

Gouvernement du Québec

**O.C. 187-2003, 19 February 2003**

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

**Techniciennes et techniciens dentaires**  
— **Code of ethics**  
— **Amendment**

Regulation to amend the Code of ethics of the members of the Ordre des techniciennes et techniciens dentaires du Québec

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, the professional's clients and profession, particularly the duty to discharge his or her professional obligations with integrity;

WHEREAS, under that section of the Professional Code, the Code of ethics must contain, *inter alia*, provisions setting out the conditions and procedure applicable to the exercise of the rights of access and correction provided for in sections 60.5 and 60.6 of the Code, and provisions concerning a professional's obligation to release documents to a client;

WHEREAS the Bureau of the Ordre des techniciennes et techniciens dentaires du Québec adopted the Regulation to amend the Code of ethics of the members of the Ordre des techniciennes et techniciens dentaires du Québec;

WHEREAS, under section 95.3 of the Professional Code, the secretary of the order sent a draft Regulation to every member of the order at least 30 days before its adoption by the Bureau;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 9 October 2002, with a notice that it could be submitted to the Government which could approve it, with or without amendment, upon the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Code of ethics of the members of the Ordre des techniciennes et techniciens dentaires du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Code of ethics of the members of the Ordre des techniciennes et techniciens dentaires du Québec<sup>1</sup>**

Professional Code  
(R.S.Q., c. C-26, s. 87)

**1.** The Code of ethics of the members of the Ordre des techniciennes et techniciens dentaires du Québec is amended by substituting the following for subdivision 7 of Division III:

“§7. *Terms and conditions governing the exercise of the rights of access and correction provided for in sections 60.5 and 60.6 of the Professional Code as well as the obligation for dental technicians to release documents to a client*

**3.07.01** A dental technician may require that a request contemplated in section 3.07.02, 3.07.05 or 3.07.08 be made at the workplace of the technician during regular business hours.

**3.07.02** In addition to the special rules prescribed by law, a dental technician shall respond promptly, and no later than within 30 days of its receipt, to any request made by a client:

(1) to examine documents concerning the client in any record established in the client's respect; and

(2) to obtain a copy of documents concerning the client in any record established in the client's respect.

<sup>1</sup> The Code of ethics of the members of the Ordre des techniciennes et techniciens dentaires du Québec (R.R.Q., 1981, c. C-26, r.157) was amended once by the Regulation made by Order in Council 991-97 dated 6 August 1997 (1997, *G.O.* 2, 4327).

**3.07.03** A dental technician who grants a request referred to in section 3.07.02 shall give the client access to the documents, free of charge. However, the dental technician may, with respect to a request referred to in paragraph 2 of section 3.07.02, charge from the client reasonable fees not exceeding the cost for reproducing or transcribing the documents or the cost for transmitting a copy.

The dental technician who charges such fees shall, before proceeding with the copying, transcribing or sending of the documents, inform the client of the approximate amount that must be paid.

**3.07.04** A dental technician who, pursuant to the second paragraph of section 60.5 of the Professional Code, denies a client access to the information concerning such client contained in any record established in the client's respect, shall notify the client in writing of the reasons for the refusal.

**3.07.05** In addition to the special rules prescribed by law, a dental technician shall respond promptly, and no later than within 30 days of its receipt, to any request made by a client:

(1) to cause to be corrected, in any document concerning the client and included in a record established in the client's respect, any information that is inaccurate, incomplete or ambiguous with regard to the purpose for which it was collected;

(2) to cause to be deleted any information that is outdated or not justified by the object of the record established in the client's respect; or

(3) to file in the record established in the client's respect the written comments made by the client.

**3.07.06** A dental technician who grants a request referred to in section 3.07.05 shall issue to the client, free of charge, a copy of the document or part of the document to allow the client to see for himself or herself that the information was corrected or deleted or, as the case may be, an attestation that the written comments of the client were filed in the record.

**3.07.07** Upon request by a client, a dental technician shall send a copy free of charge of the corrected information or an attestation that the information was deleted or, as the case may be, that the written comments were

filed in the record to any person from whom the dental technician received the information that was subject to the correction, deletion or comments and to any person to whom the information was provided.

**3.07.08** A dental technician shall respond promptly to any written request made by a client to retrieve a document given by the client.

The dental technician shall indicate in the client's record, where applicable, the reasons supporting the client's request."

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

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**O.C. 188-2003**, 19 February 2003

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

**Acupuncturists  
— Conciliation and arbitration procedure for  
the accounts**

Regulation respecting the conciliation and arbitration procedure for the accounts of acupuncturists

WHEREAS, under section 88 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Ordre des acupuncteurs du Québec must establish, by regulation, a conciliation and arbitration procedure for the accounts of the members of the order which may be used by persons having recourse to the services of the members;

WHEREAS the Bureau of the Ordre des acupuncteurs du Québec adopted the Regulation respecting the conciliation and arbitration procedure for the accounts of acupuncturists;

WHEREAS, under section 95.3 of the Professional Code, a draft Regulation was sent to every member of the order at least 30 days before its adoption by the Bureau;