

**2.** The Code is amended by inserting the following after section 48:

“**48.1.** A member who, pursuant to the third paragraph of section 60.4 of the Professional Code, communicates information protected by professional secrecy to prevent an act of violence shall:

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

(2) use a method of communication that ensures the confidentiality of the information under the circumstances; and

(3) enter the following information in the client’s record as soon as possible:

(a) the purpose of the communication;

(b) the date on which the information was communicated;

(c) the method of communication used;

(d) the name of all persons to whom the information was communicated; and

(e) the reasons for the decision to communicate the information.”

**3.** The Code is amended by inserting the following after section 60:

“**60.1.** A member who is informed that an inquiry is being held or who has been served notice of a complaint regarding his professional conduct or competence shall not, directly or indirectly, harass, intimidate or threaten the person who requested the inquiry, or any other person involved in the events relating to the inquiry or complaint.”

**4.** 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. 23-2004, 14 January 2004**

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

**Pharmacists**  
— **Code of ethics**  
— **Amendment**

Regulation to amend the Code of ethics of pharmacists

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, 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 of the Professional Code;

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

WHEREAS, pursuant to section 95.3 of the Professional Code, a draft of the Regulation was sent 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 12 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 pharmacists, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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

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

**1.** The Code of ethics of pharmacists is amended by inserting the following sections after section 3.06.05:

“**3.06.06.** In addition to the circumstances provided for in section 3.06.02, a pharmacist may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the pharmacist 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.

In such a case, the pharmacist may only communicate the information to the person exposed to the danger or that person’s representative and to the persons who can come to that person’s aid; the pharmacist may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

If it is necessary in the best interests of the person exposed to the danger, the pharmacist 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.

**3.06.07.** Where information protected by professional secrecy is communicated under section 3.06.06, the pharmacist must enter the following information in the client’s record:

- (1) the identity of the person in danger;
- (2) the identity and contact information of any person who made threats;
- (3) the nature of the threats and the circumstances in which they were made;
- (4) the identity and contact information of any person or body that received the information;
- (5) the date and time of the communication and of the events leading to the communication.”.

**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. 24-2004**, 14 January 2004

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

### Optometrists — Code of ethics — Amendment

Regulation to amend the Code of ethics of optometrists

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, 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 of the Code;

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

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

\* The Code of ethics of pharmacists (R.R.Q., 1981, c. P-10, r.5) has been amended once by the regulation approved by Order in Council 56-94 dated 10 January 1994 (1994, G.O. 2, 691).