

## Regulations and other acts

Gouvernement du Québec

### O.C. 943-2003, 10 September 2003

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

#### Dietitians

— Code of ethics  
— Amendments

Regulation to amend the Code of ethics of dietitians

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 diététistes du Québec made the Regulation to amend the Code of ethics of dietitians;

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 February 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 without amendment;

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 dietitians, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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

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

**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*.

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Gouvernement du Québec

## O.C. 944-2003, 10 September 2003

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

### Respiratory therapists — Code of ethics — Amendments

Regulation to amend the Code of ethics of respiratory therapists of 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 the profession, particularly the duty to discharge professional obligations with integrity;

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

WHEREAS the Bureau of the Ordre des inhalothérapeutes du Québec made the Regulation to amend the Code of ethics of respiratory therapists of Québec;

WHEREAS, pursuant to 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;

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 26 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 submitted its recommendations;

WHEREAS it is expedient to make 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 respiratory therapists of Québec, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Code of ethics of respiratory therapists\*

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

**1.** Section 21 of the Code of ethics of respiratory therapists of Québec is amended by the addition of the following paragraph at the end:

\* The last amendments to the Code of ethics of respiratory therapists of Québec, approved by Order in Council No. 451-99 dated April 21, 1999 (1999, *G.O.* 2, 1105), were made by the regulation approved by Order in Council No. 1297-2001 dated October 31, 2001 (2001, *G.O.* 2, 5879).