

WHEREAS, in accordance with sections 10 and 11 of 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* dated 6 August 2003, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Chair of the Office des professions received no comments following the publication of the Regulation;

WHEREAS the Office has examined the Regulation and made its recommendation;

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 respecting the professional activities that may be engaged in by persons other than respiratory therapists, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists

Professional Code
(R.S.Q., c. C-26, s. 94, par. h)

1. A student registered in a program of studies leading to a diploma giving access to the permit issued by the Ordre professionnel des inhalothérapeutes du Québec may, among the professional activities that may be engaged in by respiratory therapists, engage in the activities required to complete the program, on condition that the student does so under the supervision of a clinical teacher, a preceptor or a respiratory therapist who is available to intervene on short notice.

2. A person who does not meet the conditions for the issue of a permit of the Order may continue to engage in the professional activities listed in paragraph 7 of section 37.1 of the Professional Code (R.S.Q., c. C-26) if the person was practising respiratory therapy on 7 February 1987 or was lawfully engaging in those activities between 11 June 1980 and 13 March 1985 and meets the conditions of practice that applied to the person at the time.

3. A medical technologist may, according to a prescription and using the same technology and the same procedures, continue to administer the cardiopulmonary function tests the technologist was administering on 30 January 2003.

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

6462

Gouvernement du Québec

O.C. 773-2004, 10 August 2004

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

Orthoptist — Professional activities which may be performed by an orthoptist

Regulation respecting the professional activities which may be performed by an orthoptist

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, in accordance with section 94.1 of the Code, the Bureau of a professional order may, in a regulation that it is authorized to make under the Code or under an Act constituting the professional order, make compulsory a standard established by a government or body and provide that reference to such standard includes any subsequent amendment made to it;

WHEREAS the Act to amend the Professional Code and other legislative provisions as regards the health sector (2002, c. 33) establishes a new division of fields of professional practice in the health sector;

WHEREAS it is expedient to replace the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians (R.R.Q., 1981, Suppl. 871);

WHEREAS the Bureau of the Collège des médecins du Québec made the Regulation respecting the professional activities which may be performed by an orthoptist;

WHEREAS, under section 95 of the Professional Code, subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of 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* dated 6 August 2003, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Chair of the Office des professions received comments following the publication of the Regulation;

WHEREAS the Office has examined the Regulation and made its recommendation;

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 respecting the professional activities which may be performed by an orthoptist, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the professional activities which may be performed by an orthoptist

Professional Code
(R.S.Q., c. C-26, s. 94 subpar. *h* and s. 94.1)

1. The purpose of this Regulation is to determine amongst professional activities that may be performed by physicians those which, pursuant to the conditions provided therein, may be performed by an orthoptist.

2. In this Regulation, "orthoptist": any person who either

(1) holds an orthoptist's certificate issued by the Canadian Orthoptic Society or an equivalent certificate recognized by that body, according to the standards established by Section XI of its "By laws (2001)"; or

(2) was an orthoptist on 11 November 1987;

3. Any professional activities as contemplated in section 4 may only be performed in an ophthalmologist's office or on behalf of an institution which operates a hospital centre within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5). The patient must have an ophthalmological examination as a result of which he or she is referred to an orthoptist, except for the professional activities as contemplated in the first to the sixth paragraphs of that section which may also be performed in the course of a screening program.

4. An orthoptist may perform, under the conditions provided in this Regulation, the following professional activities:

(1) Observing and describing the general aspect of the eyes and accessory parts in relation to strabismus;

(2) Evaluating visual acuity and type of fixation including ophthalmoscopic method;

(3) Neutralizing prescription glasses;

(4) Evaluating oculomotor balance and binocular vision by:

(a) Examination by cover test;

(b) Evaluating oculomotor balance, ductions, versions and vergences;

(c) Evaluating accommodative convergence relations on accommodation;

(d) Making pre- and post-operative evaluations of ocular motility and the condition of binocular vision;

(e) Evaluating stereoscopic vision;

(f) Evaluating diplopia;

(g) Using prisms or additional removable lenses;

(h) Observing and describing ocular torticollis;

(i) Evaluating neutralization;

- (j) Evaluating retinal correspondence;
- (k) Looking for basic deviation.
- (5) Performing Hess test and its derivatives;
- (6) Evaluating visual field;
- (7) Treating amblyopia through:
 - (a) occlusion;
 - (b) penalization;
 - (c) active or passive methods to overcome amblyopia;
 - (d) home exercise program.
- (8) Treating the sensory element through:
 - (a) home exercise program;
 - (b) proven methods according to medical science data aimed at:
 - i. improving accommodative convergence;
 - ii. increasing vergence amplitude;
 - iii. eliminating pathological neutralization through occlusion of any other active exercise.
- (9) Applying drops or ointments for therapeutic purposes;
- (10) Instilling drops for diagnostic tests;
- (11) Performing electrooculography and electronystagmography;
- (12) Performing biometrics and doing calculations for intraocular lenses;
- (13) Performing ocular photography;
- (14) Performing refraction;
- (15) Testing visual aids and ensuring follow-up for rehabilitation of low vision.

5. A student duly enrolled in any orientation and integration program leading to a certificate as contemplated in the first paragraph of section 2, may perform, pursuant to section 4, any activities that may be performed by an orthoptist insofar as they are required for the completion of this program.

6. This Regulation comes into force on the fifteenth day after its publication in the *Gazette officielle du Québec*.

6461

Gouvernement du Québec

O.C. 774-2004, 10 August 2004

Professional Code
(R.S.Q., c. C-26; 2002, c. 33)

**Employee or technician in orthopedics
— Professional activity which may be performed by
an employee or a technician in orthopedics**

Regulation respecting a professional activity which may be performed by an employee or a technician in orthopedics

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the Act to amend the Professional Code and other legislative provisions as regards the health sector (2002, c. 33) establishes a new division of fields of professional practice in the health sector;

WHEREAS it is expedient to replace the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians (Suppl. 871);

WHEREAS the Bureau of the Collège des médecins du Québec made the Regulation respecting a professional activity which may be performed by an employee or a technician in orthopedics;

WHEREAS, under section 95 of the Professional Code, subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;