

Draft Regulation

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

- Eligibility and registration of persons in respect of the Régie
- Forms and statements of fees under of the Act
- Application of the Act
- 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 regulations, the texts of which appear below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec is to revise the rules governing eligibility and registration for the Québec health insurance plan in order to, among other things, implement recent legislative amendments to the Health Insurance Act (R.S.Q., c. A-29), as amended by chapter 89 of the Statutes of 1999, and, more generally, update the Regulation and resolve certain problems that are being experienced in its implementation and interpretation.

In order to do this, the draft Regulation clarifies eligibility for the health insurance plan (residents of Québec and temporary residents of Québec), revises the conditions to be met in order for residents of Québec to retain their status during extended absences outside Québec and makes this option available to self-employed workers. In addition, the draft Regulation introduces a three-month waiting period for persons who settle in Québec for the first time or who return to settle and for temporary residents of Québec within the meaning of the Health Insurance Act. Some persons, however, will be exempt from that measure. The draft Regulation also introduces a charge for late renewal of registration.

The main purpose of the draft Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act is to revise the fees charged for replacing a damaged, lost or stolen card and to prescribe the fees to be charged for late renewal of registration.

Lastly, the draft Regulation to amend the Regulation respecting the application of the Health Insurance Act makes harmonizing amendments.

The following are the main effects on the public:

— new arrivals subject to the waiting period will have to contract private insurance for that period or assume the cost for any health services provided to them;

— on certain conditions, self-employed workers will be eligible for coverage under the plan while carrying out contracts outside Québec;

— persons applying for the replacement of a lost damaged or stolen card will now be charged \$15.00 instead of \$10.00;

— persons who are late in renewing their registration (more than six months after the expiry of their health insurance card) will be charged \$15.00.

Further information may be obtained by contacting Marie-Andrée Pelletier or Marc Duclos, Régie de l'assurance maladie du Québec, 1125, chemin Saint-Louis, dépôt 84, Sillery (Québec) G1S 1E7, telephone: (418) 682-5172, fax: (418) 643-7312.

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 State for Health and Social Services and Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

PAULINE MAROIS,
*Minister of State for Health and Social Services
and Minister of Health and Social Services*

Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec*

Health Insurance Act
(R.S.Q., c. A-29, ss. 9 and 69, subpars. *a* and *j* to *m*;
1999, c. 89, ss. 7, 37, par. 3, and 42)

1. The following is substituted for section 1 of the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec:

* The Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec, made by Order in Council 1470-92 dated 30 September 1992 (1992, *G.O.* 2, 4621), was last amended by the Regulation made by Order in Council 833-98 dated 17 June 1998 (1998, *G.O.* 2, 2507). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

“1. In this Regulation,

“Act” means the Health Insurance Act (R.S.Q., c. A-29); (*Loi*)

“advance registration” means communicating with the Régie de l’assurance maladie du Québec and providing the information required for registration with the Board for the purpose of receiving an application for registration form; (*préinscription*)

“educational institution” means a corporation or body providing education at the elementary, secondary, college or university level; (*établissement d’enseignement*).”.

“institution” means an institution as defined by the Act respecting health services and social services (R.S.Q., c. S-4.2) and the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5); (*établissement*)

“insured person” means a person described in subparagraph *g.1* of the first paragraph of section 1 of the Act; (*personne assurée*)

“province” means a province of Canada, the Yukon Territory, the Northwest Territories or Nunavut; (*province*)

“repatriated Canadian” means an indigent Canadian citizen who is brought back to Canada from a foreign country at the expense of the State; (*Canadien rapatrié*)

“resident of Québec” or “temporary resident of Québec” means any person described as such under sections 5 to 8 of the Act and under Division II of the Regulation; (*personne qui réside au Québec or personne qui séjourne au Québec*);

“spouse” means

(1) the man or woman with whom a person is married and cohabits;

(2) the man or woman of the opposite or the same sex with whom a person cohabits in a conjugal relationship, where they have been so cohabiting for at least one year or where

(a) a child has been born of their union,

(b) they have adopted a child together, or

(c) one of them has adopted the other’s child; (*conjoint d’une personne*)

2. Section 1.1 is amended by substituting “resident or temporary resident of Québec” for “person residing or deemed to reside in Québec” in the first paragraph, in subparagraphs 1 and 2 of the second paragraph and in the third paragraph.

3. The following sections are substituted for sections 2, 3 and 4:

“2. The following are the persons referred to in subparagraph 5 of section 5 of the Act:

(1) persons who hold a permit issued by the Minister of Immigration of Canada under the Immigration Act (R.S.C., 1985, c. I-2) for an eventual granting of landing and identified by code number 86, 87, 88, 89, 90, 91, 92, 93, 94 or 95;

(2) persons who apply for permanent residence while in Canada and who hold a permit issued by Canadian immigration authorities authorizing them to be and remain in Canada and who hold a Québec selection certificate;

(3) a minor who is in Québec and is to be adopted by a resident of Québec who meets the requirements of the Québec Civil Code for adopting the minor;

(4) a child born outside Québec if the parent, mother or father, with whom the child resides on a permanent basis is a resident of Québec.

3. The following are temporary residents of Québec within the meaning of section 5.0.1 of the Act:

(1) a foreign national whose main purpose for being in Québec is to work, who holds an office or employment for a period of more than six months and who holds an employment authorization issued by Canadian immigration authorities indicating the employer’s name and address and valid for a period of more than six months, except for Canadian International Development Agency scholarship recipients unless they are receiving only a scholarship supplement from the Agency. This subparagraph does not apply to a person who may engage or continue in employment without an employment authorization under sections 18 and 19 of the Immigration Regulations, 1978 (SOR/78-172, Immigration Act, R.S.C., 1985, c. I-2);

(2) a foreign national who holds an attestation of stay in Québec for study or training under an official scholarship program of the Ministère de l’Éducation;

(3) a foreign national who has been issued an employment authorization by Canadian immigration authorities for seasonal employment under the federal Com-

monwealth Caribbean Seasonal Agricultural Workers Program or Mexican Seasonal Agricultural Workers Program;

(4) a foreign national referred to in paragraph *c* of subsection 1 of section 19 of the Immigration Regulations, 1978 (SOR/78-172, Immigration Act, R.S.C., 1985, c. I-2) who holds an employment authorization issued by Canadian immigration authorities and whose main purpose for being in Québec is to hold a liturgical office for a period of more than six months;

(5) a Canadian citizen who has settled in another country and whose main purpose for being in Québec is to work and who holds an office or employment for a period of more than six months;

(6) the spouse or dependants accompanying a person referred to in any of paragraphs 1 to 5 during the temporary residence and who, in the case of foreign nationals, hold a permit authorizing them to be or remain in Canada for a period of more than six months or who, in the case of Canadian citizens, establish their intention to stay in Québec for a period of more than six months.

4. Unless otherwise provided in this Regulation, a person who meets the following conditions shall become a resident or temporary resident of Québec from the first day of the third month following the date of advance registration:

(1) the person has settled or taken up temporary residence in Québec, as the case may be, on the date of advance registration;

(2) the person sends an application for registration to the Board that is admissible under section 12 within 45 days of the date of advance registration.

4.1 A person who settles in Québec after leaving a province that has a similar plan shall become a resident of Québec when the person ceases to be entitled to benefits under that plan.

4.2 The following shall become residents or temporary residents of Québec, as the case may be, on the date of their advance registration and on condition that they send to the Board an application for registration that is admissible under section 12 within 45 days of the date of advance registration:

(1) a person who has been granted refugee status in Canada within the meaning of the Geneva Convention by a competent authority, if the person is settled in Québec on that date;

(2) a repatriated Canadian, if the person is settled in Québec on that date;

(3) a foreign national who holds a valid attestation of stay in Québec for study or training under an official scholarship program of the Ministère de l'Éducation du Québec, if the person is in Québec on that date;

(4) a foreign national who holds a valid employment authorization issued by Canadian immigration authorities for seasonal work under the federal Commonwealth Caribbean Seasonal Agricultural Workers Program or Mexican Seasonal Agricultural Workers Program, if the person is in Québec on that date.

4.3 The following shall become residents of Québec on the date of their release:

(1) a member of the Royal Canadian Mounted Police or of the Canadian Armed Forces who has settled in Québec and who had not acquired the status of resident of Québec before that date;

(2) a person referred to in section 5 of the Act who settles in Québec after imprisonment in a federal penitentiary and who had not acquired the status of resident of Québec before that date.

4.4 A person referred to in section 5 of the Act shall become a resident of Québec on the date of imprisonment in a provincial house of detention where that person had not acquired the status of resident of Québec before that date.

4.5 The following shall become residents of Québec from the date of their birth:

(1) a child born in Québec, if the parent, mother or father, with whom the child lives on a permanent basis is, when the child is born, a resident of Québec or a person who, when the child is born, had ceased to be a resident of Québec under the first paragraph of section 6;

(2) a child born outside Québec, if the parent, mother or father, with whom the child lives on a permanent basis is a resident of Québec when the child is born; or

(3) a child referred to in the second paragraph of section 5 of the Act who is born in Québec.

4.6 A child born in Québec shall become a temporary resident of Québec

(1) from the date of birth if the parent, mother or father, with whom the child lives on a permanent basis is

a temporary resident of Québec, for the period of time during which the parent is a temporary resident of Québec;

(2) from the date the parent, mother or father, with whom the child lives on a permanent basis becomes a temporary resident of Québec, for the period of time during which the parent is a temporary resident of Québec.

4.7 A child born outside Québec whose parent, mother or father, with whom the child lives on a permanent basis had, when the child was born, ceased to be a resident of Québec under first paragraph of section 6 shall become a resident of Québec on the date of arrival in Québec or on the date that parent regains the status of resident of Québec, whichever occurs first.

4.8 A minor who is in Québec and is to be adopted by a resident of Québec who meets the requirements of the Civil Code of Québec for adopting the minor shall become a resident of Québec from the date of arrival in Québec.

4.9 A person referred to in section 4 who, on the date of advance registration, receives benefits under a last resort financial assistance program provided for in the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001) shall become a resident of Québec from that date if the person sent an application for registration to the Board within 45 days of the date of advance registration.

A person referred to in section 4 who starts receiving last resort financial assistance after advance registration shall become a resident of Québec from the date the assistance started or from the first day of the third month following the date of advance registration, whichever occurs first, if the person forwarded the application for registration to the Board within 45 days following the date of advance registration.

4.10 For the purposes of sections 4, 4.2 and 4.9, where it becomes physically impossible for a person to act or to mandate actions because of ill health after the date of settlement or arrival in Québec, as the case may be, but before the date of advance registration with the Board, the date of the event giving rise to the incapacity is deemed to be the date of advance registration.

Notwithstanding the first paragraph, the person in question shall register with the Board as soon as possible and submit a medical certificate attesting to the incapacity referred to therein.

4.11 For the purposes of sections 4, 4.2 and 4.9, where the Board receives the application for registration after the forty-fifth day following the person's advance registration, the date the application for registration is received shall be deemed to be the advance registration date.

4.12 To maintain the status of temporary resident of Québec within the meaning of section 5.0.1 of the Act, a person must be in Québec during the entire period of the temporary residence, excluding periods of 21 consecutive days or less outside Québec, failing which the person shall cease to be a temporary resident of Québec for the entire period spent outside Québec.”

4. Section 5 is amended by substituting “for the purpose of settling there” for “for that purpose” in the second paragraph.

5. The following section is substituted for section 6:

“**6.** A resident of Québec who is outside Québec for 183 days or more in a calendar year, excluding periods of 21 consecutive days or less, ceases to be a resident of Québec for the whole calendar year during which the absence occurred.

Notwithstanding the first paragraph, a person who is outside Québec for 183 days or more during the first 12 months following the date the person becomes a resident of Québec, excluding periods of 21 consecutive days or less, is deemed not to have settled in Québec.

The calculation of any period resulting in the loss of the status of resident of Québec shall be suspended

(1) for the entire period during which the person is unable to return to Québec because of ill health if the person is hospitalized throughout this period and sends the Board a medical certificate confirming the inability to return to Québec and indicating the date of the onset of the incapacity and its expected duration. This also applies to any resident of Québec who assists that person and so notifies the Board. Notwithstanding the foregoing, this paragraph applies only where the person would lose the status of resident of Québec during that hospitalization.

(2) for the duration of the person's stay in an institution in another province that has concluded an agreement with the Gouvernement du Québec to make beds available to residents of Québec requiring long-term hospital care.”

6. Section 7 is amended

(1) by substituting “resident of Québec who is” for “person staying” in the part preceding subparagraph 1 of the first paragraph;

(2) by inserting “or at an enterprise or agency affiliated with such an institute or body” after “international body” in subparagraph 2 of the first paragraph;

(3) by substituting the following for subparagraph 4 of the first paragraph:

“(4) the person is residing temporarily in another province to hold temporary employment or carry out a contract in that province”;

(4) by inserting “to whom they are directly accountable” after “place of business in Québec” in subparagraph 5 of the first paragraph;

(5) by inserting the following subparagraphs after subparagraph 7 of the first paragraph:

“(8) the person is carrying out a contract outside Québec as a self-employed worker and the person’s place of business is located in Québec;

(9) the person is residing temporarily abroad under a reciprocity agreement entered into by the Minister of Health and Social Services under section 10 of the Health and Social Services Act.”; and

(6) by substituting “Except in the cases provided for in subparagraph 7, the” for “The” in the second paragraph.

7. The following is inserted after section 7:

“**7.0.1.** A person who ceases to be a resident of Québec under the first paragraph of section 6 shall not be entitled to the measures provided for in section 7 until the person has been in Québec for at least 183 days during a calendar year.”.

8. The following is substituted for section 7.1:

“**7.1** A person referred to in section 5 of the Act who settles in Québec for the first time or who returns to settle in Québec shall not be entitled to the measures provided for in section 7 until the person has been in Québec for a period of 183 days or more during the twelve-month period following the date on which the person becomes a resident of Québec.

Notwithstanding the foregoing, the first paragraph shall not apply

(a) to a person referred to in subparagraph 9 of the first paragraph of section 7;

(b) to a person referred to in section 4.1;

(c) to a child born or adopted in Québec or born outside Québec and whose parent, father or mother, with whom the child lives on a permanent basis is a resident of Québec when the child is born or adopted;

(d) to a child born outside Québec of a parent who ceased to be a resident of Québec under the first paragraph of section 6.”.

9. Sections 8, 9 and 10 are amended by substituting “temporary resident of Québec” for “person deemed to be a resident of Québec”.

10. Section 14 is amended

(1) by substituting the following for paragraphs 1 to 3:

“(1) the person’s surname at birth, usual given name, date of birth, sex and civil status;

(1.1) an indication whether the person is a Canadian citizen;

(2) in the case of a woman married in Québec before 2 April 1981 or married outside Québec, her spouse’s surname, if she exercises civil rights under that name and wishes that name to appear on her health insurance card;

(3) the person’s domiciliary address or, where the person is a temporary resident of Québec, the residential address; in the case of a homeless person, the address of the local employment centre of the Ministère de la Solidarité sociale or the address of an institution;”;

(2) by striking out “or residence” in paragraph 9;

(3) by substituting the following for the words following “the usual given name,”:

“and the domiciliary address or, in the case of a temporary resident of Québec, the residential address, telephone number, date of birth, sex and civil status of either parent or both parents as well as their social insurance numbers and health insurance numbers if available;”;

(4) by inserting the following after paragraph 10:

“(11) a signed and dated statement from the applicant or the applicant’s representative attesting that all the information provided is true.”.

11. Section 15 is amended

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

“In addition, persons referred to in paragraph 5 of section 3 shall provide a copy of their employment contract or an attestation from their employer confirming the starting and ending dates of their employment contract.”;

(2) by substituting the following for subparagraphs *d*, *e* and *f* of paragraph 3:

d) the original of the employment authorization issued by Canadian immigration authorities indicating the employer’s name and address, together with, in the case of a Canadian International Development Agency scholarship recipient, the original of the attestation from an educational institution that the person is receiving only a scholarship supplement from the Agency;

e) the original of the document issued by Canadian immigration authorities authorizing the person to be in Canada, together with the selection certificate, and indicating that an application for permanent residency has been filed in Canada;

f) the original of the document issued by Canadian immigration authorities authorizing the person to be in Canada, together with a document evidencing that the person holds a liturgical office;

g) the original of the Minister’s permit issued under the Immigration Act for an eventual granting of landing and identified by code number 86, 87, 88, 89, 90, 91, 92, 93, 94 or 95;”.

(3) by substituting the following for paragraphs 4 and 4.1:

“(4) in the case of the spouse or any dependent of a temporary resident of Québec, the following documents:

(a) the original of the document issued by Canadian immigration authorities authorizing the person to be in Canada for a period of more than six months in the case of a foreign national or, in the case of a Canadian citizen, one of the documents prescribed in paragraph 2 together with a sworn statement that the person plans to be in Québec for a period of more than six months;

(b) in the case of the spouse, the marriage certificate or a sworn statement that the person and the spouse have been in a de facto union since no less than one year or

— that a child has been born of their union;

— that they have adopted a child together; or

— that one of them has adopted the other’s child;

(c) in the case of a dependent 18 years of age or older, evidence of school attendance or a medical certificate, as the case may be;

4.1 in the case of a status Indian born outside Canada, proof of the person’s Indian status issued by the band council, together with the person’s birth certificate;”;

(4) by inserting “of the adoption order, of the birth certificate or the copy of the act of birth under the new name,” after “order of placement,” in paragraph 5;

(5) by substituting the following for paragraph 7:

“(7) in the case of a person referred to in section 5 of the Act who settles in Québec for the first time or who returns to settle in Québec, a person who has lost the status of resident of Québec under the first paragraph of section 6, or a person who leaves another province to settle in Québec, one of the following documents:

(a) a residential lease;

(b) a deed of purchase of a property;

(c) an attestation from the person’s employer that the person will be engaged in employment in Québec for a period of more than six months;

(d) an attestation of enrolment in a program of study offered by an educational institution in Québec;

(e) a sworn statement or solemn affirmation by the owner or lessor of the dwelling the address of which has been provided in paragraph 3 of section 14 that the person resides there;

(f) a copy of an invoice or statement of account from a telephone, electric or cable company or a municipal or school tax invoice addressed to that person and indicating the domiciliary address, together with the person’s solemn affirmation that that person lives at that address;”;

(6) by substituting

(a) “domiciliary” for “residential” and

(b) “local employment centre” for “centre Travail-Québec” in paragraph 8;

(7) by substituting “183 days or more” for “more than 1 year after the date on which he took up residence” in paragraph 9;

(8) by inserting the following after paragraph 9:

“(9.1) in the case of a person referred to in the second paragraph of section 7 of the Act, a statement that, in addition to indicating the residential address and the date that the person settled in Québec, the person habitually lives in Québec, and that the person’s Québec residence constitutes the person’s domicile, that is the place of the person’s principal establishment, and that the person intends to remain domiciled in Québec;

(9.2) where the information provided by the person under paragraphs 7 and 8 of section 14 is incomplete or where the Board has information that contradicts or conflicts with the information provided, any document in support of the information required under paragraphs 7 and 8;”; and

(9) by striking out paragraph 11.

12. The following sections are substituted for sections 16 and 17:

“**16.** Persons may register their spouse and any dependent of their spouse where, under sections 8 to 8.0.3 of the Regulation respecting forms and statements of fees under the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 2), as it reads at the time of its application, the spouse’s or dependent’s health insurance card does not contain or may omit their photograph and signature.

17. Every resident or temporary resident of Québec shall register any new dependent with the Board within three months of the event. Notwithstanding the foregoing, dependents who are 18 years of age or older may register with the Board themselves.”

13. Section 18 is amended

(1) by inserting “or, in the case of a person referred to in paragraph 1 or 2 of section 2,” after “health insurance card”; and

(2) by deleting the third paragraph.

14. The following sections are substituted for section 19:

“**19.** A temporary resident of Québec shall renew his registration with the Board by using the application form in accordance with sections 14 and 15.

Notwithstanding sections 4, 4.2 and 4.6, a person referred to in the first paragraph whose new residency permit comes into force 45 days or less after the expiry of the previous one and who files an application for registration with the Board that is admissible under section 12 within that time shall become a temporary resident of Québec from the date of coming into force of the new residency permit.

19.1. The Board shall issue a notice of renewal to residents of Québec, except for persons referred to in paragraph 1 or 2 of section 2.”

15. Section 21 is amended

(1) by substituting the following for paragraph 2:

“(2) where the person has, since the last renewal, or since the person’s birth or adoption, as the case may be, been outside Québec for a total of 183 days or more during a calendar year, excluding periods of 21 consecutive days or less, the dates of departure from and return to Québec, the places where the person stayed and the reasons for those stays;

(2.1) in the case of the renewal of a card referred to in paragraph 1 of section 23, where, during the twelve-month period preceding the expiry of the card, the person was outside Québec for a total of 183 days or more, excluding periods of 21 consecutive days or less, the dates of departure from and return to Québec, the places where the person stayed and the reasons for those stays;

(2.2) where the information provided by the person under subparagraphs 2 and 2.1 is incomplete or where the Board holds information that contradicts or conflicts with the information provided, any document in support of the information required under subparagraphs 2 and 2.1;”; and

(2) by inserting the following after subparagraph 4:

“(4.1) in the case of persons referred to in the second paragraph of section 7 of the Act, a sworn statement as prescribed in paragraph 9.1 of section 15;

(4.2) in the case of a permanent resident within the meaning of the Immigration Act who has left Canada for 183 days or more, the original of the document issued by

Canadian immigration authorities attesting that the person has retained permanent resident status;”.

16. Section 22 is amended

(1) by substituting the following for the part preceding paragraph 1:

“Where they have not received a renewal notice, where the notice has not been sent to the Board within six months of the expiry date of their health insurance card or where they are subject to subparagraph 1 or 2 of section 2, residents of Québec shall apply in writing to renew their registration in the form provided by the Board for that purpose. They shall also pay any prescribed fees and provide the following information and documents:”;

(2) by inserting the following after paragraph 2:

“(2.1) in the case of persons referred to in paragraph 1 or 2 of section 2, the applicable document listed in paragraph 3 of section 15;”;

(3) by substituting the following for paragraph 3:

“(3) where the person has, since the last renewal or since the person’s birth or adoption, as the case may be, been outside Québec for a total of 183 days or more during a calendar year, excluding periods of 21 consecutive days or less, the dates of departure from and return to Québec, the places where the person stayed and the reasons for the stays;

(3.1) in the case of the renewal of a card referred to in subparagraph 1 of the first paragraph of section 23, and where the person has, during the twelve-month period preceding the expiry of the card, been outside Québec for a total of 183 days or more, excluding periods of 21 consecutive days or less, the dates of departure from and return to Québec, the places where the person stayed and reasons for the stays; where applicable, the person shall provide similar information for the time elapsed since the expiry of the card for each calendar year during which the person was outside Québec for a total of 183 days or more;

(3.2) where the information provided by the person under subparagraphs 3 and 3.1 is incomplete or where the Board holds information that contradicts or conflicts with the information provided, any document in support of the information required under subparagraphs 3 and 3.1;”;

(4) by inserting the following after subparagraph 5:

“(5.1) in the case of persons referred to in the second paragraph of section 7 of the Act, a sworn statement as prescribed in paragraph 9.1 of section 15;

(5.2) in the case of a permanent resident within the meaning of the Immigration Act who has left Canada for 183 days or more, the original of the document issued by Canadian immigration authorities attesting that the person has retained permanent resident status;”;

(5) by striking out “and accurate” in paragraph 7; and

(6) by adding the following at the end:

“The fees to be paid by insured persons who renew their registration with the Board more than six months after the expiry date of their card are those set out in the Regulation respecting forms and statements of fees under the Health Insurance Act (R.R.Q., 1981, c. A-29, r.2 and its present and future amendments).”.

17. The following is substituted for section 23:

“(23) The Board shall issue a health insurance card to an insured person

(1) for a one-year period:

(a) following the registration of a resident of Québec, except for persons referred to in subparagraph 1 or 2 of section 2, who settles in Québec for the first time or who returns to settle, from the date prescribed in sections 4 to 4.11;

(b) following the renewal of the registration of a person who has lost the status of resident of Québec under the first paragraph of section 6, from the date of expiry of the person’s health insurance card or the date of the person’s application for registration renewal, as the case may be;

(c) following the renewal of the registration of a person who is homeless and unable to provide a residential address, from the date of expiry of the person’s health insurance card;

(d) following the registration or renewal of the registration of a person exempt from providing a photograph or signing the authenticating document or exempt from both requirements under paragraph *a* of section 8.0.2 or section 8.0.3 of the Regulation respecting forms and statements of fees under the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 2 and its present and future amendments), where the period of disability is one year or less;

(e) following the registration or renewal of the registration of a person referred to in section 4.4, from the date of the person's imprisonment or the expiry date of the health insurance card, as the case may be;

(2) for the duration of the stay specified in the attestation of stay in Québec issued by the Ministère de l'Éducation du Québec, following the registration of a person referred to in subparagraph 2 of section 3;

(3) for the period of validity specified in the document issued by Canadian immigration authorities:

(a) following the registration or renewal of the registration of a person referred to in subparagraph 1 or 2 of section 2;

(b) following the registration of a person referred to in subparagraph 1 or 3 of section 3;

(c) following the registration of a person referred to in subparagraph 6 of section 3. Notwithstanding the foregoing, the period of validity of the card may not be longer than that of the card of the person being accompanied;

(4) for the duration of the employment contract following the registration of a person referred to in subparagraph 4 of section 3. Notwithstanding the foregoing, the period of validity of the card may not be longer than that of the document issued by Canadian immigration authorities;

(5) for the duration of the employment contract following the registration of a person referred to in subparagraph 5 of section 3;

(6) for the period of time determined in accordance with the rule set out in section 23.1:

(a) in the case of the registration of a new-born child, a child placed for adoption or an adopted child who has the status of resident of Québec;

(b) in the case of a person who was issued a health insurance card under clause *d* of subparagraph 1 of the first paragraph and to whom subparagraphs 2 to 5 do not apply;

(c) in all other cases, following a registration renewal to which clause *a* of subparagraph 3 does not apply.

Notwithstanding the foregoing, the cards referred to in subparagraphs 2 to 5 may not be issued for a period preceding the date prescribed in sections 4 to 4.11 and their period of validity may not exceed four years."

18. The following are inserted after section 23:

"23.1 The period of validity of a health insurance card issued in the cases referred to in subparagraph 6 of the first paragraph of section 23 shall be not less than 27 months and not more than 75 months. This period shall be computed, as the case may be, from the expiry month and year indicated on the insured person's current health insurance card, or from the date of registration of a new-born child, a child placed for adoption or an adopted child who has the status of resident of Québec to the month and year in which the person's age becomes a multiple of four.

23.2. In all cases, the health insurance card shall expire on the last day of the month indicated on the card."

19. Section 24 is amended

(1) by substituting

(a) "domiciliary" for "residential" and

(b) "local employment centre" for "centre Travail-Québec"

in paragraph 6; and

(2) by striking out "and accurate" in paragraph 7.

20. Section 26 is amended

(1) by inserting the following after subparagraph 2 of the first paragraph:

"(2.1) where the insured person is a temporary resident of Québec, of any stay outside Québec for 22 consecutive days or more;"; and

(2) by substituting the following for the second and third paragraphs:

"Where insured persons requests a correction or change to their identity, the person shall indicate, on the form provided for that purpose, the information to be corrected and provide the original of one of the following documents in support of his request:

(a) copy of the act of birth;

(b) birth certificate;

(c) certificate of Canadian citizenship;

(d) certificate of change in name;

(e) certificate of change in the designation of sex and name;

(f) the document issued by Canadian immigration authorities authorizing the insured person to be or to remain in Canada.”.

21. Section 27 is amended

(1) by striking out “in writing, using the form supplied by the Board for that purpose” in the part preceding subparagraph 1;

(2) by substituting the following for subparagraph 1:

“(1) the deceased’s name, including the usual given name, civil status, date of birth, sex and address as well as the deceased’s health insurance number and social insurance number if available;” and

(3) by striking out “home” in subparagraph 3.

22. Section 28 is amended by substituting “a temporary resident of Québec” for “deemed to reside in Québec”.

23. Section 32 is amended

(1) by substituting “7.1” for “7” in the part preceding subparagraph 1 of the first paragraph;

(2) by inserting the following after subparagraph 7 of the first paragraph:

“(7.1) the original of the certificate of change in name;” and

(3) by substituting, in the French text, “transmettre” for “transmet” in the second paragraph.

FINAL AND TRANSITIONAL

24. Persons who, prior to 1 November 2000, were residents of Québec as the spouse or dependant of a person referred to in section 2 of the Regulation respecting eligibility and registration of persons in respect of the Régie de l’assurance maladie du Québec as it read on 31 October 2000, or as an applicant for permanent residence, are subject to the provisions of section 2 and of subparagraph *e* of paragraph 3 of section 15 of that Regulation as they read on 31 October 2000 with respect to eligibility requirements at the first renewal of their registration that occurs from 1 November 2000, where, on the renewal date, they do not meet the requirements of section 2 as introduced by section 3 of this Regulation. Notwithstanding the foregoing, the renewal period shall not exceed six months at the end of which period

any further registration renewal shall be subject to the requirements prescribed in this Regulation.

25. At the first renewal of a registration occurring after the coming into force of this Regulation, persons who would be subject to paragraphs 1, 4, 5 or 6 of section 3, as introduced by section 3 of this Regulation, if their employment authorization, permit or employment contract exceeded six months, shall be deemed to hold an employment authorization, a permit or a contract exceeding six months where the following requirements are met:

(1) the new employment authorization or the new permit or contract, as the case may be, is valid or starts from the first day following the expiry date of the previous employment authorization, permit or contract;

(2) the total period of validity of both employment authorizations, permits or contracts exceeds six months;

(3) the Board receives the new employment authorization or the new permit or contract prior to the forty-fifth day following the expiry of the previous employment authorization, permit or contract.

26. Where the date of a person’s advance registration with the Board is prior to 1 November 2000, that person shall remain subject to the provisions of the Regulation respecting eligibility and registration of persons in respect of the Régie de l’assurance maladie du Québec as they read on 31 October 2000 with respect to the date from which the person becomes a resident of Québec or temporary resident of Québec.

27. Persons to whom the Board issued a health insurance card prior to 1 November 2000 valid for one year under clauses *a*, *b* or *c* of subparagraph 1 of section 23 of the Regulation respecting eligibility and registration of persons in respect of the Régie de l’assurance maladie du Québec as they read on 31 October 2000 shall remain subject to the provisions of section 6 of that Regulation as they read on 31 October 2000 for the purposes of the first registration renewal following the expiry of that card.

28. Persons who left Québec prior to 1 November 2000 shall, until 31 December 2001, shall remain subject, where applicable, to the provisions of subparagraph 5 of section 7 of the Regulation respecting eligibility and registration of persons in respect of the Régie de l’assurance maladie du Québec, as they read on 31 October 2000.

29. The provisions of section 7.0.1 of the Regulation respecting eligibility and registration of persons in respect of the Régie de l’assurance maladie du Québec,

made by section 7 of this Regulation, do not apply to persons who have ceased to be residents of Québec under the first paragraph of section 6 for a calendar year ending prior to 1 January 2001.

30. The provisions relating to fees referred to in the second paragraph of section 22, made by section 16 of this Regulation, do not apply to applications for registration renewal received by the Board prior to 1 November 2000.

31. This Regulation comes into force on 1 November 2000.

Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, s. 72, 1st par., subpars. *a*, *c* and *c.1*;
1999, c. 89, s. 38, pars. 1 and 2, s. 42)

1. Section 2 of the Regulation respecting forms and statements of fees under the Health Insurance Act is amended

(1) by substituting “Regulation respecting eligibility and registration of persons in respect of the Régie de l’assurance-maladie du Québec, as it reads when applied” for “Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 1)” in the part preceding paragraph *a*;

(2) by substituting “temporary resident of Québec” for “person deemed to be a resident of Québec” in paragraph *a*.

2. Section 7 is amended by substituting “temporary resident of Québec” for “person deemed to be a resident of Québec”.

3. Section 8 is amended by inserting “or married outside Québec” after “2 April 1981” in paragraph *c*.

4. Section 8.1 is amended by substituting “\$15” for “10 \$”.

5. Section 8.2 is amended by substituting “last resort financial assistance program provided for in the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001).” for the words following the words “under *a*” in paragraph *b*.

6. The following is inserted after section 8.2:

“8.3. The costs exigible for an application to renew the registration of an insured person who has not renewed his registration with the Board within six months after the card expires are \$15.”

7. The amendment made to section 8.1 of the Regulation respecting forms and statements of fees under the Health Insurance Act by section 4 of this Regulation which increases the costs exigible for the replacement of a health-insurance card that has been lost, damaged or stolen does not apply to applications for replacement of cards received by the Board before the coming into force of this Regulation.

8. This Regulation comes into force on 1 November 2000.

Regulation to amend the Regulation respecting the application of the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, s. 69; 1999, c. 89, ss. 37 and 42)

1. Section 1 of the Regulation respecting the application of the Health Insurance Act is amended

(1) by revoking paragraphs *c*, *e*, *h*, *k* and *l*;

(2) by substituting the following for paragraph *e.1*:

“spouse ” means

(1) the man or woman with whom a person is married and cohabits;

(2) the man or woman of the opposite or the same sex with whom a person cohabits in a conjugal relationship, where they have been so cohabiting for at least one year or where

* The Regulation respecting forms and statements of fees under the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 2) was last amended by Order in Council 1335-98 dated 14 October 1998 (1998, *G.O.* 2, 4310). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

* The Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 1) was last amended by the Regulation made by Order in Council 1100-99 dated 22 September 1999 (1999, *G.O.* 2, 3586). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

- “(d) a child has been born of their union,
 (e) they have adopted a child together, or
 (f) one of them has adopted the other’s child;”.

2. This Regulation comes into force on 1 November 2000.

3760

Draft Regulation

Environment Quality Act
 (R.S.Q., c. Q-2)

Quality of drinking water

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, that the Regulation respecting the quality of drinking water, the text of which appears below, may be made by the Gouvernement du Québec upon the expiry of 60 days following this publication.

The draft Regulation replaces the Drinking Water Regulation made in 1984 and its purpose is to update the standards of quality of drinking water. To that end, it proposes standards mainly based on the most recent Canadian recommendations on the quality of drinking water, as published by Health Canada. It is necessary to point out that both enterprises and municipalities will be governed by the updated standards of quality of drinking water.

Moreover, the regulatory mechanisms intended to ensure the quality of drinking water supplied by the distribution systems or delivered by tank truck are reinforced; thus, the draft Regulation provides for the obligation to disinfect the water supplied where it comes from surface water or ground water whose microbiological quality may be altered by surface water. In addition, all municipal or private drinking water distribution systems will be subject to increased controls on the quality of that water and to the obligation of having qualified personnel for their operation. In case of non-compliance with the standards of quality, the laboratory that will have carried out the water samples analysis will have to quickly notify thereof the person in charge of the distribution system in question as well as the Minister of the Environment and the public health director of the region in question; the person in charge of the distribution system will also be bound to inform immediately the Minister and the public health director of the measures taken to remedy the situation and, where applicable, to protect the users.

This draft Regulation replaces the draft Regulation published in the *Gazette officielle du Québec* of 28 June 2000.

Further information may be obtained by contacting:

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Any interested person having comments to make on the draft Regulation respecting the quality of drinking water is asked to send them in writing, before the expiry of the 60-day period, to the Ministère de l'Environnement at the above-mentioned address.

PAUL BÉGIN,
Minister of the Environment

Regulation respecting the quality of drinking water

Environment Quality Act
 (R.S.Q., c. Q-2, s. 31, pars. e, h.1 and h.2, ss. 45, 45.2, par. a, s. 46, pars. a, b, d, m, o, o.1 and o.2, ss. 109.1 and 124.1; 1999, c. 40, s. 239; 1999, c. 75, s. 3)

CHAPTER I GENERAL

1. For the purposes of this Regulation,

(1) “enterprise” means any establishment where a commercial, industrial, agricultural, professional or institutional activity is carried on as well as any establishment or immovable where another activity is carried on and to which the public has access or that is governed by the Public Buildings Safety Act (R.S.Q., c. S-3), excluding educational institutions, houses of detention and health and social services institutions; (*entreprise*)

(2) “educational institution” means any institution providing elementary and secondary education and governed by the Education Act (R.S.Q., c. I-13.3) or by the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., c. I-14), a private educational institution governed by the Act respecting private education (R.S.Q., c. E-9.1), a general and vocational college or a university. For the purposes of this Regulation, childcare centres, day care centres, stop-over centres and nursery