

Gouvernement du Québec

O.C. 527-2002, 1 May 2002

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

Regulation
— **Amendments**

Regulation to amend the Regulation respecting the application of the Health Insurance Act

WHEREAS, under subparagraph *o* 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 number and categories of scholarships or research scholarships, the amount and the mode of payment of the scholarships and the terms and conditions on which a territory is assigned to any recipient of a bursary;

WHEREAS, under subparagraph *p* of the first paragraph of section 69 of the Act, the Government may, on the same conditions, make regulations to prescribe the terms of the engagement to be fulfilled by any scholar in addition to the conditions provided by the Act;

WHEREAS, under the first paragraph of section 88 of the Act, the Minister of Health and Social Services may, in accordance with the Act and the regulations, grant scholarships to persons who agree to furnish insured services as professionals subject to the application of an agreement;

WHEREAS, under the second paragraph of section 88 of the Act, the scholars shall furnish such services, after obtaining a permit to practise one of the health sciences or a specialist's certificate, or after two years of post-doctoral training in general practice, in a territory and for a period fixed by the Minister of Health and Social Services;

WHEREAS the Government made the Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r.1) and it is expedient to amend it;

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

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

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and the one applicable under section 17 of that Act, where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of such publication and the reason justifying such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of such publication and such coming into force:

— the purpose of the proposed amendments is to as quickly as possible make it attractive for physicians to practise in remote areas and, to that end, increase the scholarship amount and allow the Minister to set shorter terms for engagements in remote areas;

— in order to apply to the 2002-2003 academic year, those measures must come into force before 31 May 2002, which is the deadline for mailing scholarship applications for that year;

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 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 the application of the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, s. 69, 1st par., subpars. *o* and *p* and s. 88)

1. The Regulation respecting the application of the Health Insurance Act is amended in section 37:

* The Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r.1) was last amended by the Regulation made by Order in Council 1190-2001 dated 3 October 2001 (2001, *G.O.* 2, 5725). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

(1) by substituting “\$20 000” for “10 000 \$” and “for the year” for “during the year” in paragraphs *b* and *c*;

(2) by striking out “general practice—” in paragraphs *b* and *c*;

(3) by substituting “\$15 000” for “10 000 \$” and “for the year” for “during the year” in paragraphs *d* and *e*; and

(4) by striking out “or 41” in paragraph *f*.

2. Sections 38 and 38.1 are revoked.

3. Section 40 is amended by substituting “not exceeding” for “equal to” in paragraph *a*.

4. Section 42 is amended

(1) by substituting the following for the first paragraph:

“During the year preceding the year in which a scholarship recipient obtains a permit to practise family medicine or in a field of specialization, the Minister shall send the scholarship recipient a list of the assigned territories and the engagement period for each territory.”;

(2) by substituting “shall make territory preferences” for “shall make his choice of territories” and “of interest” for “of preference” in the second paragraph; and

(3) by substituting the following for the third paragraph:

“During the year in which a scholarship recipient obtains a permit to practise family medicine or in a field of specialization, the Minister shall send the recipient a notice in which the territory assigned for the recipient’s engagement period is indicated.”.

5. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.