

Draft Regulation

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

Dental hygienists — 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 members of the Ordre des hygiénistes dentaires du Québec, made by the Bureau of the Ordre des hygiénistes dentaires 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 members of the Ordre des hygiénistes dentaires 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, when 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 rescue.

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 Dominique Derome, Secretary and Director General of the Ordre des hygiénistes dentaires du Québec, 1290, rue Saint-Denis, bureau 300, Montréal (Québec) H2X 3J7; telephone: (514) 284-7639 or 1 800 361-2996; fax: (514) 284-3147.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e 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,
*Chairman of the Office
des professions du Québec*

Regulation to amend the Code of ethics of members of the Ordre des hygiénistes dentaires du Québec *

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

1. The Code of ethics of members of the Ordre des hygiénistes dentaires du Québec is amended by inserting the following subdivision after subdivision 6 of Division II:

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

32.1. In addition to the cases provided for in section 28, a dental hygienist may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the dental hygienist 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 dental hygienist may only communicate the information to a person exposed to the danger or that person's representative, or to the persons who can come to that person's aid.

The dental hygienist may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

* The Code of ethics of members of the Ordre des hygiénistes dentaires du Québec, approved by Order in Council 686-97 dated 21 May 1997 (1997, G.O. 2, 2260), has not been amended since its approval.

If the interest of the person or persons exposed to the danger so requires, the dental hygienist shall consult a colleague, a member of another professional order, or any other qualified person, provided the consultation will not prejudicially delay the communication of the information.

32.2. A dental hygienist who, pursuant to section 32.1, communicates information protected by professional secrecy to prevent an act of violence shall

(1) enter the following particulars in the client's record, in a sealed envelope :

(a) the reasons supporting the decision to communicate the information, including the name of the person who caused the dental hygienist to communicate the information and the name of the person or group of persons exposed to a danger ; and

(b) the date, time and content of the communication, the mode of communication, and the name of the person to whom the information was given ; and

(2) within five days of the communication, 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*.

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Draft Regulation

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

Midwives

— Conciliation and arbitration of accounts

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 respecting the conciliation and arbitration procedure for the accounts of midwives, adopted by the Bureau of the Ordre des sages-femmes 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 establish a procedure for the conciliation and arbitration of accounts that will apply if a person has a dispute with a midwife concerning the amount of an account, even if the account has been paid in whole or in part.

The Regulation provides, in particular, for the establishment of a council of arbitration that may uphold, reduce or cancel the amount of an account in dispute and determine, where appropriate, the reimbursement or payment to which a party may be entitled.

According to the Order, the Regulation will have no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Raymonde Gagnon, President and Director General of the Ordre des sages-femmes du Québec, 430, rue Sainte-Hélène, bureau 405, Montréal (Québec) H2Y 2K7, telephone: (514) 286-1313 or 1 877 711-1313; fax: (514) 286-0008.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The 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 adopted the Regulation as well as to the interested persons, departments or bodies.

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

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

Professional Code
(R.S.Q., c. C-26, s. 88)

DIVISION I GENERAL

1. The syndic of the Ordre des sages-femmes du Québec shall give a copy of this Regulation to any person who requests it and to the person who makes an application for conciliation.