

Gouvernement du Québec

O.C. 1403-2001, 21 November 2001

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

**Hearing devices insured
— Amendments**

Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act

WHEREAS under subparagraph *h.2* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Régie de l'assurance maladie du Québec or upon its recommendation, make regulations to determine the hearing deficiencies and the sets and subsets of hearing aids that must be considered to be insured services for the purposes of the seventh paragraph of section 3, fix the age of the insured persons referred to therein and determine the classes of insured persons, determine the cost that the Board may assume on behalf of an insured person with a hearing deficiency, determine the cases and conditions in and on which the Board assumes the cost of such insured services and in and on which the services are furnished, prescribe the terms and conditions for claims and payments and prescribe the cases and conditions in and on which some of these hearing aids may or must be recovered;

WHEREAS by Order in Council 869-93 dated 16 June 1993, the Government made the Regulation respecting hearing devices insured under the Health Insurance Act;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Régie de l'assurance maladie du Québec was consulted on these amendments;

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 hearing devices insured under the Health Insurance Act was published in Part 2 of the *Gazette officielle du Québec* of 30 May 2001 on page 2505 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS following that publication, comments were made and briefs presented; they were studied but no amendment was made to this Regulation;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act;

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

THAT the Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting hearing devices insured under
the Health Insurance Act***

Health Insurance Act
(R.S.Q., c. A-29, ss. 3, 7th par., and 69, 1st par., subpar. *h.2*)

1. The Regulation respecting hearing devices insured under the Health Insurance Act is amended by substituting “referred to in this Regulation” for both occurrences of “provided for in Chapter V” in the introductory part of the first paragraph of section 6.

2. The words “or repair of an assistive listening device referred to in this Regulation” are substituted for the words “or, subject to section 9, repair of an assistive listening device referred to in Chapter V” in the introductory part of the first paragraph of section.

3. Section 7.1 is revoked.

4. Section 9 is amended

(1) by striking out the words “, only for a person with a hearing handicap referred to in paragraphs 1, 2 and 4 of section 1, and only for a person with a hearing handicap referred to in paragraph 5 of section 1, if that person is 18 years old or under or is pursuing a program of studies;” and

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

“Notwithstanding the foregoing, the Board shall not assume the cost of maintaining or cleaning a hearing device if it is in good working order.”.

* The Regulation respecting hearing devices insured under the Health Insurance Act, made by Order in Council 869-93 dated 16 June 1993 (1993, *G.O.* 2, 3497), was last amended by the Regulation made by RAMQ-001 dated 9 March 2000 (2000, *G.O.* 2, 1339). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.

5. The reference “section 16” is substituted for “sections 9 and 16” in section 15.

6. The following is substituted for the second paragraph of section 19:

“The Board shall assume the cost of options or accessories without including that cost in the amount initially paid and provided for in the first paragraph only if the options or accessories are added to the hearing aid or replaced and are provided for in Division I of Chapter V or were provided for therein at the time of the purchase or replacement of the hearing aid.”

7. The word “Upon” is substituted for the words “Subject to section 9 and upon” at the beginning of the first paragraph of section 21.

8. The following is substituted for the first paragraph of section 24:

“24. The Board shall also assume, after the first year following the date on which a person with a hearing handicap takes possession of a hearing aid, the cost of the time devoted by a hearing aid acoustician to that person with a hearing handicap where he added to the person’s hearing aid or replaced an option or accessory that is provided for in Division I of Chapter V or that was provided for therein at the time of the purchase or replacement of the hearing aid, up to a maximum of one quarter of an hour or fraction thereof, per 3-month period, for each person with a hearing handicap.”

9. Section 26 is amended

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

“(4) 19 years of age or over: one earmold or shell impression.”; and

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

“Notwithstanding the foregoing, the Board shall assume that cost only when the earmold or shell is not in good working order.”

10. The word “Upon” is substituted for the words “Subject to section 9 and, upon” at the beginning of the first paragraph of section 31.

11. The words “, notwithstanding section 7.1,” are struck out in section 38.

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

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Gouvernement du Québec

O.C. 1405-2001, 21 November 2001

An Act respecting labour relations, vocational training and manpower management in the construction industry
(R.S.Q., c. R-20)

Commission de la construction du Québec — Levy Regulation

CONCERNING the Levy Regulation of the Commission de la construction du Québec

WHEREAS under paragraph *c* of section 82 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20), the Commission de la construction du Québec may, by way of a regulation approved by the Government and published in the *Gazette officielle du Québec*, levy upon the employer alone or upon both the employer and the employee or upon the employee alone or, as the case maybe, upon the independent contractor, the amounts required for its administration and fix a minimum amount which an employer is bound to pay per monthly period;

WHEREAS after consulting with the Joint Committee on Construction in accordance with section 123.3 of the Act, the Commission made the Levy Regulation for the year 2002;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as provided in section 8 of that Act if the authority approving it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 13 of the Act, the reason justifying the absence of a prior publication must be published with the regulation;

WHEREAS in the opinion of the Government, the urgency owing to the following circumstances justifies the absence of a prior publication and such coming into force: