

## Regulations and other acts

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Gouvernement du Québec

**O.C. 1116-2003**, 22 October 2003

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

### Physical therapists and physical rehabilitation therapists

— Code of ethics  
— Amendment

Regulation to amend the Code of ethics of physical therapists and physical rehabilitation 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 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 therein pursuant to the third paragraph of section 60.4 of the Code;

WHEREAS, under the first paragraph of section 23 of the Schedule to Order in Council 923-2002 dated 21 August 2002 concerning the Integration of Physical Rehabilitation Therapists into the Ordre professionnel des physiothérapeutes du Québec, the Code of ethics of physiotherapists shall apply to all the members combined, with the necessary modifications for the integration;

WHEREAS, under the second paragraph of section 23 of the Schedule to that Order in Council, the Code of ethics shall cease to apply to the members combined on the date of coming into force of a regulation made by the Bureau of the Ordre professionnel de la physiothérapie du Québec under section 87 of the Professional Code;

WHEREAS the purpose of the introduction of the provisions required by the second paragraph of section 87 of the Professional Code into the Code of ethics, which essentially describe the terms and conditions mentioned above, is not to bring about the end of the application of all the provisions of the Code of ethics to the members combined;

WHEREAS the Code of ethics continues to apply transitionally to the members combined until the coming into force of a regulation made by the Bureau of the Ordre professionnel de la physiothérapie du Québec under section 87 of the Professional Code;

WHEREAS the Bureau of the Ordre professionnel de la physiothérapie du Québec made the Regulation to amend the Code of ethics of physical therapists and physical rehabilitation therapists and it is not expedient to apply the second paragraph of section 23 of the Schedule to that Order in Council to the Regulation;

WHEREAS, under 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 being 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 21 May 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 physical therapists and physical rehabilitation therapists, the text of which is attached to this Order in Council, be approved and that the second paragraph of section 23 of the Schedule to Order in Council 923-2002 dated 21 August 2002 concerning the Integration of Physical Rehabilitation Therapists into the Ordre professionnel des physiothérapeutes du Québec not apply to the Regulation.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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## Regulation to amend the Code of ethics of physical therapists and physical rehabilitation therapists\*

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

**1.** The Code of ethics of physical therapists and physical rehabilitation therapists (R.R.Q., 1981, c. C-26, r.136) is amended by inserting the following after section 3.06.02:

“**3.06.02.01.** Despite sections 3.06.01 and 3.06.02, a member may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the member 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 member may only communicate the information to a person exposed to the danger or that person’s representative, and to the persons who can come to that person’s aid.

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

If the well-being of the person exposed to the danger requires it, the member 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 communication of the information.

**3.06.02.02.** A member who, pursuant to section 3.06.02.01, communicates information protected by professional secrecy to prevent an act of violence must

- (1) communicate the information immediately; and
- (2) enter the following particulars in the client’s record as soon as possible:
  - (a) the reasons supporting the decision to communicate the information; and
  - (b) the content of the communication, the mode of communication and the name of the person to whom the information was communicated.

**3.06.02.03.** A member who, pursuant to the fourth paragraph of section 3.06.02.01, has consulted another member of the Order, a member of another professional order or any other qualified person shall, as soon as possible, enter the following particulars in the client’s record:

- (a) the name of the person consulted;
- (b) the date of the consultation;
- (c) a summary of the consultation; and
- (d) the decision made.”.

**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. 1117-2003, 22 October 2003**

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

### Orthophonists and audiologists — Code of ethics — Amendments

Regulation to amend the Code of ethics of the Ordre des orthophonistes et audiologistes 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 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 therein pursuant to the third paragraph of section 60.4 of the Code;

WHEREAS the Bureau of the Ordre des orthophonistes et audiologistes du Québec made the Regulation to amend the Code of ethics of the Ordre des orthophonistes et audiologistes du Québec;

\* The Code of ethics of physical therapists and physical rehabilitation therapists (R.R.Q., 1981, c. C-26, r.136) has been amended once by the regulation approved by Order in Council 1858-89 dated 6 December 1989 (1989, *G.O.* 2, 4697).