

Regulations and other acts

Gouvernement du Québec

O.C. 303-2002, 20 March 2002

An Act respecting ecological reserves
(R.S.Q., c. R-26)

Ecological Reserve of Île aux Sternes — Amendment

Amendment of the Regulation establishing the Ecological Reserve of Île aux Sternes

WHEREAS, in accordance with section 2 of the Act respecting ecological reserves (R.S.Q., c. R-26), the Government established the Ecological Reserve of Île aux Sternes by making the Regulation establishing the Ecological Reserve of Île aux Sternes made by Order in Council 2989-81 dated 28 October 1981;

WHEREAS the Regulation establishing the Ecological Reserve of Île aux Sternes came into force on 2 December 1981;

WHEREAS the Act respecting ecological reserves (R.S.Q., c. R-26) was replaced in 1993 by the Ecological Reserves Act (R.S.Q., c. R-26.1);

WHEREAS, under section 21 of the Ecological Reserves Act (R.S.Q., c. R-26.1), ecological reserves established before 15 July 1993 are maintained and are governed by that Act;

WHEREAS terns no longer live on Île aux Sternes where the Ecological Reserve is located;

WHEREAS it is appropriate to honour the memory of the person who was responsible for the adoption of the Act respecting the Ministère de l'Environnement and who, in his capacity as Minister of the Environment, recommended to the Government the establishment of the Ecological Reserve of Île aux Sternes;

WHEREAS the Government is of the opinion that it is expedient to replace the name of Ecological Reserve of Île aux Sternes by Marcel Léger Ecological Reserve;

WHEREAS the Commission de toponymie gave a favourable opinion to replace the place name of Ecological Reserve of Île aux Sternes by Marcel Léger Ecological Reserve;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Municipal Affairs and Greater Montréal, the Environment and Water and Minister of the Environment:

THAT the Regulation establishing the Ecological Reserve of Île aux Sternes made by Order in Council 2989-81 dated 28 October 1981 and published in the *Gazette officielle du Québec* of 2 December 1981 be amended

(1) by substituting “Marcel Léger Ecological Reserve” for the words “of Île aux Sternes” in the title;

(2) by substituting “Marcel Léger Ecological Reserve” for the words “of Île aux Sternes” in section 1;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 396-2002, 27 March 2002

Public Health Protection Act
(R.S.Q., c. P-35; 2000, c. 56)

Regulation — Amendments

Regulation to amend the Regulation respecting the application of the Public Health Protection Act

WHEREAS under section 4 of the Public Health Protection Act (R.S.Q., c. P-35), amended by chapter 56 of the Statutes of 2000 and by chapters 37 and 60 of the Statutes of 2001, the Government after consultation with the Bureau of the Ordre des médecins du Québec shall draw up by regulation a list of diseases that must be declared;

WHEREAS under subparagraphs *e* and *g* of the first paragraph of section 69 of the Act, the Government may, to protect the public health from danger, make regulations to establish, after consultation with the Bureau of the Ordre des médecins du Québec, what diseases must

be declared within the meaning of section 4 of the Act and to establish the content of declarations and notices provided for in section 5 of the Act and the rules for their transmission when a disease that must be declared has been declared;

WHEREAS, by Order in Council 1599-95 dated 6 December 1995, the Regulation to amend the Regulation respecting the application of the Public Health Protection Act was made in order to render obligatory the declaration of cases of invasive streptococcal infection by the director of a laboratory or medical biology department;

WHEREAS it is expedient to make a regulation in order for Hepatitis C Virus infection to be added to the list of diseases that must be declared by laboratories and to implement an HIV infection surveillance system based on the compulsory declaration by laboratories and physicians so that each time an HIV infection is confirmed by a test, the attendants involved, physicians most of the time, may receive the information and support necessary to offer the best services to infected persons;

WHEREAS in accordance with section 69 of the Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 5 September 2001 with a notice that upon the expiry of 60 days following that publication it could be made by the Government;

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 the application of the Public Health Protection Act, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Public Health Protection Act *

Public Health Protection Act
(R.S.Q., c. P-35, ss. 4, 69, 1st par., subpars. *e* and *g*;
2000, c. 56 and 2001, c. 37 and 60)

1. Section 28 of the Regulation respecting the application of the Public Health Protection Act is amended

(1) by adding the words “human immunodeficiency virus (HIV)” at the end of paragraph *b*;

(2) by substituting “viral hepatitis 070” for “viral hepatitis A and B:070.0-070.3” in paragraph *c*; and

(3) by adding the words “human immunodeficiency virus (HIV)” at the end of paragraph *c*.

2. Section 30 is amended

(1) by inserting the words “, except the human immunodeficiency virus (HIV),” at the beginning of the second paragraph, after the letter *b*;

(2) by adding the following at the end of the second paragraph: “or, in the case of hepatitis C, in the form of Schedule 14”.

3. Section 31 is amended

(1) by inserting the words “, except the human immunodeficiency virus (HIV),” in the second paragraph after the letter *c*; and

(2) by adding the following at the end of the second paragraph: “In the case of the human immunodeficiency virus (HIV), the positive result must be transmitted to the person designated by the Minister.”.

4. The following is inserted after section 31:

* The Regulation respecting the application of the Public Health Protection Act (R.R.Q., 1981, c. P-35, r. 1) was last amended by the Regulation made by Order in Council 776-2001 dated 20 June 2001 (2001, *G.O.* 2, 3448). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.

31.1. In the case of the human immunodeficiency virus (HIV), the attending physician must provide the health insurance number of the person who tested positive to the person designated by the Minister, or directly to the laboratory-file of the Laboratoire de santé publique du Québec of the Institut national de santé publique du Québec. The physician must also provide the following epidemiological information: the month and year of birth, the sex, the place of residence, the first three characters of the postal code, the ethnocultural origin, the country of birth, the date of arrival in Canada, the risk factors related to the transmission of the virus, the history of previous tests, the clinical status, other relevant laboratory data available at the time of the diagnosis, the history of blood, organ or tissue donations, the reason for the test and, in the case of a woman, the indication of whether or not she is pregnant.

31.2. Where a positive result confirming an infection by HIV is declared to the person designated by the Minister, that person must verify in the laboratory-file of the Laboratoire de santé publique du Québec of the Institut national de santé publique du Québec if the result has already been subject to a declaration.

During that verification, in order to ensure confidentiality of the result and the information that may accompany it, the following procedure shall be complied with:

(a) where a positive result confirming an HIV infection is accompanied by the health insurance number of the infected person when it is sent to the person designated by the Minister, such designated person shall proceed to the encryption of that number. If the number has already been encrypted, the system shall enter "Already declared" in the record and no additional procedure shall be undertaken;

(b) where a positive result confirming an HIV infection is not accompanied by the health insurance number of the infected person, the person designated by the Minister shall contact the applicant for the test in order to obtain the health insurance number of the infected person. After the number has been obtained, the person designated by the Minister shall proceed to the encryption of the number. If the number has already been encrypted, the system shall enter "Already declared" in the record and no additional procedure shall be undertaken.

If, in the cases referred to in subparagraphs *a* and *b*, the health insurance number of the infected person has never been encrypted, the person designated by the Minister shall proceed to its encryption and collect, from the applicant for the test, all the epidemiological information described in section 31.1 that is necessary for the declaration. Once that information has been collected, the person designated by the Minister shall make an anonymous declaration, that is the designated person enters, in the record of diseases that must be declared, the epidemiological information of the infected person, without such information being associated with the health insurance number. In addition, that person shall enter "Declared" in the record."

5. Section 84 is revoked.

6. Schedule 11 is replaced by that appearing as a Schedule to this Regulation.

7. The Regulation is amended by adding Schedule 14 appearing as a Schedule to this Regulation after Schedule 13.

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

SCHEDULE 11**DECLARATION OF A DISEASE THAT MUST BE DECLARED***

More than 50% recycled paper
including 10% post-consumer fibre

FOR PHYSICIAN'S USE

Surname of patient	Given name	Sex <input type="checkbox"/> M <input type="checkbox"/> F
Address No.	Street	
Municipality	Telephone No.	
Date of birth	Year	Month Day
		Occupation

Name of disease (**): _____
Year Month Day

Onset of disease: | | | | | | | | | |

Specimen sent to laboratory Yes No

(*) For declaration of venereal disease, use Form AS-771. For declaration of acquired immune deficiency syndrome (AIDS), use Form AS-757.

(**) See over for list of diseases that must be declared under the Public Health Protection Act, coded in accordance with the ninth edition of the International Classification of Diseases.

AS-770 (rev. 2000-01)

Name of physician (in block letters)	

Address	

No.	Street

Municipality	Telephone No.

_____ M.D.
Date Signature Printed on recycled paper

**TO BE TRANSMITTED TO THE PUBLIC HEALTH DIRECTOR OF YOUR TERRITORY
TO BE RETAINED FOR YOUR FILES**

TO BE DECLARED URGENTLY BY TELEPHONE OR TELEGRAM SIMULTANEOUSLY TO THE MINISTER OF HEALTH AND SOCIAL SERVICES AND TO THE PUBLIC HEALTH DIRECTOR OF YOUR TERRITORY AND TO BE CONFIRMED WITHIN 48 HOURS USING THIS FORM:

- | | | | |
|--------------------|--|---------------------------|------------------|
| - botulism (005.1) | - Lassa fever (078.8) | - yellow fever (060) | - plague (020) |
| - cholera (001) | - African haemorrhagic fever (Ebola) (078.8) | - Marburg disease (078.8) | - smallpox (050) |

TO BE DECLARED TO THE PUBLIC HEALTH DIRECTOR OF YOUR TERRITORY WITHIN 48 HOURS USING THIS FORM:

- | | | | |
|---|--|---|--|
| - pertussis (033) | - Chlamydia trachomatis | - meningococcal infections (036) | - rabies (071) |
| - epidemic diarrhea (009.2) | infections: | - invasive streptococcal infections (035.0, 038.0, 038.2, 041.0, 041.2, 320.2, 481, 482.3, 711.0, 728.0, 730.2, 785.5, 998.5) | - measles (055) |
| - diphtheria (032) | • <i>genital</i> (099.4, 099.8, 616) | - legionnaire's disease | - rubella (056) |
| - typhoid and paratyphoid fevers (002) | • <i>ocular</i> (076, 077, 0) | - leprosy (030) | - congenital rubella (771.0) |
| - viral hepatitis, except hepatitis C (070) | • <i>pulmonary</i> (483) | - mumps (072) | - scarlet fever (034.1) |
| - neonatal herpes (054) | - Haemophilus influenza | - poliomyelitis (045) | - tetanus (037) |
| | infections: | | - food poisoning (005) |
| | • <i>meningitis</i> (320.4) | | - tuberculosis (010-018) |
| | • <i>bacteraemia</i> (038.4) | | |
| | • <i>other invasive forms</i> (041.5) | | |
| Intoxication with: | - carbon monoxide (986) | • <i>cyanide</i> (989.0) | • <i>dioxide</i> (gas) (987.3) |
| - benzene (982.0) | | • <i>mixture</i> (989.4) | • <i>hydrogen</i> (987.8) |
| - beryllium and its compounds (985.3) | - nitro and amino by-products of benzene, phenol and similar substances | • <i>organochlorine</i> (989.2) | • <i>medicinal</i> (ointment) (976.4) |
| - chlorine and its compounds | • <i>vapour</i> (987.8) | • <i>organophosphorus</i> (989.3) | • <i>pesticide</i> (vapour) (989.4) |
| • <i>gaseous chlorine</i> (987.6) | • <i>solvents</i> (982.9) | • <i>strychnine</i> (989.1) | • <i>vapour</i> NOC (987.8) |
| • <i>compounds</i> (983.9) | • <i>non solvents</i> (989.9) | • <i>thallium</i> (985.8) | |
| - chromium and its compounds (985.6) | | | |
| - copper, nickel and zinc (985.8) | - pesticides | - phosphorus and its compounds (983.9) | - nitrous vapours |
| - fluorine (987.8) | • <i>vapour</i> (989.4) | - sulphur and its compounds | • <i>silo workers disease</i> (506.9) |
| - chlorinated hydrocarbons | • <i>arsenic</i> (985.1) | • <i>sulphur</i> (989.8) | • <i>nitrous oxide</i> (968.2) |
| • <i>solvents</i> (<i>carbon tetrachloride</i>) (982.1) | • <i>carbamate</i> (989.3) | • <i>sulphuric acid</i> (989.1) | • <i>non-anaesthetic nitrous oxide</i> (987.2) |
| • <i>non solvents</i> (989.2) | • <i>chlorine</i> (989.2) | • <i>carbon sulphide</i> (982.2) | • <i>nitric oxide</i> (987.8) |
| | • <i>composition stated NOC</i> (989.4) | | |

SCHEDULE 14**DECLARATION OF HEPATITIS C**More than 50% recycled paper
including 10% post-consumer fibre

FOR PHYSICIAN'S USE

Surname of patient	Given name	Sex
		<input type="checkbox"/> M <input type="checkbox"/> F
Address No.		Street
Municipality		Telephone No.
Date of birth	Year	Month Day
Occupation		

Onset of disease : Year Month Day

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Specimen sent to laboratory Yes No

Name of physician (in block letters)	
Address	
No.	Street
Municipality	Telephone No.

BLOOD, ORGAN OR TISSUE DONATIONS

Has the patient given blood? Yes No Do not know
 Has the patient received blood or blood products? Yes No Do not know
 Has the patient donated any organs or tissue? Yes No Do not know
 Has the patient received any organs or tissue? Yes No Do not know
 If so, has the body in question (ex. Héma-Québec) been notified? Yes No Do not know
 If not notified, do you intend to do so? Yes No

_____ M.D.
 Date Signature

Printed on recycled paper

AS-775 (2001-05)

TO BE TRANSMITTED TO THE PUBLIC HEALTH DIRECTOR OF YOUR TERRITORY TO BE RETAINED FOR YOUR FILES