

3. All medications shall be packaged in safe containers.

4. This Regulation comes into force seven months after the date of its publication in the *Gazette officielle du Québec*.

3879

Gouvernement du Québec

O.C. 1149-2000, 27 September 2000

Medical Act
(R.S.Q., c. M-9)

Physicians

— **Acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians**

— **Amendments**

Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians

WHEREAS under section 31 of the Medical Act (R.S.Q., c. M-9), every act having as its object to diagnose or treat any deficiency in the health of a human being constitutes the practice of medicine, which shall comprise, in particular, medical consultation, prescribing of medication or treatment, radiotherapy, attendance at confinements, establishing and controlling diagnosis and treatment of illnesses or diseases;

WHEREAS under subparagraph *b* of the first paragraph of section 19 of the Medical Act, the Bureau of the Collège des médecins du Québec, hereinafter called “the College”, shall in addition to the duties provided for in sections 87 to 93 of the Professional Code (R.S.Q., c. C-26), determine among the acts contemplated in section 31 of the Medical Act those which, under certain prescribed conditions, may be done by classes of persons other than physicians;

WHEREAS under the second paragraph of that section 19, the Bureau of the College shall, before passing a regulation under subparagraph *b* of the first paragraph, consult the Office des professions du Québec and the professional orders to which the persons contemplated by such regulation belong or, if there are no such orders, the representative bodies of such classes of persons;

WHEREAS pursuant to subparagraph *b* of the first paragraph of the above-mentioned section 19, the Bureau

of the College adopted on 18 September 1981 the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, which was published in Part 2 of the *Gazette officielle du Québec* of 6 January 1982;

WHEREAS pursuant to the same subparagraph, the Bureau of the College adopted, at its meeting of 15 October 1999, the French and English versions of the Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, with a view to amending Schedule A to the Regulation;

WHEREAS the consultation required by the second paragraph of section 19 before passing the Regulation has been carried out;

WHEREAS the Regulation is subject to the provisions of the Regulations Act (R.S.Q., c. R-18.1) and was published as a draft in Part 2 of the *Gazette officielle du Québec* of 9 February 2000;

WHEREAS there was a notice with the Regulation indicating that it could be submitted to the Government for approval with or without amendment upon the expiry of 45 days following its publication and inviting any person having comments to make on the Regulation to send them to the Chairman of the Office des professions du Québec, before the expiry of the 45-day period;

WHEREAS section 3 of the Medical Act prescribes that, subject to the provisions of the Act, the Order and its members shall be governed by the Professional Code;

WHEREAS pursuant to section 95 of the Professional Code, subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Act constituting the professional order, the Medical Act in this instance, shall be transmitted to the Office for examination and it shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS the Regulation was transmitted to the Office which examined it and recommended that it be approved by the Government with amendments;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions;

THAT the Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians*

Medical Act

(R.S.Q., c. M-9, s. 19, 1st par., subpar. b)

1. The Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians is amended in section A-1.06 of Schedule A:

(a) by adding, after paragraph y, the following paragraphs:

“

(z) anti-varicella	x	x
(aa) anti-Lyme disease	x	x

”;

(b) by replacing in the column “other conditions” the letters “a to y” by the letters “a to aa”.

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

3880

M.O. 2000-017

Order of the Minister of State for Health and Social Services and Minister of Health and Social Services dated 27 September 2000

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Classification of the services provided by intermediate resources

CONSIDERING that, under section 303 of the Act respecting health services and social services (R.S.Q., c. S-4.2), amended by section 95 of chapter 39 of the Statutes of 1998, the Minister of Health and Social Services shall propose to regional boards a classification of the services offered by intermediate resources based on the degree of support or assistance required by users, which is intended to foster an adequate framework and the regional implementation of intermediate resources, and to ensure sufficient flexibility for the emergence of new resources within the framework of regional service organization plans;

CONSIDERING that, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Classification of the services provided by intermediate resources was published in Part 2 of the *Gazette officielle du Québec* of 15 December 1999 with a notice that it could be established by the Minister upon the expiry of 45 days following that publication;

CONSIDERING that it is expedient to establish the Classification without amendment;

THEREFORE, the Minister of State for Health and Social Services and Minister of Health and Social Services establishes the Classification of the services provided by intermediate resources the text of which is attached to this Minister’s Order.

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

Classification of the services provided by intermediate resources

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 303)

1. The services provided by intermediate resources are rated from level one to level five by using “Form for Determining the Extent of Services Required from the Intermediate Resource” appearing in Schedule 1.

* The Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, adopted on 18 September 1982 (1982, *G.O.* 2, 22) was last amended by the Regulation approved by Order in Council 551-98 dated 22 April 1998 (1998, *G.O.* 2, 1750). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.