

TARIFF ESTABLISHED BY THE RÉGIE BY
ADMINISTRATIVE PROCEDURE

2) Preparation of pouches

1 to 30 pouches	8.68	8.90
31 to 60 pouches	12.46	12.77
61 to 100 pouches	16.60	17.02
Over 100 pouches: number of pouches multiplied by \$0.16 per pouch		

3) Insulin syringe filling

Less than 17 syringes: at 2001-06-01:
\$8.68 + \$2.30 for an insulin mixture;
at 2002-01-01: \$8.90 + \$2.36 for an
insulin mixture

17 syringes and over: at 2001-06-01:
number of syringes multiplied by \$0.53
per syringe + \$2.30 for an insulin mixture;
at 2002-01-01: number of syringes
multiplied by \$0.54 per syringe + \$2.36
for an insulin mixture

4) Preparation of capsules

1 to 30 capsules	8.68	8.90
31 to 60 capsules	12.46	12.77
61 to 100 capsules	16.60	17.02
Over 100 capsules: number of capsules multiplied by \$0.16 per capsule		

5) Supply of a spacer 2.30 2.36

B) Retroactivity

The Régie de l'assurance maladie du Québec will pay pharmacists a retroactive amount in 3 instalments for each of the services listed below:

- preparation of placebo capsules
- preparation of pouches
- insulin syringe filling
- preparation of capsules
- supply of a spacer.

The first retroactive instalment covers the period from 1 January 1999 to 31 December 2000 and will be paid within 30 days after the Order becomes effective. It is calculated by multiplying the cost of the services rendered in 1999 by 1.5% and multiplying the cost of the services rendered in 2000 by 4.04%.

The second retroactive instalment covers the period from 1 January 2001 to 31 March 2001 and will be paid within 90 days after the Order becomes effective. The third retroactive instalment covers the period from 1 April 2001 to 31 May 2001 and will be paid within 150 days after the Order becomes effective. They are calculated by multiplying the cost of the services rendered from 1 January 2001 to 31 May 2001 by 6.64%.

4. Section 14 of the Agreement is amended as follows:

“Coming into force and duration

14.01 This Agreement comes into force on 1 June 2001 and terminates on 31 March 2002. Appendices I, II, III, IV, V and VI form an integral part of the Agreement.”.

The Order takes effect on 1 June 2001.

4258

Gouvernement du Québec

O.C. 552-2001, 9 May 2001

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

**Eligibility and registration of persons
— Amendments**

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

WHEREAS, under subparagraph *a* 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, prescribe anything that may be prescribed under the Act;

WHEREAS, under subparagraph *j* of the first paragraph of section 69 of the Act, the Government may, in the same way, determine, for the purposes of section 5, the conditions to be met by a person referred to therein and the time at which and the conditions subject to which a person becomes a resident of Québec and the time at which and the conditions subject to which a person ceases to be a resident of Québec, and determine the classes of persons referred to in subparagraph 5 of the first paragraph of that section;

WHEREAS, under subparagraph *j.1* of the first paragraph of section 69 of the Act, the Government may, in the same way, determine the cases and conditions in and subject to which and the time at which a person referred to in section 5.0.1 becomes a temporary resident of Québec;

WHEREAS, under subparagraph *j.2* of the first paragraph of section 69 of the Act, the Government may, in the same way, determine the cases and conditions in and subject to which a person who is a resident of Québec retains the status of resident despite being absent from Québec and determine the period during which the status of resident may be retained;

WHEREAS, under subparagraph *j.2.1* of the first paragraph of section 69 of the Act, the Government may, in the same way, determine the time at which a person loses the status of temporary resident of Québec and the conditions applicable to a loss of status;

WHEREAS, under subparagraph *j.3* of the first paragraph of section 69 of the Act, the Government may, in the same way, determine the period of extension of eligibility for persons who are resident of Québec who settle in another Canadian province;

WHEREAS, under subparagraph *l* of the first paragraph of section 69 of the Act, the Government may, in the same way, determine the conditions to be met by a person who registers with the Board, the information and documents he must provide, the time of registration, and in what cases, conditions and circumstances and by what methods a person must register with the Board and the cases in which an application for registration may be made by one person on behalf of another;

WHEREAS, under subparagraph *l.2* of the first paragraph of section 69 of the Act, the Government may, in the same way, determine the terms and conditions according to which an application for registration, for renewal of registration or for the replacement of a health insurance card or eligibility card must be authenticated, the categories of persons, the government departments, the public bodies and the institutions which, in addition to the Board, are authorized to authenticate such applications according to the categories of insured persons it indicates, the documents that must be presented by the applicant, and the conditions the applicant must fulfil at the time his application is authenticated;

WHEREAS, under subparagraph *m* of the first paragraph of section 69 of the Act, the Government may, in the same way, determine the conditions upon which health insurance cards may be renewed or replaced, and the cases in which they must be returned to the Board, and fix the expiration date thereof;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec was published in Part 2 of the *Gazette officielle du Québec* of 12 July 2000 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the Régie de l'assurance maladie has been consulted;

WHEREAS the 45-day period has expired;

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

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 eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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, s. 69, 1st par., subpars. *a* and *j* to *l*, *l.2* and *m*)

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 November 2000.

“1. In this Regulation,

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

“advance registration” means contacting the Régie de l’assurance maladie du Québec and providing the information required to register with the Board in order to obtain an application for registration form; (*préinscription*)

“educational institution” means a corporation or body providing instruction 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 referred to 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 defined as such under sections 5 to 8 of the Act and under Division II of the Regulation; (*personne qui réside au Québec ou 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, if they have been so cohabiting for at least one year or if

(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

(1) 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; and

(2) by substituting “last resort financial assistance program under the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001)” for “last resort assistance program provided for in the Act respecting income security (R.S.Q., c. S-3.1.1)” in subparagraph 2 of the second paragraph.

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

“1.2. For the purposes of this Division, “reference date” means

(1) with respect to an application for registration that is admissible within the meaning of section 12 received by the Board within 45 days of the date of advance registration, the earlier of the following two dates:

(a) the fifteenth day preceding the date of advance registration, for a person referred to in section 5.0.1 of the Act who arrived in Québec on or before that date or for a person referred to in section 5 of the Act who settled in Québec on or before that date; or

(b) for a person referred to in section 5.0.1 of the Act, the date of arrival in Québec or, for a person referred to in section 5 of the Act, the date of settlement in Québec, as the case may be, if advance registration with the Board occurs on or within fifteen days of that date; and

(2) with respect to an application for registration that is admissible within the meaning of section 12 received by the Board after the forty-fifth day following the date of advance registration, the date the application for registration is received by the Board.

2. The following are the classes of persons referred to in subparagraph 5 of the first paragraph 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) with a view to granting landing and identified by code number 86, 87, 88, 89, 90, 91 or 92, as well as a Québec selection certificate, or persons who hold a permit issued by the Minister of Immigration of Canada under the Immigration Act (R.S.C., 1985, c. I-2) with a view to granting landing and identified by code number 93, 94 or 95;

(2) persons who have been authorized under the Immigration Act (R.S.C., 1985, c. I-2) to apply for landing while in Canada and who have been granted entry by Canadian immigration authorities and hold a Québec selection certificate;

(3) minor children who are in Québec while being considered for adoption by a resident of Québec who meets the requirements of the Civil Code of Québec for adopting them; and

(4) children born outside Québec if the parent 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) foreign nationals whose main purpose for being in Québec is to work, who hold an office or employment for a period of more than six months and who hold an employment authorization valid for a period of more than six months issued by Canadian immigration authorities and indicating the employer's name and the place of employment, except Canadian International Development Agency scholars, unless they are receiving only a scholarship supplement from the Agency. This paragraph does not apply to persons 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) foreign nationals who hold a certificate attesting to their status as a student or trainee in Québec under an official scholarship program of the Ministère de l'Éducation;

(3) foreign nationals who have been issued an employment authorization by Canadian immigration authorities for seasonal employment under the federal Commonwealth Caribbean Seasonal Agricultural Workers Program or Mexican Seasonal Agricultural Workers Program;

(4) foreign nationals referred to in paragraph 19(1)(c) of the Immigration Regulations, 1978 (SOR/78-172, Immigration Act, R.S.C., 1985, c. I-2) who have been granted entry by Canadian immigration authorities and whose main purpose for being in Québec is to hold a liturgical office and who hold that office for a period of more than six months;

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

(6) the spouse or any dependant accompanying a person referred to in any of paragraphs 1 to 5 during the temporary residence and who, if a foreign national, has been granted entry by Canadian immigration authorities for a stay of more than six months or who, if a Canadian citizen, establishes the intention to stay in Québec for a period of more than six months.

4. Unless otherwise provided in this Regulation, a person shall become a resident or temporary resident of Québec from the first day of the third month following the reference date.

4.1. A person who settles in Québec after leaving a province that has a similar plan shall become a resident of Québec when no longer 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 reference date:

(1) a person who has been granted refugee status in Canada within the meaning of the Geneva Convention by the competent authority;

(2) a repatriated Canadian;

(3) a foreign national who holds a valid certificate attesting to the foreign national's status as a student or trainee in Québec under an official scholarship program of the Ministère de l'Éducation du Québec;

(4) a foreign national who holds a valid employment authorization issued by Canadian immigration authorities for seasonal employment under the federal Commonwealth Caribbean Seasonal Agricultural Workers Program or Mexican Seasonal Agricultural Workers Program;

(5) a foreign national who holds a Québec selection certificate that establishes that the person is a foreign national referred to in paragraph *a* or *b* or subparagraph *iii* of paragraph *c* of section 18 of the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2) or, if the foreign national is a minor, that the person is a foreign national referred to in subparagraph *i* of paragraph *c* of that section; and

(6) a foreign national minor who holds a Québec selection certificate establishing that section 19 of the Regulation respecting the selection of foreign nationals applies to that minor.

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 the Canadian Armed Forces who has settled in Québec and who had not acquired the status of resident of Québec before that date; and

(2) a person referred to in section 5 of the Act imprisoned in a federal penitentiary who settles in Québec 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 who is imprisoned in a provincial house of detention shall become a resident of Québec on the date of imprisonment if the status of resident of Québec had not been acquired before that date.

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

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

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

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

(4) a child born in Québec during the period between the reference date determined for the child's parent with whom the child lives on a permanent basis and the date on which the parent becomes a resident of Québec.

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

(1) from the date of birth if the parent with whom the child lives on a permanent basis is a temporary resident of Québec, for the period during which the parent is a temporary resident of Québec; or

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

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

4.8. A minor child who is in Québec while being considered for adoption by a resident of Québec meeting the requirements of the Civil Code of Québec for adopting the child shall become a resident of Québec on the date of arrival in Québec.

A minor child domiciled in another province who is adopted by a resident of Québec shall become a resident of Québec on the date of the adoption.

4.9. A person referred to in section 4 who, on the reference date, is receiving benefits under a last resort financial assistance program under 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.

A person referred to in section 4 who starts receiving last resort financial assistance after the reference date shall become a resident of Québec from the date the assistance started or from the first day of the third month following the reference date, whichever occurs first.

4.10. For the purposes of sections 4, 4.2 and 4.9, when 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 shall be presumed 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 in the first paragraph.”

4. The following is substituted for section 6:

“**6.** A resident of Québec who is outside Québec for 183 days or more in any 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 of becoming a resident of Québec, excluding periods of 21 consecutive days or less, shall be 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 a resident of Québec is unable to return to Québec because of ill health, if the person is hospitalized throughout that period and sends the Board a medical certificate confirm-

ing 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 is assisting that person and so notifies the Board. However, this paragraph applies only if the status of resident of Québec would otherwise be lost during the hospitalization; or

(2) for the length of any 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.”.

5. Section 7 is amended

(1) by substituting “sections 7.0.1 and 7.1, a resident of Québec who is” for “section 7.1, a person staying” in the part preceding subparagraph 1 of the first paragraph after the words “subject to”;

(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 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 Act respecting the Ministère de la Santé et des Services Sociaux.”; and

(6) by substituting “Except for the stays referred to in subparagraph 7, the” for “The” in the second paragraph.

6. 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 enti-

tled to the measures in section 7 until the person has been in Québec for at least 183 days in a calendar year.”.

7. 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 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.

However, the first paragraph shall not apply

(1) to a person referred to in subparagraph 9 of the first paragraph of section 7 who leaves Québec to reside abroad temporarily;

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

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

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

7.2. To maintain the status of temporary resident of Québec within the meaning of section 5.0.1 of the Act, a person must remain 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.”.

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

9. 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 as to whether or not the person is a Canadian citizen;

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

(3) the person's domiciliary address or, if the person is a temporary resident of Québec, the residential address; if the person is homeless, the address of the local employment centre of the Ministère de l'Emploi et 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 after "the usual given name," in paragraph 10:

"and the domiciliary address or, if the dependant is a temporary resident of Québec, the residential address, and 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;"; and

(4) by adding the following after paragraph 10:

"(11) a signed and dated statement from the person or the person's representative attesting that all the information provided is accurate.".

10. Section 15 is amended

(1) by substituting the following for clauses *c* and *d* of subparagraph 2 of the first paragraph:

"(c) subject to the last paragraph of this section, the original of the person's certificate of Canadian citizenship;

(d) subject to the last paragraph of this section, the person's Canadian passport;";

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

"(2.1) in the case of a person referred to in paragraph 5 of section 3, in addition to one of the documents listed in subparagraph 2 of the first paragraph, a copy of the employment contract or an attestation from the applicant's employer confirming the starting and ending dates of the employment contract;";

(3) by substituting the following for clause *a* of subparagraph 3 of the first paragraph:

"(a) subject to the last paragraph of this section, the original of the document issued by Canadian immigration authorities attesting to the person's status as permanent resident of Canada, as well as the original of the Québec selection certificate;";

(4) by substituting the following for clauses *c*, *d*, *e* and *f* of subparagraph 3 of the first paragraph:

"(c) the original of the document issued by the Immigration and Refugee Board attesting to the person's refugee status, together with the original of the Québec selection certificate;

(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 scholar, the original of an attestation from an educational institution that the person is receiving only a scholarship supplement from the Agency;

(e) the original of the authorization to enter and remain in Canada issued by Canadian immigration authorities and the original of the Québec selection certificate, together with a copy of the document issued by Canadian immigration authorities indicating that the person is authorized to apply in Canada for landing;

(f) the original of the authorization issued by Canadian immigration authorities allowing 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 with a view to granting landing and identified by code number 86, 87, 88, 89, 90, 91 or 92, together with the original of the Québec selection certificate;

(h) the original of the Minister's permit issued under the Immigration Act with a view to granting landing and identified by code number 93, 94 or 95;";

(5) by substituting the following for subparagraphs 4 and 4.1 of the first paragraph:

"(4) in the case of the spouse or a dependant of a temporary resident of Québec, the following documents:

(a) for a foreign national, the original of the authorization issued by Canadian immigration authorities for a stay of more than six months or, for a Canadian citizen, one of the documents listed in subparagraph 2 together with a sworn statement or solemn affirmation of the intention to stay in Québec more than six months;

(b) in the case of the spouse, the marriage certificate or a sworn statement or solemn affirmation that the spouses have been in a de facto union for at least one year or

- i. that a child has been born of their union;
- ii. that they have adopted a child together; or
- iii. that one of them has adopted the other's child; or

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

(4.1) in the case of a status Indian born outside Canada, the original Certificate of Indian Status issued by the Department of Indian Affairs and Northern Development of Canada, together with an original birth certificate;”;

(6) by substituting the following for subparagraph 5 of the first paragraph:

“(5) in the case of an adopted child, the original of one of the following documents:

(a) the order of placement;

(b) the adoption order;

(c) the birth certificate or a copy of the act of birth under the new name;

(d) the notice from the clerk of the court that granted the adoption that an adoption order was issued;

(e) in the case of a child adopted in the People's Republic of China, the certificate of registration of the adoption; or

(f) the Québec selection certificate.

(5.1) in the case of an international adoption, in addition to one of the documents listed in subparagraph 5 of this paragraph, the original of the document issued by Canadian immigration authorities authorizing the child to be in Canada or attesting to the child's permanent resident status;”;

(7) by substituting the following for subparagraph 7 of the first paragraph:

“(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 ceased to be a resident of Québec under the first paragraph of section 6, or a person who has left another province to settle in Québec, one of the following documents:

(a) a residential lease;

(b) a copy of the deed of purchase of the property;

(c) an attestation from the employer that the applicant 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 from the owner or lessor of the dwelling the address of which has been provided under paragraph 3 of section 14 that the applicant resides there; or

(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 the applicant and indicating the domiciliary address, together with the applicant's solemn affirmation of living at that address;”;

(8) by substituting

(a) “domiciliary” for “residential” and

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

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

(10) by inserting the following after subparagraph 9 of the first paragraph:

“(9.1) in the case of a person referred to in the second paragraph of section 7 of the Act, a sworn statement or solemn affirmation indicating the residential address and the date of settlement in Québec and stating that the applicant habitually resides in Québec, that the Québec residence is the domicile, that is, the place of the applicant's principal establishment, and that the applicant intends to remain domiciled in Québec;

(9.2) where the information provided under paragraphs 7, 8 and 9 of section 14 is incomplete or the Board has information that contradicts or conflicts with the information provided, any document substantiating the information required under paragraphs 7, 8 and 9;”;

(11) by striking out subparagraph 11 of the first paragraph; and

(12) by substituting the following for the last paragraph:

“A copy of one of the documents required under clauses *c* and *d* of subparagraph 2 of the first paragraph and of the document issued by Canadian immigration authorities under clause *a* of subparagraph 3 of the first paragraph shall be accepted if the person produced the original document as proof of identity at the time of authentication of the application in accordance with the terms and conditions of section 32.”

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

“**16.** A person may register a spouse and any of the spouse’s dependants 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 dependant’s health insurance card does not contain or may omit the photograph and signature.

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

12. Section 18 is amended

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

(2) by deleting the third paragraph.

13. The following is substituted for section 19:

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

Notwithstanding sections 4 and 4.2, the temporary resident referred to in the first paragraph whose new authorization to remain in Canada issued by Canadian immigration authorities comes into force within 45 days or less of the expiry of the previous one and who sends to the Board an application for registration that is admissible within the meaning of section 12 within 45 days of applying to the Board for the registration form shall become a temporary resident of Québec from the date the new authorization takes effect.

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

14. Section 21 is amended

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

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

(2.1) for the renewal of a card referred to in subparagraph 1 of the first paragraph of section 23, if, during the twelve-month period preceding the expiry of the card, the applicant 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 applicant stayed and the reasons for those stays;

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

(2) by inserting the following after subparagraph 4 of the first paragraph:

“(4.1) if the applicant is a person referred to in the second paragraph of section 7 of the Act, a sworn statement or solemn affirmation as prescribed in subparagraph 9.1 of the first paragraph of section 15;

(4.2) if the applicant is 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 applicant has retained permanent resident status;”.

15. Section 22 is amended

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

“A resident of Québec who has not received a renewal notice or who has not notified the Board within six months of the expiry of the health insurance card, or who is a person referred to in paragraph 1 or 2 of section 2, shall apply in writing to renew registration on the form provided by the Board for that purpose. The applicant shall also pay any prescribed fees and provide the following information and documents:”;

(2) by inserting the following after paragraph 2:

“(2.1) if the applicant is a person referred to in paragraph 1 or 2 of section 2, the applicable document listed in subparagraph 3 of the first paragraph of section 15;”;

(3) by substituting the following for paragraph 3:

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

(3.1) for the renewal of a card referred to in subparagraph 1 of the first paragraph of section 23, if the applicant 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 applicant stayed and the reasons for the stays; where applicable, the applicant shall provide similar information for the time elapsed since the expiry of the card for each calendar year during which the applicant was outside Québec for a total of 183 days or more;

(3.2) where the information provided under paragraphs 3 and 3.1 is incomplete or the Board has information that contradicts or conflicts with the information provided, any document substantiating the information required under subparagraphs 3 and 3.1;”;

(4) by inserting the following after paragraph 5:

“(5.1) if the applicant is a person referred to in the second paragraph of section 7 of the Act, a sworn statement or solemn affirmation as prescribed in subparagraph 9.1 of the first paragraph of section 15;

(5.2) if the applicant is 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 applicant has retained permanent resident status;”;

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

(6) by adding the following at the end:

“The fees payable by an insured person to renew registration with the Board more than six months after a card’s expiry date are prescribed in the Regulation re-

specting 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.”.

16. The following is substituted for section 23:

“**23.** The Board shall issue a health insurance card to every insured person that is valid

(1) for one year

(a) following the registration of a resident of Québec, except persons referred to in paragraph 1 or 2 of section 2, who settles in Québec for the first time or who returns to settle, from the applicable date in sections 4 to 4.9;

(b) following the renewal of the registration of a person who has ceased to be a resident of Québec under the first paragraph of section 6, from the expiry of the health insurance card or from the date of the application for renewal of registration, 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 expiry of the health insurance card; or

(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) as it reads at the time of its application, if the period of incapacity is one year or less;

(2) for the period of the stay specified in the certificate issued by the Ministère de l’Éducation du Québec attesting to the insured person’s status as student or trainee in Québec, following the registration of a person referred to in paragraph 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 paragraph 1 or 2 of section 2;

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

(c) following the registration of a person referred to in paragraph 6 of section 3. However, the period of validity of the card may not exceed that of the accompanied person’s card;

(4) for the term of the employment contract following the registration of a person referred to in paragraph 4 of section 3. Notwithstanding, the period of validity of the card may not exceed that of the document issued by Canadian immigration authorities;

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

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

(a) following 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) following the registration of a person who was issued a health insurance card under clause *d* of subparagraph 1 of this paragraph and to whom subparagraphs 2 to 5 of this paragraph do not apply; or

(c) following any other registration renewal to which clause *a* of subparagraph 3 of this paragraph does not apply.

Notwithstanding the preceding, except as provided in section 19, the cards referred to in subparagraphs 2 to 5 of the first paragraph may not be issued for a period earlier than the date determined in sections 4 to 4.9 and may not be valid for more than four years.”

17. The following is inserted after section 23:

“**23.1.** Health insurance cards issued to insured persons referred to in subparagraph 6 of the first paragraph of section 23 shall be valid for not less than 27 months and not more than 75 months. The period of validity 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 insured person’s age becomes a multiple of four.

23.2 All health insurance cards expire on the last day of the month indicated on the card.”

18. Section 24 is amended

(1) by substituting

(a) “domiciliary” for “residential” and

(b) “local employment centre” for “centre Travail-Québec” in subparagraph 6 of the first paragraph; and

(2) by striking out “true and” in subparagraph 7 of the first paragraph.

19. Section 26 is amended

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

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

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

“An insured person who requests an identity correction or change shall indicate the information to be corrected on the required form and submit the original of one of the following documents in support of the request:

(1) a copy of the act of birth;

(2) a birth certificate;

(3) the certificate of Canadian citizenship;

(4) the certificate of change of name;

(5) the certificate of change of designation of sex; or

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

20. 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 of the first paragraph;

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

“(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 of the first paragraph.

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

22. Section 32 is amended

(1) by substituting “7.2” 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 of name;

(7.2) the original of the certificate of change of designation of sex;” and

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

FINAL AND TRANSITIONAL

23. Persons who were residents of Québec prior to 31 May 2001, 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 30 May 2001, as an applicant for permanent residence or the applicant's spouse or dependant, or as the spouse or dependant of a person who was granted refugee status in Canada within the meaning of the Geneva Convention are subject, as the case may be, to the provisions of section 2 or of clause *e* or *f* of subparagraph 3 of the first paragraph of section 15 or of subparagraph 4 of the first paragraph of section 15 of that Regulation, as they read on 30 May 2001, with respect to eligibility requirements at any renewal of registration from 31 May 2001 if, on the renewal date, they do not meet the requirements of section 2 as introduced by section 3 of this Regulation. However, such renewals may not be granted more than 15 months after the date of the first renewal after 30 May 2001. Any later renewal of registration shall be subject to the requirements of this Regulation.

24. A person who would be subject to paragraphs 1, 4, 5 or 6 of section 3, as introduced by section 3 of this Regulation, at the first renewal of registration after the coming into force of this Regulation, if the person's employment authorization, permit or employment contract exceeded six months, shall be considered to hold an employment authorization, a permit or a contract exceeding six months on condition that

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

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

(3) the Board receive the new employment authorization or the new permit or contract prior to the forty-fifth day following the date on which the person applies to the Board for a registration form.

25. A person whose advance registration with the Board predates 31 May 2001 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 30 May 2001, for the purposes of determining the date on which the person becomes a resident or is deemed to be a resident of Québec and for the purposes of the registration procedure, provided that registration with the Board is finalized before 1 August 2001.

26. A person to whom the Board issued a health insurance card valid for one year prior to 31 May 2001 under clauses *a*, *b* or *c* of subparagraph 1 of the first paragraph 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 30 May 2001, shall remain subject to the provisions of section 6 of that Regulation, as they read on 30 May 2001, for the purposes of the first renewal of registration at the expiry of the card.

27. Notwithstanding sections 4, 4.2 and 4.9, as introduced by section 3 of this Regulation, a foreign national who has been selected by Québec abroad before 31 May 2001 and who arrives in Québec after 30 May 2001 but before 31 March 2002 and is pregnant at her arrival shall be deemed to be a resident of Québec upon arrival, provided that she submits a medical certificate to the Board attesting to the pregnancy and the expected date of delivery.

28. A person who left Québec before 31 May 2001 to reside temporarily in another province for the purpose of finding temporary employment shall, until the person returns to Québec or until 31 December 2002, whichever occurs first, remain subject to the provisions of subparagraph 4 of the first paragraph 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 30 May 2001.

29. A person who left Québec before 31 May 2001 shall, until 31 December 2002, remain subject, where applicable, to the provisions of subparagraph 5 of the first paragraph 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 30 May 2001.

30. 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 6 of this Regulation, do not apply to persons who have ceased to be residents of Québec under the first paragraph of section 6 for one calendar year ending before 1 January 2001.

31. The provisions relating to fees referred to in the second paragraph of section 22, made by section 15 of this Regulation, do not apply to applications for renewal of registration received by the Board before 31 May 2001.

32. This Regulation comes into force on 31 May 2001.

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Gouvernement du Québec

O.C. 553-2001, 9 May 2001

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

Forms and statements of fees — Amendments

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

WHEREAS under subparagraph *c* of the first paragraph of section 72 of the Health Insurance Act (R.S.Q., c. A-29), the Board may make regulations fixing the amount of the costs exigible for the replacement of a health insurance card before its expiry, and the categories of persons who may be exempt from the payment of such costs;

WHEREAS under subparagraph *c.2* of the first paragraph of section 72 of the Act, the Board may make regulations fixing the amount of the costs payable for an application to re-register in the case of an insured person who fails to send the Board a registration renewal notice within the time fixed by regulation and determining the cases in which a person may be exempted therefrom;

WHEREAS under subparagraph *h* of the first paragraph of section 72 of the Act, the Board may make regulations determining the content of a health insurance card and an eligibility card and the terms and conditions of their issue and determining the cases, circumstances and conditions in or according to which the Board may, or must, issue a health insurance card or eligibility card that does not include the photograph or signature of the insured person;

WHEREAS under the second paragraph of section 72 of the Act, before coming into force, such a regulation must be approved by the Government;

WHEREAS the Régie de l'assurance maladie du Québec made the Regulation respecting forms and statements of fees under the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 2) and it was approved by the Government;

WHEREAS on 18 May 2000, the Board adopted the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 12 July 2000 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following the date of that publication;

WHEREAS no comments on the Regulation were received before the expiry of that period;

WHEREAS under section 17 of the Regulations Act, a regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation or in the Act under which it is made or approved;

WHEREAS it is expedient that the Government approve the Regulation, with amendments;

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 forms and statements of fees under the Health Insurance Act, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif