

The rate of interest shall be fixed at the end of the additional period determined in accordance with Schedule IX.

The rate of interest shall again be fixed on the date of the signing of the repayment agreement or on the date on which the exemption period ends as determined in accordance with Schedule IX, whichever falls first. The rate of interest shall vary thereafter in accordance with the method provided for in section 68.”

8. The following is substituted for section 64 :

“**64.** The borrower may, at any time from the date of the signing of the repayment agreement, require that the rate of interest applicable to the balance of any loan granted under the Act be the hypothecary interest rate offered by the financial institution for the term chosen by the borrower.

The borrower and the financial institution may agree on a term exceeding that for which a hypothecary interest rate is offered. If such is the case, the applicable rate of interest is the hypothecary interest rate offered for the longest term.

In such a case, the repayment agreement must indicate the applicable rate of interest and the amount and the number of the payments agreed upon by the borrower and the financial institution to repay all of the principal and interest. These conditions may not subsequently be amended except by agreement.”

9. Section 67 is amended by substituting the number “150” for the number “80”.

10. The following is substituted for section 68 :

“**68.** The rate of interest applicable to the payment of interest by the borrower to a financial institution shall be equal to the prime business rate, plus 50 basis points. This rate of interest shall fluctuate in keeping with variations in the prime business rate.

The expression “prime business rate” refers to the rate fixed by the Bank of Canada for a given date as the standard to be used by financial institutions and published in its Weekly Financial Statistics.”

11. The following is substituted for section 81.2 :

“**81.2.** The amount of financial assistance in the form of a bursary received without entitlement shall bear interest at the annual rate of 9%.

The amount of financial assistance in the form of a loan or bursary received without entitlement through a false declaration shall bear interest at the annual rate of 11%.”

12. Notwithstanding section 9, for the 2002-2003 year of allocation, only 120 basis points shall be added to the rate of bank acceptances in force on the day when the rate of interest is fixed.

13. The provisions introduced by sections 7 to 10 of this Regulation shall not apply to a repayment agreement made before 1 September 2002, unless the repayment agreement was made by a borrower who, pursuant to section 62 of the Regulation respecting financial assistance for education expenses, was not required to sign such an agreement before this date or if the repayment agreement provides that the rate of interest is to be fixed every 5 years from the end of the additional period determined in accordance with Schedule IX of this Regulation. In the latter case, these provisions are applicable, as of 1 September 2002, only on the date on which the rate of interest is thus to be fixed.

14. This Regulation applies from the summer trimester of the 2002-2003 year of allocation.

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

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Gouvernement du Québec

O.C. 603-2002, 22 May 2002

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

Physicians

— **Acts which may be done by classes of persons other than physicians**
— **Amendments**

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

WHEREAS, under subparagraph *b* of the first paragraph of section 19 of the Medical Act (R.S.Q., c. M-9), the Bureau of the Collège des médecins du Québec shall by regulation determine among the acts contemplated in section 31 of the Act those which, under certain prescribed conditions, may be done by classes of persons other than physicians;

WHEREAS, in accordance with the second paragraph of section 19 of the Medical Act, the Office des professions du Québec and the Ordre des inhalothérapeutes were consulted prior to the adoption of 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;

WHEREAS the Bureau of the Collège 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;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 February 2002 with a notice that it could be submitted to the Government which could approve it with or without amendment upon the expiry of a 45-day period following the date of its publication;

WHEREAS, in accordance with section 95 of the Professional Code (R.S.Q., c. C-26), the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT 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, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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*)

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) “respiratory therapy extern”: 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.”.

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 respiratory therapy extern 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 respiratory therapy extern 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 replaced by the following sections:

* 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 219-2002 of March, 6, 2002 (2002, *G.O.* 2, 1587). For previous amendments, see the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2002, updated to March 1, 2002.

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	
Act consisting in						
Oxygen treatment C-1.03 Installing and monitoring equipment used in giving oxygen :						<p>The respiratory therapy extern must act under the on the premises supervision of an inhalation therapy technician.</p> <p>The respiratory extern 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 respiratory extern cannot execute a protocol which includes a permanent prescription.</p>
(a) nasal cannulas and catheters	X					
(b) masks of any kind	X					
(c) tents and facial tents	X					
(d) oxygen mask nebulizers	X					
(e) any other apparatus that can modify oxygen mask nebulizers	X					The respiratory therapy extern cannot do this act.
Aerosol therapy C-1.04 Giving aerosol therapy :						<p>The respiratory therapy extern must act under the on the premises supervision of an inhalation therapy technician.</p> <p>The respiratory therapy extern 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 respiratory therapy extern cannot execute a protocol which includes a permanent prescription..</p>

List of acts	Conditions prescribed (An "X" in a column indicates that the condition in the heading for that column is required.)					Other conditions	
Act consisting in	Medical prescription	Remote supervision	Supervision on the premises	Direct supervision	In ah hospital center only	According to protocol	Other conditions
<i>(a)</i> without positive inspiratory pressure	X	X					
<i>(b)</i> with positive pressure	X	X					The respiratory therapy extern 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						The respiratory therapy extern acts under the on the premises supervision of an inhalation therapy technician. The respiratory therapy extern 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 respiratory therapy extern cannot execute a protocol includes which a permanent prescription.

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