

Any person interested in making comments on this subject is asked to submit them in writing, before the expiry of this time period, to Mr. Roland Longchamps, Vice-President of Finance, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2.

RÉAL BISSON,
*Interim Chairman of the Board
and Chief Executive Officer
of the Commission de la santé
et de la sécurité du travail*

Regulation amending the Regulation respecting the classification of employers, the statement of wages and the rates of assessment*

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st para., subpara. 8.1)

1. The Regulation respecting the classification of employers, the statement of wages and the rates of assessment is amended by replacing, in Schedule 2, the rate of “0.08”, pertaining to the financing of the joint sector-based association of the clothing industries sector, with the rate of “0.06”.

2. This Regulation shall enter into force on the day of its publication in the *Gazette officielle du Québec* and is applicable to the 2007 assessment year.

7910

Draft Regulation

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Medical aid — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and the first paragraph of section 455 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), that the Regulation to amend the Regulation respecting medical aid, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval on the expiry of 45 days following this publication.

The following principles in the Act respecting industrial accidents and occupational diseases are maintained, namely: the worker may choose the physician; the worker’s physician prescribes and coordinates all treatments; the Commission is bound by the opinion of the worker’s physician, and the cost of medical aid is assumed by the Commission.

The purpose of the draft Regulation is to amend certain rules relating to the payment of physiotherapy and occupational therapy treatments and to that end, a new rate is proposed.

The requirement of a minimum seven-day waiting period and at least three treatment sessions per week is eliminated, as is the “reduced rate” which is no longer relevant under the new rules.

The addition of new guidelines is proposed, in particular to require that a reasoned opinion be obtained from a worker’s physician not later than eight weeks or 30 treatments after the date on which the worker begins treatment with the member of the Ordre de la physiothérapie or the occupational therapist, in excess of which payments will not be made without a reasoned opinion from the worker’s physician. The guidelines seek to encourage the prevention of chronicity by providing the physician with an opportunity to revise his or her treatment plan.

Amendments are proposed to Schedule III regarding the information to be given in reports.

The draft Regulation also contains certain terminology-related amendments.

* The latest amendments to the Regulation respecting the classification of employers, the statement of wages and the rates of assessment adopted by the Commission de la santé et de la sécurité du travail by its resolution A-73-97 of October 16, 1997 (1997, *G.O.* 2, 6847) were made by the Regulation amending the Regulation respecting the classification of employers, the statement of wages and the rates of assessment adopted by the Commission by its resolution A-61-06 of September 21, 2006 (2006, *G.O.* 3105). For the previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec 2006, up-to-date as of September 1, 2006.

To date, study of the matter has shown little impact on small and medium-sized businesses.

Further information may be obtained by contacting Danielle Dumas, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, Montréal (Québec) H3B 3J1; telephone: 514 906-3006; fax: 514 906-3005.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Guylaine Rioux, Vice-president, Liaison with Partners and Consultancy, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, Montréal (Québec) H3B 3J1.

RÉAL BISSON,
*Interim Chair of the Board of Directors and
Chief Executive Officer of the Commission de la
santé et de la sécurité du travail*

Regulation to amend the Regulation respecting medical aid*

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 189, par. 5 and s. 454,
1st par., subpar. 3.1)

1. Section 1 of the Regulation respecting medical aid is amended

(1) by replacing the definition of “health worker” by the following:

““health worker” means a natural person, other than a health professional within the meaning of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), entered on the roll of a professional order governed by the Professional Code (R.S.Q., c. C-26) and working in the field of health care; (*intervenant en santé*)”;

(2) by striking out the definition of “physical rehabilitation therapist”.

2. Section 3 is amended

(1) by replacing “l’ordonnance” in the French text of the second paragraph by “la prescription”;

(2) by striking out the last paragraph.

* The Regulation respecting medical aid, approved by Order in Council 288-93 dated 3 March 1993 (1993, *G.O.* 2, 963), was last amended by the regulation approved by Order in Council 561-94 dated 20 April 1994 (1994, *G.O.* 2, 1502).

3. Section 6 is amended by replacing “Public Health Protection Act (R.S.Q., c. P-35)” in the second paragraph by “Act respecting medical laboratories, organ, tissue, gamete and embryo conservation, and the disposal of human bodies (R.S.Q., c. L-0.2)”.

4. Section 8 is amended by replacing “and of the supplies that he uses” at the end by “, of the supplies used by the health worker and of ancillary costs.”.

5. Section 12 is revoked.

6. Section 13 is replaced by the following:

“**13.** The Commission shall assume the cost of physiotherapy and occupational therapy treatment administered by a member entered on the roll of the Ordre professionnel de la physiothérapie du Québec or by an occupational therapist entered on the roll of the Ordre professionnel des ergothérapeutes du Québec.”.

7. Section 14 is replaced by the following:

“**14.** The Commission shall pay the amounts in Schedule I for physiotherapy and occupational therapy treatment if the Commission and the physician in charge of the worker have received from the member of the Ordre professionnel de la physiothérapie du Québec or from the occupational therapist, for each worker, an initial report, a treatment termination report or, where required, a progress report for each 21-day period of treatment.”.

8. Section 15 is replaced by the following:

“**15.** A report referred to in section 14 must contain the information prescribed in Schedule III and be signed by the member of the Ordre professionnel de la physiothérapie du Québec or by the occupational therapist who personally administered the treatment.”.

9. Section 16 is replaced by the following:

“**16.** Despite section 14, no treatment administered shall be paid after the end of the following periods, whichever ends earlier:

(1) a period of 8 weeks from the date of taking charge by the health worker referred to in section 13, unless the health worker obtains from the physician in charge of the worker a reasoned opinion in writing to continue the treatment, giving an assessment of the worker’s functional status, and the opinion is sent by the health worker to the Commission;

(2) a treatment period in which 30 physiotherapy treatments or 30 occupational therapy treatments are administered after the taking charge, unless the health worker obtains the reasoned opinion in writing referred to in subparagraph 1 and the opinion is sent by the health worker to the Commission.

For the purposes of this section, a subsequent prescription from the same or another physician and the taking charge by another health worker referred to in section 13 does not operate to extend the periods referred to in this section unless the health worker obtains the reasoned opinion in writing referred to in subparagraph 1 and the opinion is sent by the health worker to the Commission. A single reasoned opinion in writing, duly completed, must be obtained and sent in accordance with this section within the abovementioned periods, in which case no other opinion is required.”.

10. Schedule I is amended

(1) by replacing “Regular rate” by “Rate”;

(2) by striking out the column “Reduced rate” and the amounts relating thereto;

(3) by replacing

“Occupational therapy

Individual treatment, per session	\$32.00
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Group treatment, per session	\$19.00”
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by

“Occupational therapy

Individual treatment, per session	\$35.00
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Group treatment, per session	\$21.00”;
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(4) by replacing

“Physiotherapy

Individual treatment, per session	\$32.00
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Group treatment, per session	\$19.00”
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by

“Physiotherapy

Individual treatment, per session	\$35.00
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Group treatment, per session	\$21.00”.
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11. Schedule III is replaced by the following:

“SCHEDULE III

(s. 15)

REPORT CONTENT

1. An initial report, a progress report and a treatment termination report must contain

(1) the worker’s name, health insurance number, telephone number and address;

(2) the name and number of the member of the professional order;

(3) the name, telephone number and services dispenser number or, where applicable, the group number;

(4) the signature of the member of the professional order who personally administered treatment and the date of the signature;

(5) the name of the physician in charge of the worker and number assigned to the physician by the professional order or, if there is a change of physician, the name of the new physician and number assigned to the new physician by the professional order;

(6) the date of the employment injury and, where applicable, the date of any relapse, reoccurrence or aggravation;

(7) the diagnosis by the physician in charge of the worker;

(8) the date of the prescription for treatment;

(9) an indication of any former referral or treatment in physiotherapy or occupational therapy in the case of the initial report;

(10) the date of the beginning of treatment;

(11) the frequency of treatment;

(12) an indication, where applicable, as to whether the treatment is for maintenance, for verification or for a special approach or whether there is a contraindication for the continuation of treatment; and

(13) the worker’s attendance record stating the dates of treatment administered and the dates of the worker’s absences for treatment, where applicable, except in the case of an initial report.

2. An initial report and a treatment termination report must also contain

(1) the date of taking charge and initial evaluation in the case of an initial report;

(2) the problems, goals and treatment plan in the case of an initial report; and

(3) in the case of a treatment termination report, the date of completion of treatment and, where applicable, the date of release from the physician in charge of the worker, as well as an evaluation of the worker's condition upon the termination of treatment.

3. A progress report must contain, in addition to the information required by section 1,

(1) an evaluation of the worker's subjective and objective signs;

(2) an analysis of the worker's problems and the treatment plan;

(3) the changes in the worker's condition;

(4) the reasons for and the date of any suspension of treatment; and

(5) the planned duration of any further treatment.”.

12. The cost of physiotherapy and occupational therapy treatment administered before the date of coming into force of this Regulation is to be paid by the Commission according to the rules applicable at the time the treatment was administered.

13. Where physiotherapy or occupational therapy treatment is pursuant to a prescription issued before the date of coming into force of this Regulation, section 16 of the Regulation respecting medical aid, as amended by section 9 of this Regulation, does not apply even if the treatment is administered after that date, unless the physician in charge of the worker again prescribes such treatment after that date.

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

7933

Draft Regulation

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

Midwives

— Diploma and training equivalence standards for the issue of permits

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 diploma and training equivalence standards for the issue of permits by the Ordre des sages-femmes du Québec, made by the Bureau of the Ordre des sages-femmes du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The Regulation, pursuant to paragraph *c* of section 93 of the Professional Code, clarifies the equivalence standards to be applied to diplomas from educational institutions outside Québec so that a permit may be issued by the Ordre des sages-femmes du Québec, as well as the equivalence standards that apply to the training of a person who does not hold a permit required.

The Regulation also determines, pursuant to paragraph *c.1* of section 93 of the Professional Code, an equivalence recognition procedure providing that a decision must be reviewed by persons other than the persons who made it. This new regulatory power was created by the Act to amend the Professional Code as regards the issue of permits (2006, c. 20), assented to on 14 June 2006.

The Order considers that the Regulation will have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Raymonde Gagnon, Chair and Director General, Ordre des sages-femmes du Québec, 430, rue Sainte-Hélène, bureau 405, Montréal (Québec) H2Y 2K7; telephone: 514 286-1313; fax: 514 286-0008.

Any person having comments to make is asked to send them to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3, before the expiry of the 45-day period. The comments will be forwarded by the Office to the Minister responsible for the administration of