs to the extent that a regulation of the board of directors made under subparagraph *p* of the first paragraph of section 94 of that Code so provides.”

**42.** Section 129 of the Act is amended

(1) by replacing “legal person referred to in section 131.1 in accordance with the by-law adopted under that section” in paragraph *f* by “non-profit legal person or cooperative in accordance with subparagraph 1 of the second paragraph of section 54.1”;

(2) by replacing “legal person referred to in section 26.1 of the Notaries Act (chapter N-3) and in accordance with the regulation made under that section” in paragraph *g* by “non-profit legal person or cooperative in accordance with subparagraph 1 of the second paragraph of section 13.1 of the Notaries Act (chapter N-3)”.

**43.** The heading of Division XIII.1 of the Act is amended by adding “OR A COOPERATIVE” at the end.

**44.** Sections 131.1 to 131.4 of the Act are replaced by the following sections:

**“131.1.** An advocate must not allow, in consideration of the professional activities that he carries on within a non-profit legal person in accordance, if applicable, with a regulation made under subparagraph *p* of the first paragraph of section 94 of the Professional Code (chapter C-26) or in the course of such activities, professional fees or costs to be charged that, together, exceed a moderate cost. The client may, however, be required to reimburse disbursements.

**“131.2.** A regulation made under subparagraph *p* of the first paragraph of section 94 of the Professional Code (chapter C-26) concerning the practice of the profession of advocate within a non-profit legal person or cooperative must, before being approved by the Office des professions du Québec under section 95.2 of that Code, be submitted to the Minister of Justice for consultation.”

NURSES ACT

**45.** Section 36 of the Nurses Act (chapter I-8) is amended by replacing “assessing mental disorders, except mental retardation” in subparagraph 16 of the second paragraph by “diagnosing mental disorders, except intellectual disabilities”.

NOTARIES ACT

**46.** Section 13.1 of the Notaries Act (chapter N-3) is amended by replacing “legal person referred to in section 26.1 and in accordance with the regulation made under that section” in subparagraph 1 of the second paragraph by “non-profit legal person or cooperative in accordance with the provisions of a regulation made under subparagraph *p* of the first paragraph of section 94 of the Professional Code (chapter C-26), where applicable”.

**47.** The heading of Division III.1 of Chapter II of the Act is amended by adding “OR A COOPERATIVE” at the end.

**48.** Sections 26.1 to 26.4 of the Act are replaced by the following sections:

**“26.1.** A notary must not allow, in consideration of the professional activities that he or she carries on within a non-profit legal person in accordance, where applicable, with a regulation made under subparagraph *p* of the first paragraph of section 94 of the Professional Code (chapter C-26) or in the course of such activities, professional fees or costs to be charged that, together, exceed a moderate cost. The client may, however, be required to reimburse disbursements.

**“26.2.** A regulation made under subparagraph *p* of the first paragraph of section 94 of the Professional Code (chapter C-26) concerning the practice of the profession of notary within a non-profit legal person or cooperative must, before being approved by the Office des professions du Québec under section 95.2 of that Code, be submitted to the Minister of Justice for consultation.”

## PHARMACY ACT

**49.** Section 8 of the Pharmacy Act (chapter P-10) is amended by adding the following at the end:

“(c) shall advise the Minister of Health and Social Services or Santé Québec, as applicable, on its own initiative or at the request of either of them, on the quality of pharmaceutical care or services provided in the centres operated by the institutions and on the standards to be followed to improve the quality of such care or services.

In the performance of the duties assigned to it by subparagraph *c* of the first paragraph, the board of directors may have inquiries made into the quality of the pharmaceutical care or services provided in the centres operated by the institutions and may constitute a committee of inquiry for that purpose.

It is forbidden to hinder in any way a member of a committee of inquiry constituted under the second paragraph in the performance of his duties, to mislead the member by concealment or false declarations, or to refuse to provide the member with any information or document relating to an inquiry the member is holding under this Act.

Any person who contravenes this section commits an offence and is liable to the penalties provided in section 188 of the Professional Code (chapter C-26).”

**50.** Section 10 of the Act is amended

(1) in the first paragraph,

(a) by replacing “second and third paragraphs” in subparagraph *a* by “second paragraph”;

(b) by replacing “and 10 of the second paragraph of section 17 and the activity described in the third paragraph of that section” in subparagraph *g* by “, 10 and 11 of the second paragraph of section 17”;

(c) by replacing subparagraphs *h* and *i* by the following subparagraph:

“(h) determine, for the activities described in subparagraphs 5 to 11 of the second paragraph of section 17,

i. the conditions and procedures according to which those activities are engaged in;

ii. the cases, if applicable, in which those activities are engaged in; and

iii. the cases for which a training certificate issued by the Order in accordance with a regulation made under subparagraph *o* of the first paragraph of section 94 of the Professional Code (chapter C-26) is required.”;

(2) by replacing “*g* to *i*” in the third paragraph by “*g* and *h*”.

**51.** Section 17 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“The practice of pharmacy consists in assessing a state of health and preventing and treating illness through the proper use and management of medications in order to maintain or restore health or to provide appropriate symptom relief.”;

(2) in the second paragraph,

(a) by striking out “to ensure the proper use of medications” in subparagraph 1.1;

(b) by striking out “by introducing an instrument in the pharynx” in subparagraph 5;

(c) by striking out “; the renewal period may not be longer than the original prescription period or, if the original prescription period is longer than one year, the renewal period may not exceed one year” in subparagraph 6;

(d) by replacing subparagraph 8 by the following subparagraph:

“(8) substituting another medication for a prescribed medication;”;

(e) by replacing subparagraph 9 by the following subparagraph:

“(9) administering a medication in the cases and on the conditions provided by regulation;”;

(f) by striking out “, to ensure the proper use of medications” in subparagraph 10;

(g) by adding the following subparagraph at the end:

“(11) prescribe a medication.”;

(3) by striking out the third and fourth paragraphs.

**52.** Section 21 of the Act is replaced by the following section:

“**21.** A pharmacist must fill a prescription according to its integral terms, subject to the powers conferred on him and the obligations incumbent on him.”

**53.** Section 24 of the Act is amended by inserting “prescribe or” after “pharmacist may”.

**54.** Section 27 of the Act is amended

(1) by replacing “partnership of pharmacists or” by “partnership of pharmacists,”;

(2) by inserting “, or a non-profit legal person all of the founders, directors and members of which are pharmacists” after “directors of which are pharmacists”.

**55.** Section 31 of the Act is amended by replacing “paragraph *h*” by “subparagraph *h* of the first paragraph”.

**56.** Section 35 of the Act is amended

(1) by replacing “second and third paragraphs” in the first paragraph by “second paragraph”;

(2) by replacing “paragraph *h*” in subparagraph *b* of the second paragraph by “subparagraph *h* of the first paragraph”.

## REGULATION RESPECTING THE APPLICATION OF THE HEALTH INSURANCE ACT

**57.** Section 60.1 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended

(1) by replacing “chapter M-9, r. 12.2” in subparagraph *d* of the first paragraph by “chapter M-9, r. 12.2.1”;

(2) by adding the following paragraph at the end:

“A reference to the provisions of the Regulation respecting certain professional activities that may be engaged in by a pharmacist (chapter M-9, r. 12.2.1) in the first paragraph is a reference to those provisions as they read on 7 November 2024.”

## REGULATION RESPECTING THE PRACTICE OF THE PROFESSION OF ADVOCATE WITHIN A NON-PROFIT LEGAL PERSON

**58.** Section 1 of the Regulation respecting the practice of the profession of advocate within a non-profit legal person (chapter B-1, r. 8.2) is amended by inserting “, in Chapter VI.3 of the Professional Code (chapter C-26)” after “Act respecting the Barreau du Québec (chapter B-1)” in the second paragraph.

## RÈGLEMENT SUR LA FORMATION CONTINUE OBLIGATOIRE DES AVOCATS

**59.** Section 2 of the Règlement sur la formation continue obligatoire des avocats (chapter B-1, r. 12.1, French only) is amended by replacing “au paragraphe 1 de l’article 128 de la Loi sur le Barreau (chapitre B-1) au sein d’une personne morale visée à l’article 131.1 de cette loi” in the first paragraph by “aux paragraphes 1° et 2° du deuxième alinéa de l’article 54.1 de la Loi sur le Barreau (chapitre B-1)”.

**60.** Section 11 of the Regulation is amended by replacing “au paragraphe 1 de l’article 128 de la Loi sur le Barreau (chapitre B-1) au sein d’une personne morale visée à l’article 131.1 de cette loi” by “aux paragraphes 1° et 2° du deuxième alinéa de l’article 54.1 de la Loi sur le Barreau (chapitre B-1)”.

## RÈGLEMENT SUR UNE ACTIVITÉ DE FORMATION DES CONSEILLERS D’ORIENTATION POUR L’ÉVALUATION DES TROUBLES MENTAUX

**61.** The Règlement sur une activité de formation des conseillers d’orientation pour l’évaluation des troubles mentaux (chapter C-26, r. 65.1, French only) is amended by replacing all occurrences of “pour l’évaluation”, “à l’évaluation”, “d’évaluation” and “de l’évaluation”, except in subparagraph 5 of the first paragraph of the section “Objectifs de la formation” of Annexe I and

subparagraph 5 of the first paragraph of the subsection “Formateurs” of Annexe II, by “pour le diagnostic”, “au diagnostic”, “de diagnostic” and “du diagnostic”, respectively.

#### RÈGLEMENT SUR UNE ACTIVITÉ DE FORMATION DES PSYCHOLOGUES POUR L'ÉVALUATION DES TROUBLES NEUROPSYCHOLOGIQUES

**62.** The Règlement sur une activité de formation des psychologues pour l'évaluation des troubles neuropsychologiques (chapter C-26, r. 208.3, French only) is amended by replacing all occurrences of “l'évaluation”, “techniques d'évaluation” and “l'activité d'évaluation” by “le diagnostic”, “techniques diagnostiques” and “l'activité de diagnostic”, respectively.

#### REGULATION RESPECTING CERTAIN PROFESSIONAL ACTIVITIES THAT MAY BE ENGAGED IN BY PERSONS OTHER THAN PSYCHOLOGISTS AND BY PSYCHOLOGISTS

**63.** Section 5 of the Regulation respecting certain professional activities that may be engaged in by persons other than psychologists and by psychologists (chapter C-26, r. 208.4) is amended by replacing “assess” and “l'évaluation” by “diagnose” and “le diagnostic”, respectively.

#### RÈGLEMENT SUR UNE ACTIVITÉ DE FORMATION DES SEXOLOGUES POUR L'ÉVALUATION DES TROUBLES SEXUELS

**64.** The title of the Règlement sur une activité de formation des sexologues pour l'évaluation des troubles sexuels (chapter C-26, r. 221.1.001, French only) is amended by replacing “l'évaluation” by “le diagnostic”.

**65.** Annexe I to the Regulation is amended

(1) by replacing “principes d'évaluation”, “techniques d'évaluation”, “d'évaluation diagnostique et clinique”, “à l'évaluation” and “supervision en évaluation” by “principes de diagnostic”, “techniques de diagnostic”, “diagnostics”, “au diagnostic” and “supervision en diagnostic”, respectively;

(2) by inserting “du diagnostic” after “continue” in subparagraph 2 of the second paragraph of the section “Formation pratique”.

**66.** Annexe II to the Regulation is amended by replacing all occurrences of “de l'évaluation”, “l'évaluation”, “d'évaluation” and “évaluer” by “du diagnostic”, “le diagnostic”, “diagnostiques” and “diagnostiquer”, respectively.

REGULATION RESPECTING THE TRAINING AND CLINICAL  
EXPERIENCE REQUIRED OF NURSES TO ASSESS  
MENTAL DISORDERS

**67.** The title of the Regulation respecting the training and clinical experience required of nurses to assess mental disorders (chapter I-8, r. 15.1) is amended by replacing “assess” by “diagnose”.

**68.** Section 1 of the Regulation is amended by replacing “assessing mental disorders, except mental retardation” by “diagnosing mental disorders, except intellectual disabilities”.

**69.** Section 2 of the Regulation is amended by replacing “assessing mental disorders, except mental retardation” in the introductory clause by “diagnosing mental disorders, except intellectual disabilities”.

**70.** Section 4 of the Regulation is amended by replacing “assess mental disorders, except mental retardation, provided that the nurse is supervised by a professional authorized to assess” by “diagnose mental disorders, except intellectual disabilities, provided that the nurse is supervised by a professional authorized to diagnose”.

**71.** Schedule I to the Regulation is amended

(1) by replacing “assessing” in subparagraph *d* of subparagraph 1 of the first paragraph by “diagnosing”;

(2) by replacing “assessing” in subparagraph *a* of subparagraph 2 of the first paragraph by “diagnosing”;

(3) by inserting “the diagnosis of” after “state of health and” in subparagraph *b* of subparagraph 2 of the first paragraph;

(4) by replacing “assess” in the last paragraph by “diagnose”.

**72.** Schedule III to the Regulation is amended

(1) by replacing “assessing” in paragraph 2 by “diagnosing”;

(2) by replacing “assess” in paragraph 3 by “diagnose”.

REGULATION RESPECTING CERTAIN PROFESSIONAL  
ACTIVITIES THAT MAY BE ENGAGED IN BY A PHARMACIST

**73.** The Regulation respecting certain professional activities that may be engaged in by a pharmacist (chapter M-9, r. 12.2.1) is repealed.

## REGULATION RESPECTING THE PRACTICE OF THE NOTARIAL PROFESSION WITHIN A NON-PROFIT LEGAL PERSON

**74.** Section 1 of the Regulation respecting the practice of the notarial profession within a non-profit legal person (chapter N-3, r. 6.2) is amended by inserting “, in Chapter VI.3 of the Professional Code (chapter C-26)” after “Notaries Act (chapter N-3)” in the second paragraph.

## REGULATION RESPECTING CERTAIN PROFESSIONAL ACTIVITIES THAT MAY BE ENGAGED IN BY PERSONS OTHER THAN SEXOLOGISTS AND BY SEXOLOGISTS

**75.** The Regulation respecting certain professional activities that may be engaged in by persons other than sexologists and by sexologists, approved by Order in Council 88-2024 (2024, G.O. 2, 374) is amended by replacing all occurrences of “assesses”, “assess” and “l’évaluation” by “diagnoses”, “diagnose” and “le diagnostic”, respectively.

## REGULATION RESPECTING THE ROLL OF PROFESSIONAL ORDERS

**76.** Section 2 of the Regulation respecting the roll of professional orders (chapter C-26, r. 9) is amended by adding the following subparagraph at the end of the first paragraph:

“(3) mention of the professional activities that the special permit issued under the second and third paragraphs of section 42.2 of the Professional Code allows the member to engage in as well as the conditions the member must meet to engage in them and, if applicable, the title, abbreviation and initials the member may use.”

## TRANSITIONAL AND FINAL PROVISIONS

**77.** The provisions of paragraph *c.2* of section 93 and sections 95.0.1 and 95.2 of the Professional Code (chapter C-26) continue to apply as they read on 6 November 2024 to a regulation made before that date but which has not yet been approved by the Office des professions.

**78.** The Regulation respecting the practice of the profession of advocate within a non-profit legal person (chapter B-1, r. 8.2) is deemed to have been adopted and approved in accordance with subparagraph *p* of the first paragraph of section 94 and section 95 of the Professional Code (chapter C-26).

**79.** The Regulation respecting the practice of the notarial profession within a non-profit legal person (chapter N-3, r. 6.2) is deemed to have been adopted and approved in accordance with subparagraph *p* of the first paragraph of section 94 and section 95 of the Professional Code (chapter C-26).

**80.** A regulation made under paragraph *g* or *h* of section 93 or subparagraph *p* of the first paragraph of section 94 of the Professional Code (chapter C-26), as those paragraphs read on 6 November 2024, is deemed to be made under subparagraph *p* of the first paragraph of section 94 of the Code, as enacted by section 19 of this Act.

**81.** Any member of a professional order who, on 6 November 2024, engages in professional activities within a legal person constituted mainly for that purpose must, if the member is not already covered by a regulation made under paragraph *g* of section 93 of the Professional Code (chapter C-26), as that paragraph read on that date, take out, for that legal person, professional liability insurance that complies with paragraph 3 of section 187.11, as enacted by section 31 of this Act, before 7 February 2025 and provide proof to the order in the manner it requires.

**82.** Until 7 November 2026, unless the context indicates otherwise, any reference to the practice within a partnership or company provided for by a regulation made under the Professional Code (chapter C-26) or an Act constituting a professional order must be read as if it applies to the practice within an organization within the meaning of section 187.11 of that Code, as amended by section 31 of this Act, with the necessary modifications.

The first paragraph does not apply to a regulation made under subparagraph *p* of the first paragraph of section 94 of the Professional Code, as amended by section 19 of this Act. However, for the same period, in such a regulation, a reference to paragraph *g* or *h* of section 93 of the Professional Code is a reference to subparagraph *p* of the first paragraph of section 94 of that Code, as amended by section 19 of this Act, with the necessary modifications.

**83.** Despite sections 11 and 17 of the Regulations Act (chapter R-18.1) the Government may, before the date that is six months after the date of coming into force of the first regulation made under subparagraph *h* of the first paragraph of section 10 of the Pharmacy Act (chapter P-10), as amended by subparagraph *c* of paragraph 1 of section 50 of this Act, make any regulation amending the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) or the Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4) on the expiry of 20 days after the publication of the draft regulation in the *Gazette officielle du Québec*. Such a regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation.

Until the coming into force of a regulation amending the Regulation respecting the application of the Health Insurance Act or the Regulation respecting the basic prescription drug insurance plan, a reference in those regulations to the Regulation respecting the initiation and modification of medication therapy, the administration of a medication and the prescription of tests by a pharmacist (chapter P-10, r. 3.2) or to subparagraph 6 or subparagraphs *a* to *d* of subparagraph 8 of the second paragraph of section 17 of the Pharmacy Act is a reference to those provisions as they read on 7 November 2024.

**84.** The first regulation made under subparagraph *h* of the first paragraph of section 10 of the Pharmacy Act (chapter P-10), as amended by subparagraph *c* of paragraph 1 of section 50 of this Act, may, despite section 11 of the Regulations Act (chapter R-18.1), be submitted to the Government for approval on the expiry of 20 days after the publication of the draft regulation in the *Gazette officielle du Québec*. Despite section 17 of that Act, the regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation.

**85.** A professional is deemed to be authorized to diagnose if, on 6 November 2024, the professional fulfils the obligations prescribed by one of the following regulations, for the purposes set out in them:

(1) the Règlement sur une activité de formation des conseillers d'orientation pour l'évaluation des troubles mentaux (chapter C-26, r. 65.1, French only);

(2) the Règlement sur une activité de formation des psychologues pour l'évaluation des troubles neuropsychologiques (chapter C-26, r. 208.3, French only);

(3) the Règlement sur une activité de formation des sexologues pour l'évaluation des troubles sexuels (chapter C-26, r. 221.1.001, French only); or

(4) the Regulation respecting the training and clinical experience required of nurses to assess mental disorders (chapter I-8, r. 15.1).

**86.** Paragraph 1 of section 57 of this Act has effect from 25 January 2021.

**87.** This Act comes into force on 7 November 2024, except subparagraphs *a* and *b* of paragraph 1 and paragraph 2 of section 50, paragraph 1, subparagraphs *a*, *b* and *d* to *g* of paragraph 2 and paragraph 3 of section 51, paragraph 1 of section 56 and section 73, which come into force on the date of coming into force of the first regulation made under subparagraph *h* of the first paragraph of section 10 of the Pharmacy Act (chapter P-10), as amended by subparagraph *c* of paragraph 1 of section 50 of this Act.