

(1) “hospital centre”: any hospital centre as contemplated in the Act respecting health services and social services (R.S.Q., c. S-4.2) or in the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5);

(2) “direct supervision”: the presence of the physician with the recipient while the activity is being performed;

(3) “nurse first surgical assistant”: a nurse having a minimum of 3 years experience in an operative room, 1 year of which being in the concerned surgical discipline. Furthermore,

(a) she is the holder of a baccalaureate in nursing sciences issued by a Quebec university he or she has completed at least 60 credits in nursing sciences in the course of a program of university studies other than the program leading to the certificate mentioned in sub-paragraph *b*;

(b) she is the holder of a certificate in perioperative nursing care issued by the Université du Québec à Trois-Rivières;

(c) she is the holder, since less than one year, of an attestation confirming the successful results of training in cardio pulmonary resuscitation issued, either by an establishment or an instructor recognised by the Heart and Stroke Foundation of Quebec, either by an establishment affiliated to a Quebec faculty of medicine.

2. A nurse first surgical assistant may, in the course of the clinical and technical assistance to the surgeon and according to a medical prescription, perform the complementary clinical and technical acts during the surgical procedure under the following conditions:

(1) she performs this activity under the direct supervision of the surgeon responsible for the surgical procedure;

(2) she performs the activity in a hospital centre.

For the purposes of the performance of this activity, she must maintain her knowledge in cardio pulmonary resuscitation by obtaining an annual attestation either of an establishment or instructor recognized by the Heart and Stroke Foundation of Quebec, either of an establishment affiliated with a Quebec faculty of medicine.

She practices at no time simultaneously as a nurse in internal service.

3. A nurse may perform the activity described at section 2, under the conditions as provided therein, if on 28 December 2000:

(1) she is, either the holder of a certificate in perioperative nurse care issued by the Université du Québec à Trois-Rivières, either enrolled in a program of studies leading to the issuing of this certificate and becomes the holder of the certificate;

(2) she meets the requirement of sub-paragraph *c* of the 3rd paragraph of section 1.

4. This Regulation replaces the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, enacted on 18 September 1981 (1982, *G.O.* 2, 21).

5. This Regulation comes into force on the fifteenth day after its publication in the *Gazette officielle du Québec*.

5857

Draft Regulation

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

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

Physicians — Professional activities that may be performed by an orthoptist

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Collège des médecins du Québec, at its meeting held on April 25, 2003, adopted the Regulation respecting professional activities that may be performed by an orthoptist.

The Regulation has been transmitted to the Office des professions du Québec, which will examine it pursuant to section 95 of the Professional Code (R.S.Q., c. C-26). It will then be submitted, with the recommendation of the Office, to the Government which may, under the same section, approve it with or without amendment, after the expiry of 45 days following this publication.

The Regulation aims at taking into account the new sharing of the professional activities in the field of health resulting from the coming into force of the Act to amend the Professional Code and other legislative provisions as regards the health sector (2002, c. 33) and eliminate the authorizations to perform acts that have become useless due to the new sharing, while ensuring the continuity of the care and services provided to the population.

More particularly, according to the Collège des médecins du Québec :

1° this regulation allows an orthoptist to continue to perform the professional activities that he is authorized to perform under the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians (Suppl. 871), amended by the regulation approved by Order No. 1711-87 of 11 November 1987;

2° this regulation determines, among the professional activities that may be performed by physicians, those that may be performed by an orthoptist or a student duly enrolled in any orientation and integration program leading to a certificate contemplated in that regulation if they are required for the completion of this program;

3° this regulation determines the terms and conditions, in particular of training, according to which such activities may be performed;

4° as for citizens and the public protection, the regulation determines that some professional activities may only be performed if the patient has had an ophthalmological examination as a result of which he was referred to an orthoptist.

Further information may be obtained by contacting, M^e Édith Lorquet, Assistant to the Executive, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; telephone number: (514) 933-4441, extension 362, or 1 888 633-3246, facsimile number: (514) 933-5374, e-mail: elorquet@cmq.org

Any person having comments to make on the following text is asked to send them, 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 sent to the professional order that has adopted the Regulation, namely the Collège des médecins du Québec, as well as to interested persons, ministries and organizations.

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

Regulation respecting the professional activities which may be performed by an orthoptist

Professional Code
(R.S.Q., c. C-26, s. 94 h; 2002, c. 33, s. 5)

1. The purpose of this Regulation is to determine amongst professional activities that may be performed by physicians those which, pursuant to the conditions provided therein, may be performed by an orthoptist.

2. In this Regulation, the following terms mean :

“orthoptist”:

(1) any person holding an orthoptist's certificate issued by the Canadian Orthoptic Society or an equivalent certificate recognized by that body if, in either case, the certificate has been approved by the Collège des médecins du Québec;

(2) any person who, on 11 November 1987, was an orthoptist;

3. Any professional activities as contemplated in section 4 may only be performed if the patient has had an ophthalmological examination as a result of which he was referred to an orthoptist. The professional activities as contemplated in the first to the sixth paragraphs of that section may also be performed in the course of a screening program.

4. An orthoptist may perform, under the conditions provided in this Regulation, the following professional activities :

(1) observing and describing the general aspect of the eyes and accessory parts in relation to strabismus;

(2) evaluating visual acuity and type of fixation including ophthalmoscopic method;

(3) neutralizing prescription glasses;

(4) evaluating oculomotor balance and binocular vision by :

(a) examination by cover test;

(b) evaluating oculomotor balance, ductions, versions and vergences,

(c) evaluating accommodative convergence relations on accommodation;

(d) making pre- and post-operative evaluations of ocular motility and the condition of binocular vision;

(e) evaluating stereoscopic vision;

(f) evaluating diplopia;

(g) using prisms or additional removable lenses;

(h) observing and describing ocular torticollis;

(i) evaluating neutralization;

(j) evaluating retinal correspondence;

(k) looking for basic deviation.

(5) performing Hess test and its derivatives;

(6) evaluating visual field;

(7) treating amblyopia through:

(a) occlusion and/or penalization;

(b) active or passive methods to overcome amblyopia;

(c) home exercise program.

(8) treating the sensory element through:

(a) home exercise program;

(b) accepted methods aimed at:

i. improving accommodative convergence;

ii. increasing vergence amplitude;

iii. eliminating pathological neutralization through occlusion of any other active exercise.

(9) applying drops or ointments for therapeutic purposes;

(10) instilling drops for diagnostic tests;

(11) performing electrooculography and electronystagmography;

(12) performing biometrics and doing calculations for intraocular lenses;

(13) performing ocular photography;

(14) performing refraction;

(15) testing visual aids and ensuring follow-up for rehabilitation of low vision.

5. A student duly enrolled in any orientation and integration program leading to a certificate as contemplated in the first paragraph of section 2, may perform, pursuant to section 4, any activities that may be performed by an orthoptist insofar as they are required for the completion of this program.

6. This Regulation comes into force on the fifteenth day after its publication in the *Gazette officielle du Québec*.

5858

Draft Regulation

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

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

Physicians

— Professional activity that may be performed by an employee or a technician in orthopedics

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Collège des médecins du Québec, at its meeting held on April 25, 2003, adopted the Regulation respecting medical activities that may be performed by an employee or a technician in orthopedics.

The Regulation has been transmitted to the Office des professions du Québec, which will examine it pursuant to section 95 of the Professional Code (R.S.Q., c. C-26). It will then be submitted, with the recommendation of the Office, to the Government which may, under the same section, approve it with or without amendment, after the expiry of 45 days following this publication.

The Regulation aims at taking into account the new sharing of the professional activities in the field of health resulting from the coming into force of the Act to amend the Professional Code and other legislative provisions as regards the health sector (2002, c. 33), while ensuring the continuity of the care and services provided to the population.