

## Draft Regulation

Professional Code  
(R.S.Q., c. C-26; 2001, c. 78)

### Dietitians

#### — Code of ethics

#### — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Code of ethics of dietitians, made by the Bureau of the Ordre professionnel des diététistes du Québec, may be submitted to the Government for approval, with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the Regulation is to amend the Code of ethics of dietitians to introduce provisions stating the terms and conditions according to which a professional may communicate information that is protected by professional secrecy so as to prevent an act of violence.

These provisions are required by the Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals (2001, c. 78). That Act permits the lifting of professional secrecy to prevent an act of violence, including a suicide, where the professional has grounds to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons. However, the communication must be limited to such information as is necessary to achieve the purposes for which the information is communicated, and the information may only be communicated to a person exposed to the danger, to that person's representative, or to the persons who can come to that person's aid.

The Order expects the proposed amendments to have no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Jean-Philippe Legault, Director General of the Ordre professionnel des diététistes du Québec, 1425, boulevard René-Lévesque Ouest, bureau 703, Montréal (Québec) H3G 1T7; telephone: (514) 393-3733 or 1 888 393-8528; fax: (514) 393-3582.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> 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 communicated to the professional order that made the Regulation, as well as to the interested persons, departments and bodies.

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

## Regulation to amend the Code of ethics of dietitians\*

Professional Code  
(R.S.Q., c. C-26, s. 87; 2001, c. 78, s. 6)

**1.** The Code of ethics of dietitians is amended by inserting the following subdivision after subdivision 6 of Division II:

“**§6.1.** *Lifting of professional secrecy to protect individuals*

**29.1.** In addition to the cases provided for in section 25, a dietitian may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the dietitian has reasonable cause to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons.

However, the dietitian may only communicate the information to a person exposed to the danger, to that person's representative or to the persons who can come to that person's aid.

The dietitian may only communicate such information as is necessary to achieve the purposes for which the information is communicated, including the name of the person in danger and the name of the person who made the threat, and their contact information, as well as the nature of the threat.

If it is necessary in the best interests of the person or persons exposed to the danger, the dietitian shall consult another member of the order, a member of another professional order, or any other qualified person, provided the consultation will not prejudicially delay the communication of the information.

\* The Code of ethics of dietitians, approved by Order in Council 48-94 dated 10 January 1994 (1994, G.O. 2, 668), has been amended once, by the Regulation approved by Order in Council 450-99 dated 21 April 1999 (1999, G.O. 2, 1104).

**29.2.** A dietitian who, pursuant to section 29.1, communicates information protected by professional secrecy to prevent an act of violence must

- (1) communicate the information immediately;
- (2) if the information is communicated orally, confirm the information in writing to the person to whom the information is given;
- (3) enter the following particulars in the client's record as soon as possible:
  - (a) the reasons supporting the decision to communicate the information, including the name of the person who caused the dietitian to communicate the information and the name of the person or group of persons exposed to a danger; and
  - (b) the content of the communication, the mode of communication, and the name of the person to whom the information was given; and
- (4) as soon as possible, send the syndic a notice regarding the communication that includes the reasons supporting the decision to communicate the information and the date and time it was communicated.”.

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

5576

## Draft Regulation

Professional Code  
(R.S.Q., c. C-26; 2001, c. 78)

### **Certified human resources professionals and industrial relations counsellors** — Code of ethics — 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 Regulation to amend the Code of ethics of the members of the Ordre des conseillers en relations industrielles du Québec, made by the Bureau of the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec, may be submitted to the Government for approval, with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the Regulation is to amend the Code of ethics of the members of the Ordre des conseillers en relations industrielles du Québec to introduce provisions stating the terms and conditions according to which a professional may communicate information that is protected by professional secrecy so as to prevent an act of violence.

These provisions are required by the Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals (2001, c. 78). That Act permits the lifting of professional secrecy to prevent an act of violence, including a suicide, where the professional has grounds to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons. However, the communication must be limited to such information as is necessary to achieve the purposes for which the information is communicated, and the information may only be communicated to a person exposed to the danger, to that person's representative, or to the persons who can come to that person's aid.

The Order expects the proposed amendments to have no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Florent Francoeur, Secretary and Director General of the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec, 1200, avenue McGill College, bureau 1400, Montréal (Québec) H3B 4G7; telephone: (514) 879-1636; fax: (514) 879-1722.

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> 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 communicated to the professional order that made the Regulation, as well as to the interested persons, departments and bodies.

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