

(b) Maîtrise en sciences infirmières (M. Sc.) and the Diplôme complémentaire d'infirmière praticienne option cardiologie from the Université de Montréal;

(2) the specialist's certificate for a nurse practitioner specializing in neonatology: Master of Science Applied Nursing – Nurse Practitioner (Neonatology), from McGill University;

(3) the specialist's certificate for a nurse practitioner specializing in nephrology:

(a) Maîtrise en sciences infirmières (M. Sc.), praticienne spécialisée en néphrologie, from Université Laval;

(b) Maîtrise en sciences infirmières (M. Sc.) and the Diplôme complémentaire d'infirmière praticienne option néphrologie from the Université de Montréal.”.

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

6816

Draft Regulation

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

Nurses Act
(R.S.Q., c. I-8)

Nurses — Classes of specialties

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre des infirmières et infirmiers du Québec, at its meeting held on February 17, 2004, adopted the “Regulation respecting Ordre des infirmières et infirmiers du Québec classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act”.

This regulation has been forwarded to the Office des professions du Québec for examination in accordance with section 95 of the Professional Code (R.S.Q., c. C-26). Thereafter, it will be submitted, with the recommendation of the Office, to the Government which, in accordance with the same section, may approve it, with or without amendment, following the expiry of a period of 45 days from the publication of this notice.

According to the Ordre des infirmières et infirmiers du Québec, the purpose of this Regulation is to define the classes of specialties for which nurses must qualify before performing the professional acts contemplated in section 36.1 of the Nurses Act (R.S.Q. c. I-8). This regulation sets out the various terms and conditions for the issue of specialist's certificates by determining, in particular, procedures regarding the specialty examination that candidates must pass. This regulation also sets out the terms and conditions for the issue of training cards and enumerates the standards for recognition of diplomas granting access to specialist's certificate.

This Regulation has no impact on businesses, including small and medium-sized businesses.

Further information concerning the proposed Regulation may be obtained by contacting Carmelle Marchessault, Director and Legal Counsel, Direction des services juridiques, Ordre des infirmières et infirmiers du Québec, 4200, boulevard Dorchester Ouest, Montréal (Québec) H3Z 1V4; telephone: (514) 935-2501 or 1 800 363-6048; fax: (514) 935-3147.

Persons having comments to make are asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting professions; they may also be submitted to the professional order which has adopted this Regulation and to the persons, departments and agencies concerned.

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

Regulation respecting Ordre des infirmières et infirmiers du Québec classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act

Professional Code
(R.S.Q., c. C-26, s. 93, par. c, 94, par. e, h and i and 94.1)

Nurses Act
(R.S.Q., c. I-8, s. 14, par. f)

DIVISION I GENERAL PROVISIONS AND DEFINITIONS

1. The purpose of this regulation is to regulate the classes of specialties for which members of the Ordre des infirmières et infirmiers du Québec must qualify in order to perform acts contemplated in section 36.1 of the Nurses Act (R.S.Q., c. I-8). It sets out other terms and conditions for the issue, by the Bureau of the Ordre des infirmières et infirmiers, of specialist's certificates, and determines the standards regarding diploma and training equivalence for the purpose of issuing such certificates, and the procedure for equivalence recognition.

Its purpose is also to regulate the issue of training cards to specialized nurse practitioner candidates and determine the professional acts she may perform under certain terms and conditions.

2. In this regulation:

(1) "specialized nurse practitioner candidate" means a nurse:

(a) who is registered in a graduate-level training program leading to a degree granting access to a specialist's certificate issued by the Order, and who serves a clinical training period as part of this program;

(b) who is eligible to sit the specialty examination corresponding to the specialty concerned, as set out in Division III;

(2) "training site" means the centres operated by institutions, within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2), affiliated with a university that offers the clinical training specified for the purposes of obtaining a diploma qualifying candidates for an Order specialist's certificate; a list of such sites has been drawn up by the specialized nurse practitioner training committee.

The fees payable under this regulation are those prescribed by the Bureau of the Order, pursuant to subparagraph (8) of section 86.0.1 of the Professional Code (R.S.Q., c. C-26).

3. The classes of nursing specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act are as follows:

- (1) nurse practitioner specializing in neonatology;
- (2) nurse practitioner specializing in nephrology;
- (3) nurse practitioner specializing in cardiology.

4. A specialist's certificate related to one of the classes of specialties set out in section 3 shall be issued to a nurse who meets the following conditions:

(1) she holds a diploma recognized by government regulation, pursuant to the first paragraph of section 184 of the Professional Code, granting access to a specialist's certificate issued by the Order, or has been recognized as possessing equivalence, as set out in Division V;

(2) she holds the following:

(a) if specializing in cardiology, an attestation of training in advanced cardiac life support (ACLS) issued by an instructor trainer recognized by the Heart and Stroke Foundation of Quebec, in compliance with standards detailed in the current edition of the Handbook of Emergency Cardiovascular Care for Health Care Providers, published by the Heart and Stroke Foundation of Canada;

(b) if specializing in neonatology, an instructor's level attestation of training in neonatal resuscitation issued by an instructor trainer recognized by the Heart and Stroke Foundation of Quebec, in accordance with the standards detailed in the current edition of the Handbook of Emergency Cardiovascular Care for Health Care Providers published by the Heart and Stroke Foundation of Canada;

(3) she passes the specialty examination corresponding to the specialty concerned, as set out in Division III;

(4) if she has been granted equivalence as set out in Division IV, she has successfully completed an integration program including a 3 month clinical training period in a graduate training program leading to a diploma granting access to a specialist's certificate issued by the Order;

(5) she pays the required fee for the purpose of obtaining a specialist's certificate.

DIVISION II TRAINING CARDS

5. Specialized nurse practitioner candidates who hold a training card issued by the Bureau of the Order may perform professional acts contemplated in Division II of the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be performed by classes of persons other than physicians, approved by Order-in-Council (*enter the number and date of the Order-in-Council approving this regulation here*), in accordance with the terms and conditions set out therein.

6. A training card shall be issued by the Bureau of the Order to a specialized nurse practitioner candidate who meets the following conditions:

(1) she is registered in a graduate-level training program leading to a diploma granting access to a specialist's certificate issued by the Order or has been granted equivalence as set out in Division IV;

(2) she pays the required fee for the purpose of obtaining a training card;

(3) if specializing in cardiology or neonatology, she holds an attestation of training as set out in subparagraph 2 of section 4.

7. The training card shall indicate the name of the specialized nurse practitioner candidate and the site at which she is serving her clinical training period. The card is valid for the entire the period during which the specialized nurse practitioner candidate is registered in the graduate training program leading to a diploma granting access to a specialist's certificate issued by the Order and, as the case may be, for the period of her eligibility to sit the specialty examination, in the specialty concerned, as set out in Section III.

DIVISION III SPECIALTY EXAMINATION

§1. Eligibility

8. Nurses who meet the conditions set out in subparagraphs (1) and (2) of section 4 shall be eligible to sit the specialty examination.

9. Nurses eligible to sit the specialty examination must sit the professional examination in the year following the date on which they obtain their diploma or the Bureau of the Order grants them diploma or training equivalence, as set out in Division IV.

After this year, nurses can only sit the specialty examination if they prove to the Bureau of the Order that they have kept their knowledge up to date and maintained their professional skills.

§2. Specialty Examination

10. The specialty examination shall cover the theoretical and clinical aspects of the specialty concerned. In particular, it shall assess, in various clinical situations, the assimilation and application of knowledge and skills acquired by the nurse, for the purpose of determining if she is able to practice independently as a specialized nurse practitioner in the specialty concerned.

11. For each specialty, an examination committee shall be formed, consisting of a specialized nurse practitioner in the specialty concerned, appointed by the Bureau of the Order, and two physicians in the specialty concerned, one of whom shall be appointed by the Bureau of the Collège des médecins and the other of whom shall be appointed jointly, as chair of the examination committee, by the bureaus of both orders. The chair shall not hold the right to vote.

Should no specialized nurse practitioner in the specialty concerned be available, the Bureau of the Order shall appoint a nurse with at least three years of relevant clinical experience.

The persons appointed shall serve a term of two years. They shall remain on duty until they are reappointed or replaced.

Substitutes for each of the members sitting on the committee shall be appointed in accordance with the provisions of the first paragraph.

The Bureau of the Order may, after consulting the Bureau of the Collège des médecins, designate one or more experts to assist the examination committee.

12. The examination committee shall determine the orientations related to the development of the content of the specialty examination, approve the content of the specialty examination before each examination session, administer the examination and determine whether or not a nurse has passed the specialty examination.

13. Examination sessions shall be held at least one per year, on the date and at the time and location determined by the Bureau of the Order.

14. To sit the specialty examination, a nurse must register at least 2 months prior to the date set for the examination session and pay the required fees.

15. A nurse may sit the specialty examination in French or English.

16. The Bureau of the Order shall send the nurse her examination results in writing.

17. Registration under false pretenses, fraud, plagiarism, participation in fraud or plagiarism or attempted fraud or plagiarism with respect to a specialty examination shall result in failure of the specialty examination, by decision of the Bureau of the Order. Within 15 days of its decision, the Bureau must notify the nurse of this decision in writing.

A nurse who fails the specialty examination for one of the reasons set out in the first paragraph may request a review of the decision rendered by the Order Bureau, provided that she files a written request with the Order secretary within 30 days of receipt of such decision.

At its first regular meeting following the date on which the request for review was received, the Bureau of the Order must examine this request. It must, before rendering a decision, allow the nurse to submit her comments at this meeting.

A nurse who wishes to attend the meeting in order to be heard must notify the secretary of the Order at least five days before the scheduled meeting date. The nurse may, however, submit her comments in writing to the secretary at any time before the scheduled meeting date.

The decision of the Bureau of the Order shall be final and must be sent to the nurse by registered mail within thirty days following the date of the meeting.

18. A nurse who fails the specialty examination may resit the examination 2 more times.

However, she may not sit a supplemental examination more than 3 years after the date set out in section 9 unless she proves to the Bureau of the Order that she has kept her knowledge up to date and maintained her professional skills.

The provisions regarding the specialty examination shall apply to the supplemental examination.

§3. *Request for review*

19. A nurse who fails the specialty examination may request a review of the examination committee's decision by the review committee if she believes that the cause of her failure involved a factor related to the examination procedure.

She must submit this request within 30 days following the date on which the examination results were received, and pay the required fee.

20. The review committee shall be composed of two members appointed by the Bureau of the Order and one member appointed by the Bureau of the Collège des médecins.

21. Review committee decisions shall be rendered by a majority of members.

22. Within 30 days of receipt of the request for review, the review committee may render one or several of the following decisions :

(1) refuse the request for review ;

(2) cancel the nurse's specialty examination and authorize her to sit a new specialty examination, at no additional cost, on a date set by the secretary of the Order, which will not be considered a supplemental examination within the meaning of section 18, and, as required, change the composition of the examination committee for that examination.

The Bureau of the Order shall notify the nurse of the review committee's decision, and this decision shall be final.

DIVISION IV DIPLOMA EQUIVALENCE GRANTING ACCESS TO A SPECIALIST'S CERTIFICATE

§1. *Diploma equivalence standards*

23. A nurse holding a diploma in a specialty set out in section 3, issued by an educational institution outside Quebec, shall be granted diploma equivalence for purposes of issuing a specialist's certificate under the following conditions :

(1) she has completed, over the 5 years preceding her registration in a graduate program in the specialty concerned, the prerequisite number of hours, related to the training program, stipulated in Schedule I, in the care units specified ;

(2) she obtained her diploma after completing university studies meeting the graduate-level training requirements set out in Schedule I, in the specialty concerned.

“Diploma equivalence” means recognition, by the Bureau of the Order, that a diploma issued by an educational institution located outside Quebec attests that the level of knowledge and skill of the nurse or holder of such diploma is equivalent to that acquired by the holder of a diploma recognized by government regulation, pursuant to section 184 of the Professional Code, and granting access to a specialist’s certificate issued by the Order.

24. Section 23 notwithstanding, if the diploma that is the subject of an application for equivalence was obtained more than 3 years before such application and the knowledge to which it attests no longer corresponds, given the developments within the profession, to the knowledge currently taught in a graduate training program leading to a diploma granting access to a specialist’s certificate issued by the Order, the nurse shall be granted training equivalence in accordance with sections 25 and 26, provided she has acquired, since she earned her diploma, the required level of knowledge and skill.

§2. *Training equivalence standards*

25. A nurse shall obtain training equivalence for purposes of issuing a specialist’s certificate if she possesses a level of knowledge and skill equivalent to that acquired by the holder of a diploma granting access to a specialist’s certificate issued by the Order, acquired via a minimum of 3,360 hours of work experience, performed over the 5 years preceding her application for equivalence, in one of the care units stipulated in subparagraph (1) of sections 1 to 3 of Schedule I.

The term “training equivalence” means the recognition, by the Bureau of the Order, that a nurse’s training proves she has acquired a level of knowledge and skill equivalent to that acquired by the holder of a diploma recognized by government regulation, pursuant to section 184 of the Professional Code, as granting access to a specialist’s certificate issued by the Order.

26. As part of the evaluation of the training submitted in support of a training equivalence application, the Bureau of the Order shall take the following factors into consideration:

- (1) the nature and duration of the nurse’s experience;
- (2) the nature and content of the courses taken;
- (3) clinical training;
- (4) total number of years of schooling;
- (5) the fact that the nurse holds one or several diplomas.

§3. *Diploma or training equivalence recognition procedure*

27. Nurses who must have a diploma or training recognized as equivalent for purposes of obtaining a specialist’s certificate issued by the Order must submit an application, pay the required fees and enclose the following documents, as the case may be:

(1) a certified, true copy of their specialized nurse practitioner diploma or certificate issued outside Quebec, legally authorizing them to practice in the specialty concerned;

(2) an attestation, supported by letters of reference from medical authorities and nurses concerned, indicating that they are practicing or have practiced the equivalent specialty competently;

(3) proof that they are in good standing with the competent authority in the location where they practice the equivalent specialty;

(4) an attestation indicating that they have completed their graduate nurse practitioner training in an equivalent specialty outside Quebec, including a description of the training completed, theory courses taken, clinical training periods served, duration of clinical training periods, and proof that they were completed successfully;

(5) reports on clinical training periods served as part of the graduate program, signed by the competent authorities of the universities with which the training sites are affiliated;

(6) an attestation describing their clinical nursing experience, acquired in the specialty concerned;

(7) attestations of ongoing training in the specialty concerned, received over the past 3 years.

(8) all diplomas they hold, as well as any documents related to other factors that the Bureau may take into consideration pursuant to section 26.

Documents submitted in support of an application for diploma or training equivalence that are written in a language other than French or English must be accompanied by a French or English translation. Such translation must be certified by the certified translator who translated the document.

28. The record of the nurse who applies for equivalence recognition shall be forwarded to the equivalence eligibility committee, which shall study it and make recommendations to the Bureau of the Order.

29. The equivalence eligibility committee shall be composed of 3 representatives appointed by the Bureau of the Order and 2 representatives appointed by the Bureau of the Collège des médecins. The committee members shall sit on this committee until they are replaced.

The recommendations of the committee shall be formulated by the majority of members, including one representative appointed by the Collège des médecins.

30. At its first meeting after the recommendation of the equivalence eligibility committee has been issued, the Bureau of the Order shall decide whether it will grant or refuse to grant the diploma or training equivalence requested and shall notify the nurse, in writing, within 15 days following the date on which it renders its decision.

Should the Bureau of the Order refuse to grant equivalence, it must, on the same occasion, inform the nurse, in writing, of the conditions she must meet in order to obtain such equivalence.

31. A nurse who is notified that the Bureau of the Order has decided not to grant equivalence may request a review of the decision, provided that she submits a request in writing to the secretary of the Order within 30 days of receipt of the decision.

The Bureau of the Order must, at its first regular meeting following the date on which such request was received, examine the request for review. It must, before rendering a decision, allow the nurse to submit her comments at this meeting.

A nurse who wishes to attend the meeting in order to be heard must notify the secretary of the Order at least five days prior to the scheduled meeting date. The nurse may, however, submit comments in writing to the secretary at any time before the scheduled meeting date.

The decision of the Bureau of the Order shall be final and must be sent to the nurse by registered mail within thirty days of the date on which the meeting took place.

32. This regulation shall come into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

SCHEDULE I

(s. 23 and 25)

1. Nurse practitioner specializing in neonatology :

(1) Training program prerequisites :

3,360 hours in a neonatal intensive care unit ;

(2) Graduate program including 15 shifts of clinical duty, of at least 8 hours each, supervised by a neonatologist, and 1,490 hours as follows :

(a) 510 hours of theory courses, including :

Branch : Nursing Science

- i. 45 hours in research and statistics ;
- ii. 45 hours in ethics and legal aspects ;
- iii. 45 hours in theoretical bases of nursing science ;
- iv. 45 hours in the role of the specialized nurse practitioner ;
- v. 45 hours in intervention with families ;

Branch : Medical Science

- i. 45 hours in advanced general physiopathology and 90 hours in the physiopathology of neonatology ;
- ii. 30 hours in advanced general pharmacology and 45 hours in pharmacology related to neonatology ;
- iii. 75 hours in advanced clinical assessment in neonatology and therapeutic intervention, including full physical examination, diagnostic tests and interpretation of results ;

(b) 980 hours of clinical training, including :

- i. 600 hours in intensive care, including the delivery room, prenatal consultation, and transportation ;
- ii. 300 hours in intermediate neonatal care ;
- iii. 80 hours in an ambulatory care clinic ;

2. Nurse practitioner specializing in nephrology :

(1) Training program prerequisites :

3,360 hours in a nephrology or adult critical care unit ;

(2) Graduate program of 1,465 hours as follows :

(a) 555 hours of theory courses, including :

Branch: Nursing Science

- i. 45 hours in research and statistics;
- ii. 45 hours in ethics and legal aspects;
- iii. 45 hours in theoretical bases of nursing science;
- iv. 45 hours in the role of the specialized nurse practitioner;
- v. 45 hours in intervention with families;

Branch: Medical Science

- i. 75 hours in advanced general physiopathology and 90 hours in the physiopathology of nephrology;
 - ii. 45 hours in advanced general pharmacology and 45 hours in pharmacology related to nephrology;
 - iii. 75 hours in advanced clinical assessment in nephrology and therapeutic intervention, including full physical examination, diagnostic tests and interpretation of results;
- (b) 910 hours of clinical training, including:
- i. 105 hours in predialysis;
 - ii. 105 hours in peritoneal dialysis;
 - iii. 175 hours in hemodialysis;
 - iv. 175 hours in kidney transplantation;
 - v. 350 hours in a clinical field or fields in which the nurse practitioner specializing in nephrology practices.

3. Nurse practitioner specializing in cardiology:

- (1) Training program prerequisites:
3,360 hours in a cardiology or cardiac surgery unit, intensive care or emergency;
- (2) Graduate program of 1,535 hours as follows:
- (a) 555 hours of theory courses, including:

Branch: Nursing Science

- i. 45 hours in research and statistics;
- ii. 45 hours in ethics and legal aspects;

- iii. 45 hours in theoretical bases of nursing science;
- iv. 45 hours in the role of the specialized nurse practitioner;
- v. 45 hours in intervention with families;

Branch: Medical Science

- i. 75 hours in advanced general physiopathology and 90 hours in the physiopathology of cardiology;
 - ii. 45 hours in advanced general pharmacology and 45 hours in pharmacology related to cardiology;
 - iii. 75 hours in advanced clinical assessment in cardiology and therapeutic intervention, including full physical examination, diagnostic tests and interpretation of results;
- (b) 980 hours of clinical training:
- i. 210 hours in ambulatory care;
 - ii. 70 hours in coronary or cardiac surgery intensive care;
 - iii. 245 hours in a medical cardiology unit;
 - iv. 105 hours in rhythmology;
 - v. 140 hours performing consultations;
 - vi. 140 hours in a cardiac surgical unit;
 - vii. 70 hours in hemodynamics.

6809

Draft Regulation

Securities Act
(R.S.Q., c. V-1.1 ; 2004, c. 37)

**Securities
— Amendments**

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 Securities Regulation, appearing below, was made by the Autorité des marchés financiers on 12 April 2005 and may be submitted to the Government for approval with or without amendment on the expiry of 45 days following this publication.