

Draft Regulations

Draft Regulation

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Corrugated Paper Products

— Levy

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Levy Regulation of the Joint Committee of the Corrugated Paper Products Industry, adopted by the committee at its meeting of 12 December 1995, the text of which appears below, may be approved by the Government upon the expiry of the 45-day period following this publication.

The draft regulation seeks to increase the levy rate of professional employers governed by the Decree.

To achieve that purpose, it proposes to substitute “0.11 %” for “0.09 %” as the levy rate of the professional employer.

To date, a study of this matter has revealed that the proposed levy rate will enable the Joint Committee to meet its obligations.

Further information may be obtained from Ms. Denise Plante, Direction des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1 (Telephone: 418-643-4415; Fax: 418-528-0559).

Any interested person having comments to make concerning this matter is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1.

JEAN-MARC BOILY,
Deputy Minister of Labour

Regulation to amend the Levy Regulation of the Joint Committee of the Corrugated Paper Products Industry

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 22, subpar. i)

1. The Levy Regulation of the Joint committee of the Corrugated Paper Products Industry, approved by Order in Council 2626-85 dated 11 December 1985 and amended by the Regulations approved by Orders in Council 1227-87 dated 5 August 1987, 345-91 dated 13 March 1991 and 88-94 dated 10 January 1994, is further amended by substituting the following for section 2:

“**2.** Professional employers shall remit to the Joint Committee of the Corrugated Paper Products Industry an amount equal to 0.11 % of the gross wages they pay to their employees governed by the Decree.”

2. This Regulation comes into force on the fifteenth day following its date of publication in the *Gazette officielle du Québec*.

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Draft Regulation

Health Insurance Act
(R.S.Q., c. A-29)

Hearing devices insured

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to amend the above-mentioned Regulation in order to tighten the criteria of eligibility, the conditions on which hearing devices are awarded and the application rules of the hearing devices program, while preserving the present program in respect of persons 18 years of age or less, students and persons suffering from moderate or more severe deafness.

Study of the matter reveals that the draft Regulation will have an impact on beneficiaries over 18 years of age who are not students, particularly as regards the repair of devices, and on all beneficiaries as regards the criteria of eligibility for the program. In respect of those who provide services and suppliers, a certain impact will be felt, particularly with regard to the minimum life duration of a device, the period of availability of parts and the terms and conditions for paying a repair. The cost of replacing damaged hearing devices will no longer be assumed by the Board.

Further information may be obtained by contacting Mr. Jean-L. Lefebvre, by telephone at (418) 682-5172 or by fax at (418) 643-7312, Régie de l'assurance-maladie du Québec, 1125, chemin Saint-Louis, Sillery (Québec), G1S 1E7.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec), G1S 2M1.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act

Health Insurance Act
(R.S.Q., c. A-29, s. 69, 1st par., subpar. h.2)

1. The Regulation respecting hearing devices insured under the Health Insurance Act, made by Order in Council 869-93 dated 16 June 1993 and amended by the Regulations made by Orders in Council 1471-93 dated 20 October 1993, 1593-94 dated 9 November 1994, 475-95 dated 5 April 1995, 738-95 dated 31 May 1995, 1395-95 dated 25 October 1995 and 110-96 dated 24 January 1996, is further amended, in section 1,

(1) by substituting the expression “on the average within all the frequency ranges of 500, 1000, 2000 and 4000” for the expression “within the frequency range of either 500, 1000, 2000 or 3000 Hz” in paragraph 1 of the definition of “person with a hearing handicap”;

(2) by substituting the expression “on the average within all the frequency ranges of 500, 1000, 2000 and 4000 Hz and who is admitted to and pursuing a program leading” for the expression “within the frequency range of either 500, 1000, 2000 or 3000 Hz and who is registered in a program leading” in paragraph 2 of the same definition; and

(3) by substituting, in paragraph 3 of the same definition,

(a) the figure “40” for the figure “35”;

(b) the expression “on the average within all the frequency ranges of 500, 1000 and 2000 Hz” for the expression “within the frequency range of either 500, 1000 or 2000 Hz”.

2. Section 5 is amended by striking out the word “fitting.”.

3. Section 6 is amended

(1) by substituting the words “or replacement” for the words “, fitting, replacement or repair” in the part preceding subparagraph 1 of the first paragraph;

(2) by substituting the following for subparagraph 1 of the first paragraph:

“(1) in the case of an initial fitting or the replacement of a device for a person with a hearing handicap described in paragraphs 1 to 3 of the definition of “person with a hearing handicap” in section 1, upon presentation of”.

(3) by substituting the following for the first sentence in clause *b* of subparagraph 1 of the first paragraph:

“an audiogram and an attestation of the need for a hearing aid, produced and signed by an audiologist having made a comprehensive assessment of the deficiencies and functional limitations.”;

(4) by substituting the following for clause *d* of subparagraph 2 of the first paragraph:

“(d) a specific recommendation by an audiologist where a programmable hearing aid or the second prosthesis of a binaural device is provided;” and

(5) by inserting the following after clause *d* of subparagraph 2 of the first paragraph:

“(e) an attestation of school attendance in the case of a person with a hearing handicap referred to in subparagraph 2 of the second paragraph of section 23.”.

4. Section 7 is amended

(1) by substituting the words “or replacement” for the words “, replacement or repair” in the part preceding subparagraph 1; and

(2) by striking out the words “or an otorhinolaryngologist” at the end of subparagraph 2 of the first paragraph.

5. The following is inserted after section 7:

“7.1 Notwithstanding section 7, the cost of the devices listed in Sub-subdivision I of Subdivisions I, II and III of Division II of Chapter V shall be assumed by the Board only for a person with a hearing handicap referred to in paragraphs 1, 2 and 4 of the definition of “person with a hearing handicap” in section 1, and only for a person with a hearing handicap referred to in paragraph 5 of the same definition in section 1, if he is 18 years old or less or if he is pursuing a program of study, subject to the provisions of Subdivisions I, II and III of Chapter IV. The cost of the devices listed in Sub-subdivision II of Subdivisions I, II and III of Division II of Chapter V shall be assumed by the Board for a person with a hearing handicap, subject to the provisions of Subdivisions I, II and III of Chapter IV.”.

6. Section 8 is amended by striking out the word “fitting.”.

7. The following is substituted for section 9:

“9. In accordance with the terms and conditions provided for in this Regulation, the Board shall assume, only for a person with a hearing handicap referred to in paragraphs 1, 2 and 4 of the definition of “person with a hearing handicap” in section 1 and only for a person with a hearing handicap referred to in paragraph 5 of the same definition in section 1, if he is 18 years old or less or if he is pursuing a program of study, the cost of repairing a hearing device not referred to in Chapter V but covered by section 17 or that is of the same type as a hearing device referred to in Chapter V but already belongs to the person with a hearing handicap at the time he would first be entitled to a hearing device under this Regulation.”.

8. Section 11 is amended by substituting the figure “8” for the figure “6”.

9. Section 12 is amended in the first paragraph by substituting the words “date on which the person with a hearing handicap takes possession of the hearing device” for the words “fitting period in the case of a hearing aid and beginning on the date on which the person with a hearing handicap takes possession of the device in the case of an assistive listening device”.

10. Section 13 is amended by striking out the words “of fittings and”.

11. Section 14 is amended

(1) by striking out the words “or fitting” ; and

(2) by substituting the figure “8” for the figure “6”.

12. Section 16 is amended

(1) by substituting the following for paragraph 1:

“(1) the hearing condition of the person with a hearing handicap has changed by at least an average of 20 decibels, measured by air conduction, within all the frequency ranges of 500, 1000 and 2000 Hz or his physical condition has changed to the point where the hearing device is no longer effective;”;

(2) by striking out paragraphs 3, 4 and 6; and

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

“(8) a repair whose cost would not be assumed by the Board under this Regulation is required after the expiry of the minimum duration of the device.”.

13. Section 17 is amended by substituting the words “or replacement” for the words “, fitting, replacement or repair”.

14. The following is substituted for section 21:

“21. Subject to section 9 and upon presentation of supporting documents, the Board shall, under the following conditions, assume the cost of repairing a hearing aid after the warranty period has expired:

(1) for repairs done exclusively by the manufacturer:

(a) the cost of parts, up to the cost of reconditioning by the manufacturer, plus the cost of the time required for the repair;

(b) the cost of the time required by the hearing aid acoustician, added to the cost provided for in subparagraph a;

(2) for repairs done exclusively by the hearing aid acoustician or exclusively by an establishment having both entered with the Board into an agreement authorized by the Government under section 23 of the Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., c. R-5):

(a) the cost of parts;

(b) the cost of the time required by the hearing aid acoustician, added to the cost provided for in subparagraph a.

The cost of the time required by the hearing aid acoustician shall be assumed by the Board up to a maximum of 2 hours or 8 quarters of an hour, or a fraction of such quarter, per year for each hearing aid.

The cost of a repair includes the cost of renting a hearing aid.”.

15. Section 22 is amended by substituting the words “by the hearing aid acoustician” for the words “for repairs”.

16. Section 23 is amended

(1) by substituting the words “or replacement” for the words “, fitting, replacement or repair” in the first paragraph; and

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

“Subject to section 9, the Board shall assume the cost of repair of only one hearing aid, unless the person with a hearing handicap has a binaural device under the second paragraph.”.

17. Section 24 is amended

(1) by substituting in the first paragraph the words “required time devoted by a hearing aid acoustician to a person with a hearing handicap where he provides an option or an” for the words “time required by a hearing aid acoustician to replace an option or”; and

(2) by substituting in the second paragraph the words “The cost of such required time shall not be assumed by the Board where he provides an “ earmold and tube” or a” for the words “No replacement time shall be payable for the items “ earmold and tube” and”.

18. Section 26 is amended by substituting the following for subparagraph 4 of the first paragraph:

“(4) in respect of a person with a hearing handicap referred to in paragraph 2 of the definition of “person with a hearing handicap” in section 1: 1 earmold or shell impression.”.

19. Section 27 is amended by substituting the figure “4000” for the figure “3000”.

20. Section 29 is amended by substituting the words “on the average within all the frequency ranges” for the words “based on an average”.

21. Section 30 is amended

(1) by adding the words “where applicable,” at the beginning of subparagraph 4 of the first paragraph; and

(2) by adding the following after subparagraph 11 of the second paragraph:

“(12) \$48.90 for a vibro-tactile device.”.

22. Section 31 is amended

(1) by adding the words and figure “Subject to section 9,” at the beginning of the first paragraph; and

(2) by substituting the following for subparagraph 2 of the first paragraph:

“(2) the price of the parts.”.

23. The words “housing unit” are substituted for the word “household” in sections 32, 39 and 40.

24. Section 41 is amended by substituting the words “or tactile type environmental control system per housing unit” for the words “type environmental control system per household”.

25. Section 42 is amended

(1) by substituting the words “per housing unit” for the words “per household” in the first paragraph; and

(2) by substituting the words “the housing unit” for the words “the household” in the second paragraph.

26. Division II appearing in Schedule I¹ to this Regulation is substituted for Division II of Chapter V.

27. This Regulation comes into force on 1 September 1996.

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1. Schedule I has not been reproduced herein because it is not subject to the publication requirements prescribed in section 8 of the Regulations Act (R.S.Q., c. R-18.1). It will appear in the Regulation to be made.