

Draft Regulation

Medical Act
(R.S.Q., c. M-9)

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

Physicians

— Activities contemplated in section 31 of the Medical Act which may be performed by classes of persons other than physicians

— 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 amending the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be performed by classes of persons other than physicians”, adopted by the Bureau of the Collège des médecins du Québec, may be submitted to the Government, which may approve it with or without amendment, upon the expiry of 45 days following this publication.

In accordance with the second paragraph of section 19 of the Medical Act (R.S.Q., c. M-9), the “Office des professions du Québec” and the “Ordre des infirmières et infirmiers du Québec” were consulted prior to the adoption of the Regulation by the Bureau of the Collège.

The purpose of this Regulation is to authorize a specialized nurse practitioner in primary care to perform certain medical activities in compliance with the provisions of Section 36.1 of the Quebec Nurses Act (R.S.Q., c. I-8) and to prescribe the conditions for performing these activities. Authorization to perform the activities contemplated in this regulation is conditional to a nurse obtaining a specialist’s certificate in accordance with the provisions of the Ordre des infirmières et infirmiers du Québec’s regulation pursuant to subparagraph *f* of section 14 of the Nurses Act.

The Collège does not expect these amendments to have any impact on businesses, including small to medium-sized businesses.

Further information may be obtained by contacting, M^e Linda Bélanger in the Legal Services Division, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; telephone number: 514 933-4441, extension 5362, facsimile number: 514 933-3276, e-mail: lbelanger@cmq.org

Any person having comments to make on the following text is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des profes-

sions du Québec, 800, place D’Youville, 10^e étage, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that has adopted the Regulation, namely the Collège des médecins du Québec, as well as to interested persons, ministries and organizations.

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

Regulation amending the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians*

Medical Act
(R.S.Q., c. M-9, s. 19, 1st par., subpar *b*)

Professional Code
(R.S.Q., c. C-26, s. 94.1)

1. Section 2 of the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians is amended by deleting in subparagraph (1) of the second paragraph the words “have completed”;

2. Section 6 of this Regulation is amended by inserting in subparagraph (2) after the word “provisions” of “of Division II”;

3. Section 7 of this Regulation is amended by inserting in subparagraph (2) after the word “provisions” of “of Division III”;

4. Section 8 of this Regulation is amended by inserting in subparagraph (2) after the word “with” of the words “the provisions of Division II”.

5. This Regulation is amended by inserting after section 8 the following subdivision:

* The Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged by classes of persons other than physicians was approved by Order in Council 996-2005 of October 26, 2005 (2005, *G.O.* 2, 6367). The regulation has not been amended since then.

“§2.1 *Terms and conditions for authorization of primary care*

8.1 A specialized nurse practitioner in primary care is authorized to engage in an activity stipulated in section 5, in primary care, under the following terms and conditions:

(1) he or she engages in that activity with an ambulatory clientele presenting a common health problem or a stable chronic disease;

(2) he or she engages in that activity in partnership with a family physician;

8.2 Within the meaning of this Division, the term “common health problem” means a health problem that presents the following characteristics:

(1) a relatively high incidence in the community;

(2) clinical symptoms and signs usually affecting a single system;

(3) an absence of deterioration in the general condition of the person;

(4) usually a quick and favorable course;

8.3 Within the meaning of this Division, “stable chronic disease” means a disease that has been the subject of a diagnosis by a physician and of a medical treatment plan giving the expected results.

8.4 Besides the terms and conditions prescribed in section 8.1, the specialized nurse practitioner in primary care engages in his or her activities under the following terms and conditions:

(1) he or she prescribes diagnostic examinations stipulated with Schedule I of this Regulation;

(2) he or she uses the following diagnostic techniques:

(a) pelvic examination;

(b) rectal touch;

(c) cervico-vaginal smear;

(d) radial arterial puncture;

(3) he or she prescribes medications and other substances in accordance with Schedule II of this Regulation and the provisions of Division II of the Règlement sur les normes relatives aux ordonnances faites par un médecin, adapted as required;

(4) he or she prescribes the following medical treatments:

(a) diet;

(b) cryotherapy, except on the face and internal genital organs;

(c) eye irrigation;

(d) fluorescein staining;

(e) irrigating ears;

(f) represcription of oxygenotherapy;

(g) peripheral venous access;

(h) cleansing enema;

(i) bladder catheterization;

(j) nasogastric tube;

(5) he or she uses the following medical techniques or applies the following medical treatments:

(a) suture a wound, except below the fascia or in the presence of underlying lesions;

(b) incise and drain an abscess above the fascia;

(c) install a esophageal tracheal double cannula airway device.

8.5 The specialized nurse practitioner in primary care must request the intervention of the partner physician:

(1) when his or her evaluation does not allow the clear identification of the common health problem when the criteria to initiate the medical treatment are not clear or they exceed the skills of the specialized nurse practitioner in primary care, specifically in the presence of one of the following factors:

(a) a persistent or recurrent sign or symptom to which no cause can be assigned;

(b) a sign, a symptom or a result of medical imaging or laboratory analyses suggesting the presence of an undiagnosed chronic or systemic disease;

(c) the symptoms or the analyses results demonstrating the decline or alteration of the function of an organ or a system;

(d) a sign of a recurrent or persistent infection;

(e) an atypical manifestation of a common disease or an unusual reaction to treatment;

(f) a sign or a symptom of change of behavior which cannot be attributed to a specific cause.

(2) when he or she notes that the growth or development of a newborn, an infant or a child is abnormal or observes the presence of a sign or a symptom of disease in the newborn or the infant of three months old or less other than thrush, seborrheic dermatitis, diaper rash or tear duct obstruction;

(3) when there is a suspicion of abuse or in the presence of a sign of abuse or a symptom of a sexually transmitted infection in a child;

(4) when a chronic condition becomes worse, especially in the presence of one of the following factors:

(a) the symptoms or the results of laboratory analyses indicating deterioration of a patient;

(b) the unexpected deterioration of the condition of a patient already treated for a diagnosed disease.

(5) when the situation imperils the life or the physical or mental integrity of a person.

Further to the intervention of the partner physician, he or she may continue the practice of the activities stipulated in section 8.4 within the limits of the medical treatment plan determined by this physician.”

6. Section 9 of this Regulation is amended by:

(1) replacing in the second subparagraph of the following: “in subdivision 2” by the following: “in subdivisions 2 and 3”;

(2) inserting in paragraph (1) of the second subparagraph, after the word “specialist” of the following: “of the specialty contemplated or of a family physician as appropriate.”

7. Section 10 of this Regulation is amended by:

(1) replacing in the second subparagraph of the following: “in subdivision 2” by the following: “in subdivisions 2 and 3”;

(2) inserting in paragraph (1) of the second subparagraph, after the word “specialist” of the following: “of the specialty contemplated or of a family physician as appropriate.”

8. This Regulation is amended by adding, at the end, the following Schedules:

“**SCHEDULE I**
(s. 8.4, par. (1))

I. RADIOLOGICAL EXAMINATIONS

Head and neck

Mandibula
Nasal bone

Chest

Lungs
Thorax (rib cage)

Spine

Cervical spine
Dorsal spine
Lumbosacral spine

Upper limbs

Scapula
Shoulder
Clavicle
Humerus
Elbow
Fore arm
Wrist
Hand
Fingers

Lower limbs

Hip
Femur
Knee and patella
Leg
Ankle
Foot
Toes

Abdomen

Abdomen

Miscellaneous

Mammography
Osteodensitometry

II. ULTRASOUND EXAMINATIONS

Breast (thorax)

Breast ultrasonography as part of an abnormal screening mammogram

Abdomen

Abdominal ultrasound
Pelvic ultrasound

Obstetrics

Obstetrical ultrasound

Genital organs

Ultrasound, scrotum

Doppler exploration

Peripheral venous Doppler

III. OTHER DIAGNOSTIC TESTS

Resting electrocardiogram
Pulmonary function tests (spirometry, peak expiratory flow, FEV1)
Ambulatory monitoring of blood pressure (ABPM)

IV. MICROBIOLOGY**Specimens**

- for flu
- for herpes simplex

Cultures

- Expectorations
- Throat
- Urine
- Cervical
- Urethral
- Stools
- Purulent discharge
- Fungus

Testing

- for C. Difficile
- for BK in expectoration (tuberculosis)
- for pinworms
- for parasites in stools

Fresh vaginal state**V. BIOCHEMISTRY / BLOOD**

- Amylase
- Bilirubin, direct and total
- Chlorides
- Creatine phosphor-kinase (CPK)
- Creatinine
- Assays of phenobarbital, lithium, carbamazepine, theophylline, digoxin, dilantin, valproic acid
- Hormonal assays:
 - Follicle-stimulating hormone (FSH)
 - Luteinizing hormone (LH)
 - Thyrotropic hormone (TSH)

• Vitamin assays:

- Vitamin B12
- Folic acid
- Gamma glutamyl transferase (GGT)
- Glycaemia
- Orally provoked hyperglycemia
- Glycated haemoglobin HbA1c
- Iron binding capacity
- Iron, ferritin
- Lactose tolerance test
- Presence of lead in the blood
- Lipase
- Lipid check-up
- Arterial and capillary gas
- Alkaline phosphatase
- Phosphorous
- Electrolytes
- Total protein
- Prealbumin and albumin
- Transaminase
- Uric acid
- Sweat test
- Street and date-rape drugs and blood alcohol level testing
- Occult blood in stools
- β hCG (qualitative)

VI. BIOCHEMISTRY / URINE

- Urinalysis
- Microalbuminuria on urination or 24-hour urine collection
- Pregnancy test
- 24-hour creatinine clearance
- Street and date-rape drugs
- Enzyme technique testing:
 - Chlamydia
 - Gonorrhoea

VII. CYTOLOGY

- Cervico-vaginal smear
- Spermogram
- Test for sperm, post-vasectomy or in vaginal fluid

VIII. HEMATOLOGY

- Haemogram
- Coagulogram
- Prothrombin time (PT – RNI)
- Activated partial thrombin time (PPT or APPT)
- Reticulocytes count
- Sedimentation rate
- Blood group determination (crossmatch test)

IX. SEROLOGY

- Hepatitis A, B, C antigens or antibodies
- Elisa syphilis test
- Non-syphilis test: VDRL
- HIV antibody
- Herpes and chlamydia by immunofluorescence method
- C-reactive protein excluding ultrasensitive
- Mono test

X. ANTENATAL SCREENING

- Anticytomegalovirus antibody
- Toxoplasmosis antibody
- B-19 parvovirus
- Rubella antibody
- Anti-varicella antibody
- Alpha-fetoprotein, estradiol

SCHEDULE II

(s. 8.4, subpar (3))

LIST OF CLASSES OF MEDICATION THAT THE NURSE PRACTITIONER SPECIALIZED IN PRIMARY CARE CAN PRESCRIBE OR PRESCRIBE WITH RESTRICTIONS

Specifications

P	Can be prescribed, renewed or halted unless there is a limit indicated.
R	Can be prescribed according to the original dose to maintain treatment, provided that the medication in question has already been prescribed for the patient by the partner physician (renewal). Maximum duration of six months.
A	Can be prescribed as dose adjustment provided that the drug in question had been prescribed for the patient by the partner physician and the physician has established a medical treatment plan (as part of joint follow-up).

		Specifications
4: 00	Antihistamines	P
8: 00	Anti-infective agents	Orally only
8: 08	Mebendazole	P
8: 12.04	Fluconazole (single-dose)	P
	Nystatin	P
8: 12.06	Cephalosporins	P
8: 12.12	Macrolides	P

		Specifications
8: 12.16	Penicillins	P
8: 12.24	Tetracyclines	P
8: 12.28	Clindamycins	P
8: 16	Antituberculosis agents	R
8: 18	Antivirals	P (7 days or less)
8: 20	Antimalarial agents	P (for prevention)
8: 22	Ciprofloxacin	P (5 days or less)
	Norfloxacin	P (5 days or less)
8: 24	Sulphonamides	R
8: 36	Urinary anti-infectives	P
8: 40	Pediazole	P
	Metronidazole	P
	Trimethoprim	P
	Trimethoprim/Sulfamethoxazole	P
10: 00	Antineoplastic agents	
	Amethopterin as antirheumatic	R
	Tamoxifen	R
12: 00	Autonomic drugs	
12: 08.04	Antiparkinsonian agents	R
12: 08.08	Ipratropium (bromide)	R (aerosol)
12: 12	Sympathomimetic agents	
	Adrenaline	P (in an emergency)
	Self-injecting adrenalin	R
	Fenoterol	R
	Formoterol	R
	Salbutamol (sulfate)	P (14 days or less for 1 treatment) and R
	Salmeterol	R
	Terbutaline	R
12: 16	Sympatholytic agents	R
12: 92	Nicotine	P
20: 00	Blood formation and coagulation	
20: 04.04	Iron preparations	Orally only P (for 1 month)
20: 12.04	Anticoagulants	Orally only R and A

Specifications		
24: 00 Cardiovascular drugs		
24: 04.08	Hypotensive agents	R
24: 06.04	Bile acid sequestrants	R
24: 06.06	Fibrates	R
24: 06.08	HMG-COA reductase inhibitors	R and A
24: 06.92	Niacin	R
24: 08	Antihypertensives	R and A
24: 12.08	Nitrates and nitrites	R
24: 12.92	Various vasodilators	R
24: 20	Alpha-adrenergic blockers	R and A
24: 24	Beta-adrenergic blockers	R and A
24: 28	Calcium channel blockers	R and A
24: 32.04	Angiotensin-converting enzyme (ACE) inhibitors	R and A
24: 32.08	Angiotensin II receptor inhibitors	R and A
28: 00 Central nervous system agents		
28: 08.04	Non-steroid anti-inflammatory agents except: Celecoxib	P (14 days or less)
28: 08.08	Codeine	P (12 tablets only)
28: 08.92	Acetaminophens	P
28: 12.04	Phenobarbital	R (epilepsy)
28: 12.08	Benzodiazepines (Clobazam and Clonazepam)	R (epilepsy)
28: 12.12	Hydantoins	R
28: 12.92	Various anticonvulsants	R
28: 24.08	Benzodiazepines Lorazepam	R P (12 tablets only)
28: 24.92	Hydroxyzine (chlorhydrate)	P
28: 28	Lithium	R
28: 92	Various central nervous system medications	R

Specifications		
36: 00 Diagnostic agents		
36: 26	Diabetes mellitus Quantitative blood ketone reagent Quantitative blood glucose reagent	P P
36: 88	Urinalyses	P
40: 00 Electrolytic, caloric and water balance		
40: 12	Replacement preparations	P
40: 28	Diuretics	R and A
40: 28.10	Potassium-sparing diuretics	R
40: 36	Irrigation solution	P
48: 00 Antitussives, expectorants and mucolytic agents		
48: 24	Mucolytic agents	R
52: 00 Eye, ear, nose and throat preparations		
52: 04 EENT anti-bacterials		
52: 04.04	Antibiotics except: Chloramphenicol Gentamicin Tobramycin	P
52: 04.08	Sulfonamides	P
52: 04.12	Ciprofloxacin	Ofloxacin P P
52: 08	Anti-inflammatory agents except: ophthalmic unguent and drops	P
52: 16	Local anesthetics	P
52: 36	Sodium cromoglycate Ipratropium bromide Sodium chloride	P P P
56: 00 Gastrointestinal drugs		
56: 16	Digestants Lactase	P
56: 22	Anti-emetics Doxylamine	P

Specifications		
56: 40	Various gastro-intestinals except: Domperidone Esomeprazole Famotidine Misoprostol Omeprazole Pantoprazole sodium Ranitidine Sucralfate	R R R R R R R P (for breastfeeding)
68: 00 Hormones and synthetic substitutes		
68: 04	Adrenal corticosteroids	Aerosol only P (14 days or less)
68: 12	Contraceptives	P
68: 16.04	Estrogens	R and A
68: 16.12	Estrogen agonists - antagonists	R
68: 20.08	Insulins	R and A
68: 20.20	Sulfonylureas except: chlorpropamide	R and A
68: 20.92	Various anti-diabetic drugs	R and A
68: 24	Parathyroid agents	R
68: 32	Progestins except: Norethindrone (acetate) 5 mg Medroxyprogesterone (acetate) (Provera)	P R and A
68: 36.04	Thyroid agents except: Liothyronine sodium	R and A
84: 00 Skin and mucous membrane agents		
84: 04.04	Antibiotics	P
84: 04.08	Antifungals	P (14 days or less)
84: 04.12	Scabicides and pediculicides	P
84: 04.16	Other anti-infective agents	P

Specifications		
84: 06	Anti-inflammatory agents	P (medium and low strength)
84: 12	Astringents Aluminum acetate	P
84: 28	Keratolytic agents	P
84: 32	Keratoplastic agents except: zinc oxide	R P
84: 36	Various except: Fluorouracil	P
86: 00 Smooth muscle relaxants		
86: 12	Genitourinary	R
86: 16	Respiratory Aminophylline Theophylline	R R
88: 00 Vitamins		Orally only
88: 08	B vitamins except: Vitamin B12	P R including injectable)
88: 16	D vitamins	P
88: 28	Multivitamins A, D and C	P
92: 00 Unclassified therapeutic agents		
	Alendronate monosodium	R
	Alfuzosin	R
	Allopurinol	R
	Etidronate disodium / calcium	R
	Finasteride	R
	Risedronate sodium	R
	Tamsulosin	R
	Terazosine	R
	Local anesthetics	
	• Topical lidocaine-prilocaine (in various forms)	P
	• Lidocaine chlorhydrate with or without injectable epinephrine	P
	• Chlorhydrate tetracaine	P
	Intravenous solutions	P

EXCEPTION DRUGS

Generic name	Form of administration	Trade name	Code
1. Aluminum hydroxide	Tablet	Amphogel	P
2. Bisacodyl	Tablet and supp.	PMS – Bisacodyl	P
3. Capsaicine	Topical cream	Zoderm, Zostrix	P
4. Donepezil	Tablet	Aricept	R
5. Rivastigmine	Caps	Exelon	R
6. Galantamine	Caps and Tablet	Reminy IE	R
7. Memantine	Tablet	Ebixa	R
8. Estradiol	Skin patch	Estraderm Estradot Climara 25 Oesclim 25 Estalis	R and A
9. Ethinyl estradiol/ cyproterone	Tablet	Diane 35	P
10. Gliclazide	Tablet	Diamicron Gliclazide	R and A
11. Glimepiride	Tablet	Amaryl	R and A
12. Mineral oil		Lansoyl	P
13. Milk of magnesia			P
14. Metronidazole	Vaginal gel	Nidagel	P
15. Island dressings		Cutinova hydro Mepilex Border Versiva Combiderm ACD Tielle Plus	P
16. Alginate dressings	Rope Dressing	Melgisorb Algoderm Algisite M Nu-Derm Alginate Kaltostat Tegagen HI Curasorb 30 cm Seasorb Soft 44 cm Curasorb 60 cm Curasorb 90 cm	P
17. Activated charcoal dressing		Actisorb Silver	P
18. Sodium chloride dressing		Mesalt Curasalt	P

Generic name	Form of administration	Trade name	Code
19. Hydrocolloid dressing		Nu-Derm Hydrocolloïdal Com Feel Plus Clear Duo Derm CGF Tega Sorb Combiderm nonadhesive Ultec	P
20. Hydrofiber dressings		Aquacel hydrofiber Intrasite Gel Comformable	P
21. Hydrogel dressings		Curagel Nu-Gel	P
22. Iodized dressings		Iodosorb	P
23. Hydrophilic foam dressings		Allevyn Aquaflo Curafoam Hydrasorb Lyof foam Extra Mepilix Lite 3M foam adhesive dressing Tielle Biatain adhesive	P
24. Multilayer dressing		All dressings	P
25. Monobasic sodium phosphate	I/R	Fleet Fleet pediatric	P
26. Ploglitazone	Tablet	Actos	R and A
27. Micronized progesterone	Caps	Prometrium	R
28. Coaguchek PTS			P
29. Repaglinide	Tablet	Gluco Norm	R and A
30. Rosiglitazone	Tablet	Avandia	R and A
31. Salmeterol/Fluticasone	Inhalation	Advair	R
32. Sennosides A and B		Sennatab Senokot	P
33. Tolterodine	Caps / Tablet	Unidet Detrol	R
34. Tretinoïne	Topical	Stieva – A Retin – A	P

9. This Regulation comes into force on the fifteenth day after 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)

Nurses

— Diplomas giving access to specialist's certificates — 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 Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends section 1.17 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders to provide for diplomas giving access to the primary care nurse practitioner certificate of the Ordre des infirmières et infirmiers du Québec.

The draft Regulation is part of the regulation to be implemented to enable nurse practitioners specialized in primary care to perform certain medical activities.

The Order foresees no impact on enterprises, including small and medium-sized businesses.

The draft Regulation will be submitted to the Office des professions du Québec and to the Ordre des infirmières et infirmiers du Québec for their opinion. The Office will receive the opinion of the Order and forward it to the Minister responsible for the administration of legislation respecting the professions together with its own opinion, based on the results of consultations held with teaching institutions and other bodies concerned.

Further information may be obtained by contacting Carmelle Marchessault, Director, 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.

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^e 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 concerned and to interested persons, departments and bodies.

YVON MARCOUX,
*Minister responsible for the administration of
legislation respecting the professions*

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders*

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended in section 1.17 by adding the following after subparagraph 3 of the second paragraph:

“(4) specialist's certificate, nurse practitioner specializing in primary care:

(a) Maîtrise en sciences infirmières (M. Sc.) held with the Diplôme d'études supérieures spécialisées en sciences infirmières, obtained upon completion of the program in primary care practice from Université Laval;

(b) Master of Science (M. Sc.) (Applied) Nurse Practitioner (Primary Care) or Graduate Diploma – Nurse Practitioner (Primary Care) from McGill University.”

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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* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits and specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 716-2006 dated 8 August 2006 (2006, *G.O.* 2, 2938) and 892-2006 dated 3 October 2006 (2006, *G.O.* 2, 3261). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.