

Regulations and other acts

Gouvernement du Québec

O.C. 1329-99, 1 December 1999

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

Devices which compensate for a physical deficiency — Amendments

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act

WHEREAS, under subparagraph *h* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Régie de l'assurance-maladie du Québec or upon its recommendation, make regulations to determine the services and the prostheses, orthopedic devices, locomotor or posture assists, medical supplies or other equipment that compensate for a physical deficiency indicated therein and that must be considered to be insured services for the purposes of the fifth paragraph of section 3, fix the age at which beneficiaries may be entitled thereto and the classes of such beneficiaries, determine the amount that may be assumed on behalf of a beneficiary indicated therein, the cases, circumstances and conditions in and on which the Régie de l'assurance-maladie du Québec assumes the amount of those insured services and the cases, circumstances and conditions in and on which such services are furnished, and prescribe the cases, circumstances and conditions in and on which such property may be recovered;

WHEREAS the Government made the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act by Order in Council 612-94 dated 27 April 1994;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Régie de l'assurance-maladie du Québec has been consulted in respect of those amendments;

WHEREAS, under section 69.0.1 of the Health Insurance Act, regulations adopted under subparagraph *h*, *h.1* or *h.2* of the first paragraph of section 69 of the Act following a contract with a supplier pursuant to section 3.1 of the Act are not subject to the provisions concerning the obligation of publication and the date of coming into force which are set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act is made under subparagraph *h* of the first paragraph of section 69 of the Health Insurance Act following a contract with suppliers pursuant to section 3.1 of the Act, and it may thus be exempted from the provisions concerning the obligation of publication and the date of coming into force which are set out in sections 8 and 17 of the Regulations Act;

WHEREAS it is expedient that the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act be made;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Health and Social Services and Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, ss. 3, 5th par. and 69, 1st par., subpar. *h*)

1. The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act is amended, in subdivision I of Division I of Part I of Chapter V of Title Two

* The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act, made by Order in Council 612-94 dated 27 April 1994 (1994, *G.O.* 2, 1589), was last amended by the Regulations made by Orders in Council 574-99 dated 19 May 1999 (1999, *G.O.* 2, 1394) and 864-99 dated 28 July 1999 (1999, *G.O.* 2, 2307). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

(1) by substituting the price of \$“78.00” for \$“8.00” for a “rigid seat, flat” upon purchase or replacement of a wheel chair in the description of manual wheel chairs of the “Epic” model, manufactured by “Everest and Jennings Canada Ltd”, under the heading “Basic and Optional Component(s)”;

(2) by substituting the unit price of \$“54.00” for \$“19.00” upon replacement of a “safety belt, velcro-type” and the unit price of \$“29.00” for \$“39.00” upon replacement of a “safety belt, auto-type” in the description of manual wheel chairs of the “Prima 100, heavy-duty” model, manufactured by “Orthofab Inc.”, under the heading “Basic and Optional Component(s)”;

(3) by striking out the following components and their prices: “rigid back, straight 62.00 118.50” and “rigid seat, straight 31.50 79.50” in the description of manual wheel chairs of the “Quickie LXI” model, manufactured by “Sunrise Medical Canada Inc.”, under the heading “Basic and Optional Component(s)”;

(4) by striking out the following component and its prices: ““U”-type armrests, detachable, flip-back, height-adjustable, from 9 in. to 13 in. (22.5 cm to 32.5 cm), short or long, a pair 63.00 each 116.50” and, under the heading “Component(s) under special consideration”, by substituting the unit price of \$“58.50” for \$“29.00” for the component “quick-release axles with lever mechanism” in the description of manual wheel chairs of the child, “Quickie 2” model, manufactured by “Sunrise Medical Canada Inc.”, under the heading “Basic and Optional Component(s)”.

2. Subdivision II of Division I of Part I of Chapter V of Title Two is amended by striking out the following component and its prices: “front wheels, semi-pneumatic, 7 in. X 1 in. (17.5 cm X 2.5 cm) a pair 40.00 each 38.00” in the description of lightweight manual wheel chairs of the “Champion 3000” model, manufactured by “Everest and Jennings Canada Ltd”, under the heading “Basic and Optional Component(s)”.

3. Subdivision III of Division I of Part I of Chapter V of Title Two is amended

(1) by substituting \$“103.00” for all the prices of the components “headrest, small” and “headrest, large”, by substituting the price of \$“160.00” for \$“170.00” for a multi-positional switch control box” upon purchase or replacement of a wheel chair and by substituting the unit

price of \$“21.00” for \$“23.00” upon replacement of a “push-button switch” in the description of power wheel chairs of the “MX” model, manufactured by “Everest and Jennings Canada Ltd”, under the heading “Basic and Optional Component(s)”;

(2) by striking out the following component in each model: “power rocking device, 22°, including control system” in the description of power wheel chairs of “Grizzly A600” and “Grizzly A700” models, manufactured by “Orthofab Inc.”, under the heading “Basic Component(s)” of each model;

(3) by striking out the following component and its prices in each model: “aluminum folding footplates 16.00 35.00” in the description of power wheel chairs of “Grizzly A700” and “Kameleon A200-A700” models, manufactured by “Orthofab Inc.”, under the heading “Basic and Optional Component(s)” of each model;

(4) by striking out the following components and their prices: “A700 seat/back structure, reclining back with cylinder* 799.00 799.00”, “A200 seat/back structure, reclining back with cylinder* 799.00 799.00” and “power reclining back, factory installed* 1 045.00 1 445.00” in the description of power wheel chairs of the “Kameleon Jr” model, manufactured by “Orthofab Inc.”, under the heading “Component(s) under special consideration”;

(5) by striking out the following component and its prices: “centre of gravity adjustment 36.00 N/A” in the description of power wheel chairs of the “Storm” model, manufactured by “Invacare Canada Inc.”, under the heading “Basic and Optional Component(s)”.

4. Division II of Part I of Chapter V of Title Two is amended by striking out the following component and its prices: “oversized folding footplates, 27.00 50.00”, in the description of the positioning buggy, child, of the “Action Orbit” model, manufactured by “Invacare Canada Inc.”, under the heading “Basic and Optional Component(s)”.

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