

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.

* 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).

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*.

5994

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;

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 11 June 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 the Ordre des orthophonistes et audiologistes du Québec, the text of which is 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 orthophonistes et audiologistes du Québec*

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

1. The Code of ethics of the Ordre des orthophonistes et audiologistes du Québec is amended by inserting the following sections after section 36:

“**36.1.** In addition to the cases provided for in section 36, 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.

36.2. A member who, pursuant to sections 36 and 36.1, communicates information protected by professional secrecy must enter the following particulars in the client’s record: for a case provided for in section 36, the particulars mentioned in paragraphs 1 and 2 below, and for a case provided for in section 36.1, the particulars mentioned in paragraphs 1 to 7 below:

- (1) the date and time of the communication;
- (2) the content of the communication;
- (3) the name of the person or group of persons exposed to the danger;
- (4) the name of the person to whom the information was communicated, specifying whether the latter was the person or persons exposed to the danger, that person’s or those persons’ representative, or persons who could come to the aid of the person or persons in danger;
- (5) the act of violence that the member intended to prevent;
- (6) the danger identified by the member; and
- (7) whether the identified danger was imminent.”.

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

5995

* The Code of ethics of the Ordre des orthophonistes et audiologistes du Québec, approved by Order in Council 577-96 dated 15 May 1996 (1996, G.O. 2, 2581), has never been amended.