

Gouvernement du Québec

O.C. 450-99, 21 April 1999

Professional Code
(R.S.Q., c. C-26)

Dietitians

— **Code of ethics**

— **Amendments**

Regulation to amend the Code of ethics of dietitians

WHEREAS under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, his clients and his profession, particularly the duty to discharge his professional obligations with integrity;

WHEREAS under the same section, the code of ethics must contain, *inter alia*, provisions setting out the conditions and procedure applicable to the exercise of the rights of access and correction provided for in sections 60.5 and 60.6 of that Code, as well as provisions concerning a professional's obligations to release documents to his client;

WHEREAS the Bureau of the Ordre professionnel des diététistes du Québec made, by regulation, the Code of ethics of dietitians approved by Order in Council 48-94 dated 10 January 1994;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Bureau of the Ordre professionnel des diététistes du Québec made the Regulation to amend the Code of ethics of dietitians;

WHEREAS in accordance with section 95.3 of the Professional Code, the secretary of the Order sent a draft of the Regulation to every member of the order at least 30 days before the Bureau made the Regulation;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published, in draft form, in Part 2 of the *Gazette officielle du Québec* of 18 February 1998, with a notice that it could be submitted to the Government which might approve it, with or without amendment, at the expiry of 45 days following the date of its publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has made its recommendations;

WHEREAS it is expedient to approve the Regulation, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Code of ethics of dietitians, the text of which is attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of dietitians*

Professional Code
(R.S.Q., c. C-26, s. 87)

1. The Code of ethics of dietitians is amended in section 3 of the French version by substituting the word "diététiste" for the word "membre".

2. The Code is amended by substituting the following subdivision for subdivision 7 of Division II:

"§7. *Accessibility and correction to records*

30. A dietitian who has a record in respect of which a client has made a request for access or correction pursuant to his rights under sections 60.5 and 60.6 of the Professional Code shall reply to the request without delay and no later than 20 days following the date of the request.

30.1. For the purposes of the first paragraph of section 60.5 of the Professional Code, a client shall have access, free of charge, to the documents contained in any record a dietitian has established in his respect. Notwithstanding the foregoing, fees not exceeding the cost of transcribing, reproducing or forwarding the documents may be charged to the client. A dietitian charging such fees shall, before reproducing, transcribing or forwarding the documents, inform the client of the approximate amount payable.

30.2. A dietitian who refuses the request for access or correction shall notify the client of the refusal in writing, stating the grounds therefor and informing the client of his recourse.

* The Code of ethics of dietitians was approved by Order in Council 48-94 dated 10 January 1994 (1994, *G.O.* 2, 668) and has not been amended since that date.

30.3. For the purposes of section 60.6 of the Professional Code, a dietitian who agrees to the correction shall issue to the client, free of charge, a copy of the document so that the client may see the corrected or deleted information or, as the case may be, an attestation that the client's comments have been filed in the record.

The client may require the dietitian to send, without charge, a copy of any corrected information, or an attestation that outdated or irrelevant information has been deleted, to the person from whom the dietitian received the information or to any other person to whom the information was communicated.

30.4. A dietitian who holds information referred to in a request for access or correction shall, if he denies the request, keep the information for as long as necessary to allow the client to exhaust his recourses under the law.

30.5. A dietitian shall promptly return, upon request by a client, any document entrusted to him by the client.”.

3. Section 41 is amended by substituting the following:

“**41.** The Ordre professionnel des diététistes du Québec is represented by a graphic symbol identical to the original held by the secretary of the Order.

A dietitian who reproduces the Order's graphic symbol for advertising purposes shall ensure that it is identical to the original held by the secretary of the Order.

A dietitian who uses the Order's graphic symbol in a statement or advertisement, except for business cards showing that he is a member of the Order, must include a warning to the effect that the statement or advertisement, as the case may be, does not emanate from and is not binding upon the Ordre professionnel des diététistes du Québec.”.

4. Section 43 is amended by adding the words “in such manner as to mislead the public or create a false impression” at the end of paragraph 2.

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

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Gouvernement du Québec

O.C. 451-99, 21 April 1999

Professional Code
(R.S.Q., c. C-26)

**Respiratory therapists
— Code of ethics**

Code of ethics of respiratory therapists of Québec

WHEREAS under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, his clients and his profession, particularly the duty to discharge his professional obligations with integrity;

WHEREAS under that section, the code of ethics must contain, *inter alia*:

(1) provisions determining which acts are derogatory to the dignity of the profession;

(2) provisions defining, if applicable, the professions, trades, industries, businesses, offices or duties incompatible with the dignity or practice of the profession;

(3) provisions to preserve the secrecy of confidential information that becomes known to the members of the order in the practice of their profession;

(4) provisions setting out the conditions and procedure applicable to the exercise of the rights of access and correction provided for in sections 60.5 and 60.6 of the Professional Code, and provisions concerning a professional's obligation to release documents to his client;

(5) provisions setting out conditions, obligations and, where applicable, prohibitions in respect of advertising by the members of the order.

WHEREAS the Bureau of the Ordre professionnel des inhalothérapeutes du Québec adopted the Code of ethics of respiratory therapists of Québec, replacing the Code of ethics approved by Order in Council 556-88 dated 20 April 1988;

WHEREAS under section 95.3 of the Professional Code, a draft of the Regulation was sent to every member of the Order at least 30 days before its adoption by the Bureau;