

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 sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 21 July 2004, 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;

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 dispensing opticians, 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 dispensing opticians*

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

1. The Code of ethics of dispensing opticians is amended by inserting the following after section 3.06.07:

“**3.06.08.** A dispensing optician who, pursuant to the third paragraph of section 60.4 of the Professional Code (R.S.Q., c. C-26), communicates information protected by professional secrecy to prevent an act of violence must

(1) communicate the information immediately to the person exposed to the danger, to that person’s representative, and to the persons who can come to that person’s aid;

* The Code of ethics of dispensing opticians (Decision of 9 February 1983, (1983, *G.O.* 2, 1945) was last amended by the regulation approved by Order in Council 1071-95 dated 9 August 1995 (1995, *G.O.* 2, 2678). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

(2) enter the following in the client’s record:

(a) the date and time of the communication;

(b) the nature of the information communicated;

(c) the identity of the person exposed to the danger;

(d) the identity of the person who communicated the information;

(e) the identity of the person to whom the information was communicated; and

(f) the date on which the dispensing optician gave a notice to the syndic; and

(3) as soon as possible, send the syndic a written notice of the communication that includes the reasons supporting the decision to communicate the information and the date and time it was communicated.”

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

6911

Gouvernement du Québec

O.C. 579-2005, 15 June 2005

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

Nurses

— Code of ethics
— Amendments

Regulation to amend the Code of ethics of nurses

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 professional’s 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 pursuant to the third paragraph of section 60.4 of the Code;

WHEREAS, in accordance with section 87 of the Professional Code, the Bureau of the Ordre des infirmières et des infirmiers du Québec made the Regulation to amend the Code of ethics of nurses;

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 its adoption by the Bureau;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 26 November 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 Office des professions du Québec received one comment following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec 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 nurses, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of nurses*

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

1. The Code of ethics of nurses is amended by inserting, after section 7, the following sections:

“**7.1** A nurse may not undertake or collaborate in any project involving research on humans that has not been approved by a research ethics committee formed or designated by the Minister of Health and Social Services or by another research ethics committee that respects

recognized standards in matters of research ethics, particularly in regard to the composition of the committee and the methods by which it operates.

7.2 A nurse who undertakes or collaborates in research must advise the research ethics committee or another appropriate authority where the research or the manner in which it is being conducted appears not to conform to generally recognized scientific principles and ethical standards.

7.3 A nurse must refuse to collaborate or cease collaborating in any research activity where the risks to the health of subjects appear disproportionate having regard to the advantages that they stand to derive from the research or, if applicable, the advantages that they could derive from the usual care.”

2. Section 14 of the said code is amended by inserting, in the part preceding paragraph (1), after “file”, “, research record”.

3. The said code is amended by inserting, after section 14, the following section:

“**14.1** A nurse must not knowingly conceal from the persons or authorities concerned the negative findings of any research in which she or he has collaborated.”

4. The said code is amended by inserting, after section 15, the following section:

“**15.1** When informing the public of a new method of care or a treatment which has not been sufficiently tested, a nurse must mention that fact and express the appropriate caution.”

5. Section 22 of the said code is amended:

(1) by replacing “pressing” with “insistent”;

(2) by adding, at the end, “or to collaborate in any research”.

6. Section 23 of the said code is amended by adding, at the end of paragraphs (2) and (3), “or her or his research activities”.

7. The said code is amended by inserting, after section 24, the following section:

“**24.1** A nurse who undertakes or collaborates in research must declare her or his interest and disclose any apparent or potential conflict of interest to the research ethics committee.”

* The Code of ethics of nurses was approved by Order in Council Number 1513-2002 of December 18, 2002 (2003 *G.O.* 2, 64). The said regulation has not been amended since that date.

8. The said code is amended by inserting, after section 31, the following section:

“**31.1** A nurse who, in accordance with the third paragraph of section 60.4 of the Professional Code, communicates information that is protected by professional secrecy, shall enter the following in the client’s record:

(1) the reasons supporting the decision to communicate the information, including the identity of the person who caused the nurse to communicate the information and the identity of the person or group of persons exposed to the danger;

(2) the elements of the communication including the date and time of the communication, the content of the communication, the mode of communication used and the identity of the person to whom the communication was made.”.

9. The said code is amended by inserting, after section 41, the following section:

“**41.1** In connection with any research, a nurse must, in regard to each of the research subjects or their legal representative, ensure:

(1) that the subject is informed of the research project’s objectives and the manner in which it will be conducted, the advantages, risks or disadvantages for him, and the advantages provided by the usual care, if applicable;

(2) that a free and enlightened consent is obtained in writing from the subject before he begins participating in the research or when there is any significant change in the research protocol;

(3) that the research subject is informed that his consent is revocable at any time.”.

10. Section 44 of the said code is amended by inserting, in the part preceding paragraph (1), after “treatment provided to the client”, “or to the research subject”.

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

6905

Gouvernement du Québec

O.C. 580-2005, 15 June 2005

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

Dentists

— Code of ethics — Amendment

Regulation to amend the Code of ethics of dentists

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 professional’s 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 pursuant to the third paragraph of section 60.4 of the Code;

WHEREAS, in accordance with section 87 of the Professional Code, the Bureau of the Ordre professionnel des dentistes du Québec made the Regulation to amend the Code of ethics of dentists;

WHEREAS, pursuant to 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 it was made by the Bureau;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 21 July 2004, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office des professions du Québec received no comments 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;