

Regulation to amend the Code of ethics of the members of the Ordre des conseillers en relations industrielles du Québec*

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

1. The title of the Code of ethics of the members of the Ordre des conseillers en relations industrielles du Québec is replaced by the following:

“Code of ethics of the members of the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec”.

2. The following division is inserted after Division IX:

“DIVISION IX.1 COMMUNICATION OF INFORMATION PROTECTED BY PROFESSIONAL SECRECY TO PROTECT INDIVIDUALS

51.1. A member who communicates information protected by professional secrecy in order to protect persons, pursuant to the third paragraph of section 60.4 of the Professional Code, shall:

(1) warn without delay the person exposed to the danger, that person’s representative or the persons who can come to that person’s aid; and

(2) enter the following particulars in the client’s record:

(a) the reasons supporting the decision to communicate the information, including the identity and contact information of the person who caused the member to communicate the information; and

(b) the nature of the communication, including the identity and contact information of the person to whom the information was communicated, specifying, as the case may be, that it was to the person exposed to the danger, to that person’s representative or to the persons who can come to that person’s aid.”.

3. 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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* The Code of ethics of the members of the Ordre des conseillers en relations industrielles du Québec, approved by Order in Council 381-98 dated 25 March 1998 (1998, *G.O.* 2, 1478), has not been amended since its approval.

Gouvernement du Québec

O.C. 838-2003, 20 August 2003

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

Denturologistes — Code of ethics — Amendments

Regulation to amend the Code of ethics of the Ordre des denturologistes du Québec

WHEREAS, under the first paragraph of 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 the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS, under the first paragraph of that section of the Professional Code, the code of ethics must include provisions determining which acts are derogatory to the dignity of the profession;

WHEREAS, under the first paragraph of that section of the Professional Code, the code of ethics must include 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, and provisions concerning a professional’s obligation to release documents to the client;

WHEREAS, under the second paragraph of that section of the Professional Code, the code of ethics must include provisions stating the terms and conditions according to which a professional may, pursuant to the third paragraph of section 60.4, communicate the information referred to therein;

WHEREAS the Bureau of the Ordre des denturologistes du Québec made the Regulation to amend the Code of ethics of the Ordre des denturologistes du Québec;

WHEREAS, pursuant to section 95.3 of the Professional Code, the Secretary of the Order sent a draft of the Regulation to every member of the Order at least 30 days before it was made by the Bureau;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 5 March 2003 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on 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 Ordre des denturologistes du Québec, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of the Ordre des denturologistes du Québec*

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

1. The Code of ethics of the Ordre des denturologistes du Québec is amended by inserting the following after section 41:

“**41.1.** In addition to the cases provided for in section 41, a denturologist may communicate information that is protected by professional secrecy to prevent an act of violence, pursuant to the third paragraph of section 60.4 of the Professional Code. A denturologist who communicates such information shall

(1) warn without delay the person exposed to the danger, that person’s representative or the persons who can come to that person’s aid;

(2) send as soon as possible to the syndic a written notice of the communication containing the following information:

- (a) the date and time of the communication;
- (b) the nature of the information communicated;

(c) the identity of the person who communicated the information; and

(d) the identity of the person or persons to whom the information was communicated; and

(3) enter the information forwarded to the syndic in the patient’s record, including the date on which the information was forwarded.”.

2. The heading of Division 7 of Chapter III is replaced by the following:

“ACCESSIBILITY AND CORRECTIONS TO RECORDS AND RELEASE OF DOCUMENTS”.

3. The following sections are inserted after the heading of Division 7 of Chapter III:

“**47.** In addition to the special rules prescribed by law, a denturologist shall promptly follow up, no later than 30 days after its receipt, on any request made by a patient

(1) to examine documents that concern the patient in any record established in his or her respect; or

(2) to obtain a copy of the documents that concern the patient in any record established in his or her respect.

47.1. A denturologist who grants a request referred to in section 47 shall give the patient access to documents, free of charge. However, a denturologist who receives a request referred to in paragraph 2 of section 47 may charge reasonable fees not exceeding the cost for reproducing or transcribing documents or the cost for forwarding a copy.

A denturologist charging such fees shall, before proceeding with the reproduction, transcription or forwarding of the information, inform the patient of the approximate amount payable.

47.2. A denturologist who, pursuant to the second paragraph of section 60.5 of the Professional Code, refuses to give the patient access to the information contained in a record shall specify to the patient, in writing, the reasons for the refusal, which must be linked to the serious harm that the disclosure would cause to the patient or a third person.

47.3. In addition to the special rules prescribed by law, a denturologist shall promptly follow up, no later than 30 days after its receipt, on any request made by a patient

* The Code of ethics of the Ordre des denturologistes du Québec, approved by Order in Council 1011-85 dated 29 May 1985 (1985, G.O. 2, 1976), was last amended by the regulation approved by Order in Council 648-97 dated 13 May 1997 (1997, G.O. 2, 2244). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

(1) to cause to be corrected any information that is inaccurate, incomplete or ambiguous with regard to the purpose for which it was collected, contained in a document concerning the patient in any record established in his or her respect;

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

(3) to file the patient's comments in the record established in his or her respect.

47.4. A denturologist who grants a request referred to in section 47.3 shall issue to the patient, free of charge, a copy of the document or part of the document so that the patient may see that the information was corrected or deleted or, as the case may be, an attestation that the written comments prepared by the patient were filed in the record.

Upon written request from a patient, a denturologist shall forward free of charge a copy of that information or, as the case may be, of that attestation to any person from whom the denturologist received the information and to any person to whom the information was communicated.

47.5. A denturologist shall promptly follow up on any written request made by a patient to retrieve a document entrusted to the denturologist by the patient.

A denturologist shall indicate in the patient's record, where applicable, the reasons in support of the patient's request.

47.6. A denturologist may require that a request referred to in section 47, 47.3 or 47.5 be made at the denturologist's professional domicile during regular office hours."

4. Section 61 is amended by replacing paragraph 11 by the following:

"(11) intimidating, harassing or threatening directly or indirectly a person who has applied or who intends to apply to the syndic for an inquiry into his professional conduct or competence, or communicating with that person without the prior written permission of the syndic or the syndic's assistant;"

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

Gouvernement du Québec

O.C. 839-2003, 20 August 2003

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

Occupational therapists — Code of ethics — Amendment

Regulation to amend the Code of ethics of occupational therapists

WHEREAS, under the first paragraph of 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 the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS, under the second paragraph of that section of the Professional Code, the code of ethics must include provisions stating the terms and conditions according to which a professional may communicate the information pursuant to the third paragraph of section 60.4;

WHEREAS the Bureau of the Ordre professionnel des ergothérapeutes du Québec made the Regulation to amend the Code of ethics of occupational therapists;

WHEREAS, pursuant to section 95.3 of the Professional Code, the Secretary of the Order sent a draft of the Regulation to every member of the Order at least 30 days before it was made by the Bureau;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 9 April 2003 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation with amendments;

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