

Draft Regulations

Draft Regulation

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

Professional Code
(R.S.Q., c. C-26)

Physicians

— **Acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians (students candidate to the practice of the profession of inhalation therapy technician)**

— **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 Bureau of the Collège des médecins du Québec, at its meeting held on December 7, 2001, adopted 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.

In accordance with section 95 of the Professional Code, the Regulation has been transmitted to the Office des professions du Québec for examination after which it will be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment at the expiry of 45 days following this publication.

According to the Collège des médecins du Québec, this regulation proposes that inhalation therapy students who have successfully completed at least two years of training be authorized to do certain acts related to oxygen treatment, aerosol therapy and humidification if they act under the on premises supervision of an inhalation therapy technician. These acts may not be done in certain sectors of activity such as intensive care, coronary units, operating and recovery rooms, emergency rooms, neonatology or a department of pulmonary function. The student would not be allowed to execute a protocol which includes a permanent prescription.

The draft Regulation will have no impact on businesses, including small businesses.

Additional information with respect to the draft Regulation may be obtained by contacting M^c Luc Bigaouette, counsel, Assistant Secretary General, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8, telephone: (514) 933-4441 or 1-888-MÉDECIN; fax: (514) 933-5374.

Any person having comments to make on the text reproduced below is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that has adopted the Regulation, namely the Collège des médecins du Québec, as well as to interested persons, departments and bodies.

JEAN-K. SAMSON,
*Chairman of the Office
des professions du Québec*

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)

Professional Code
(R.S.Q., c. C-26, s. 95)

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 at section 1.01 by the addition, after paragraph *t*, of the following:

“*u*) “student candidate to the practice of the profession of inhalation therapy technician”: any person duly registered in a programme of studies leading to the granting of a diploma which gives access to the permit of the Ordre professionnel des inhalothérapeutes du Québec and who has successfully completed the first two years of said programme.”.

* The recent amendments to 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 September 18, 1981 (1982, *G.O.* 2, 21) were introduced by the regulation approved by Order in council 964-2001 of August 16, 2001 (2001, *G.O.* 2, 4862-4863). For previous amendments, see the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2001, updated to September 1, 2001.

2. This regulation is amended by adding, after section 5.08, the following section:

“**5.08.01** Subject to the second paragraph and to Division II, a student candidate to the practice of the profession of inhalation therapy technician can do the acts described in sections C-1.03, C-1.04 and C-1.05 of Schedule C, in a general and specialized hospital center or in a residential and long-term center operated by a health institution, after having successfully completed an orientation and integration programme of at least

15 days so as to familiarize himself with the policies, protocols and directives of such establishment and so as to allow him to do such acts.

The student candidate cannot do an act described in sub-paragraph *e* of section C-1.03 or in sub-paragraph *b* of section C-1.04 of schedule C.”.

3. Sections C-1.03, C-1.04 and C-1.05 of Schedule C of this regulation are amended by the addition of the following conditions:

SCHEDULE C

(ss. 5.04, 5.08 and 5.08.01)

List of acts	Conditions prescribed						Other conditions
	Medical prescription	Remote supervision	Supervision on the premises	Direct supervision	In ah hospital center only	According to protocol	
Oxygen treatment C-1.03 Installing and monitoring equipment used in giving oxygen:							The student candidate to the practice of inhalation therapy technician must act under the on the premises supervision of an inhalation therapy technician. The student candidate cannot do the act in the following sectors of activity: intensive care including coronary units, operating rooms and recovery rooms, emergency services or departments, neonatology and department of pulmonary function. The student candidate cannot execute a protocol which includes a permanent prescription.
<i>a)</i> nasal cannulas and catheters	X						
<i>b)</i> masks of any kind	X						
<i>c)</i> tents and facial tents	X						
<i>d)</i> oxygen mask nebulizers	X						
<i>e)</i> any other apparatus that can modify oxygen mask nebulizers	X						The student candidate cannot do this act.

Act consisting in	Medical prescription	Remote supervision	Supervision on the premises	Direct supervision	In an hospital center only	According to protocol	Other conditions
Aerosol therapy C-1.04 Giving aerosol therapy :							<p>The student candidate must act under the on the premises supervision of an inhalation therapy technician.</p> <p>The student candidate cannot do the act in the following sectors of activity: intensive care including coronary units, operating rooms and recovery rooms, emergency services or departments, neonatology and department of pulmonary function.</p> <p>The student candidate cannot execute a protocol which includes a permanent prescription.</p>
a) without positive inspiratory pressure	X	X					
b) with positive pressure	X	X					The student candidate cannot do this act.
Humidification C-1.05 Installing and monitoring special equipment to humidify air inhaled by recipients, as well as special adapters for endotracheal tubes or for the artificial respiration tracheotomy cannulae	X						<p>The student candidate acts under the on the premises supervision of an inhalation therapy technician.</p> <p>The student candidate cannot do the act in the following sectors of activity: intensive care including coronary units, operating rooms and recovery rooms, emergency services or departments, neonatology and department of pulmonary function.</p> <p>The student candidate cannot execute a protocol which includes a permanent prescription.</p>

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