

## Draft Regulations

### Draft Regulation

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

#### Chiropractors — Code of ethics — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Code of ethics of chiropractors, adopted by the Bureau of the Ordre des chiropraticiens du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the Regulation is to amend the Code of ethics of chiropractors in order to introduce provisions stating the terms and conditions according to which a member of the Order may communicate information that is protected by professional secrecy to prevent an act of violence.

Those provisions are required by the Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals (2001, c. 78). That Act permits the lifting of professional secrecy to prevent an act of violence, including a suicide, when the professional has grounds 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 communication must be limited to such information as is necessary to achieve the purposes for which the information is communicated, and the information may only be communicated 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 Order expects the proposed amendments to have no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Dr. Normand Danis, chiropractor, President of the Ordre des chiropraticiens du Québec, 7950, boulevard Métropolitain Est, Anjou (Québec) H1K 1A1; telephone: (514) 355-8540; fax: (514) 355-2290.

Any interested person having comments to make on the draft Regulation is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions. They may also be forwarded to the professional order that adopted the Regulation and to interested persons, departments and bodies or agencies.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

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

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

**1.** The Code of ethics of chiropractors is amended by inserting the following sections after section 3.06.02:

“**3.06.02.01.** In addition to the cases provided for in section 3.06.02, a chiropractor may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the chiropractor 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 chiropractor 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 chiropractor may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

**3.06.02.02.** A chiropractor who communicates information pursuant to section 3.06.02.01 must do so without delay.

\* The Code of ethics of chiropractors (R.R.Q., 1981, c. C-16, r.2) has been amended once, by the regulation approved by Order in Council 154-85 dated 23 January 1985 (1985, G.O. 2, 934).

For each communication, the chiropractor must also enter the following particulars in the patient's record:

- (1) the date and time of the communication;
- (2) the name of the person or group of persons exposed to the danger;
- (3) the name of the person to whom the communication was given, specifying, as the case may be, if it was given to the person exposed to the danger, the person's representative or the persons who can come to that person's aid;
- (4) the act of violence the chiropractor intended to prevent;
- (5) the danger the chiropractor identified;
- (6) the imminence of the danger the chiropractor identified; and
- (7) the information 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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## Draft Regulation

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

### Guidance counsellors and psychoeducators — Conciliation and arbitration procedure for accounts

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the conciliation and arbitration procedure for the accounts of members of the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, made by the Bureau of the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

In accordance with section 88 of the Professional Code (R.S.Q., c. C-26), the draft Regulation establishes a procedure for the conciliation and arbitration of accounts, which may be used by persons availing them-

selves of the services of guidance counsellors and psychoeducators. A person will be able to use the procedure if an account has been paid in full or has been only partially paid. It provides for the setting up of a council of arbitration to determine the amount of any reimbursement to which a person may be entitled, and for arbitration by a council composed of one or three arbitrators depending on the amount of the dispute.

Further information may be obtained by contacting Renée Verville, Director General and Secretary of the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, 1600, boulevard Henri-Bourassa Ouest, bureau 520, Montréal (Québec) H3M 3E2; telephone: (514) 737-4717 or 1 800 363-2643; fax: (514) 737-2172.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that made the Regulation and to interested persons, departments and bodies.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

## Regulation respecting the conciliation and arbitration procedure for the accounts of members of the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec

Professional Code  
(R.S.Q., c. C-26, s. 88)

### DIVISION I CONCILIATION

**1.** The syndic shall send a copy of this Regulation to any person who requests it.

**2.** A client who has a dispute with a member of the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec concerning the amount of an account for professional services must apply for conciliation by the syndic before applying for arbitration of the account.