

Draft Regulation

Professional Code
(R.S.Q., c. C-26; 2006, c. 20)

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

Nurses

— Classes of specialties

— 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 Bureau of the Ordre des infirmières et infirmiers du Québec, at its meeting held on September 28 and 29, 2006, adopted the “Regulation to amend 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.

The purpose of this regulation is to amend 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 in order to add a new class of speciality, i.e. nurse practitioner specializing in first-line care. This regulation sets out diploma and training equivalency standards to be met in order to obtain a specialist’s certificate issued to nurse practitioners specializing in first-line care, and introduces transitory provisions to facilitate the integration of certain nurses from Ontario and New Brunswick. The purpose of this regulation is also to incorporate a process for the review of a decision by persons other than those who rendered it into the equivalency recognition procedure.

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 to amend 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*

Professional Code
(R.S.Q., c. C-26, s. 93, par. c and c.1, s. 94, par. e, h and i and s. 94.1; 2006, c. 20, s. 4)

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

1. Section 2 of 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 is amended by inserting in subparagraph 2^o of the first paragraph and after “specialist’s certificate”: “as well as physicians’ offices, medical clinics, dispensaries or other facilities providing first-line care.”

2. Section 3 is amended by adding the following after paragraph 3^o:

“4^o nurse practitioner specializing in first-line care.”.

3. Section 5 is amended by replacing “Bureau” with “secretary”.

4. Section 6 is amended by replacing “Bureau” with “secretary”.

* 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, approved by Order in Council 997-2005 dated October 26, 2005 (2005, G.O. 2, 6370) has not been amended since its approval.

5. Section 9 is amended by replacing “the Bureau of the Order grants them” with “the date on which they are granted”.

6. Section 23 is amended as follows:

1° by deleting “number of hours” and “in the care units specified” from subparagraph 1° of the first paragraph;

2° by replacing, “by the Bureau of the Order” with “in application of Division IV” in the second paragraph.

7. This regulation is amended by inserting the following after section 23:

“**23.1.** A graduate diploma, issued by a Canadian university and preparing a nurse to work as a nurse practitioner in primary healthcare is equivalent to a diploma giving access to a specialist’s certificate issued to nurse practitioners specializing in first-line care”.

8. Section 24 is amended by replacing “section 23” with “sections 23 and 23.1”.

9. Section 25 is amended as follows:

1° by inserting “, in first-line care or in a hospital centre in one or several fields specified in paragraph 1° of section 4 of Schedule I” into the first paragraph and after “Schedule I”;

2° by replacing “by the Bureau of the Order” with “in application of Division IV” into the second paragraph.

10. Section 26 is amended by inserting “the committee as set out in section 28 and, as the case may be,” into the wording preceding paragraph 1° and after “training equivalence application”.

11. Section 28 is amended by replacing “which shall study it and make recommendations to the Bureau of the Order” with “formed by the Bureau in application of paragraph 2° of section 86.0.1 of the Professional Code to examine the request and decide whether to grant or refuse to grant the diploma or training equivalence requested”.

12. Section 29 is amended:

1° by inserting “but who are not members of the Bureau” after “Bureau of the Order” in the first paragraph;

2° by replacing “recommendations of the committee shall be formulated” with “decisions of the committee shall be rendered” in the second paragraph.

13. Section 30 is replaced by the following:

“**30.** Within 15 days following the date on which the equivalence eligibility committee renders its decision to grant or refuse to grant equivalence, the committee must notify the nurse in writing.

If the committee refuses to grant the equivalence requested, it must, at that time, inform the nurse, in writing, of the conditions she must meet in order to obtain such equivalence.”.

14. Section 31 is amended by replacing, “the Bureau of the Order” with “the equivalence eligibility committee” in the first paragraph.

15. This regulation is amended by the insertion of the following after section 31:

“**31.1** The Bureau of the Order may solicit experts for the purpose of examining a request for review submitted pursuant to the first paragraph of section 31.”.

16. Schedule I is amended by adding the following after section 3:

“**4. Nurse practitioner specializing in first-line care:**

1° Training program prerequisites:

3,360 hours in first-line care or in a hospital centre in one or several of the following fields: emergency/critical care, medicine, surgery, obstetrics or pediatrics;

2° Graduate program of 1, 580 hours, divided as follows:

(a) 630 hours of theory courses including:

Branch: Nursing Science

i. 45 hours in the use of scientific evidence;

ii. 45 hours in theoretical bases of nursing science;

iii. 135 hours in the following fields: health education, interprofessional collaboration, ethics and legal aspects;

Branch: Medical Science

i. 135 hours in pharmacology;

ii. 270 hours in the following fields: physiopathology, clinical assessment.

(b) 950 hours of clinical training in the field of the speciality concerned.”.

17. The Secretary of the Order shall issue a training card to a nurse who requests one during the six months following (*enter the date on which this regulation comes into force*) and who meets the following conditions:

1° she is registered in the “extended class” category on the Roll of the College of Nurses of Ontario or as a “nurse practitioner” on the Register of the Nurses Association of New Brunswick;

2° she has practiced:

(a) a minimum of 3,360 hours, over the three years preceding her request, as a nurse registered in the “extended class” category on the Roll of the College of Nurses of Ontario or in the “nurse practitioner” category on the Register of the Nurses Association of New Brunswick; or

(b) a minimum of 3,360 hours, over the three years preceding her request, as a nurse in Canada, and holds a graduate diploma in Nursing Science issued in Canada;

3° she pays the required fee for the purpose of obtaining a training card.

A nurse holding a training card issued pursuant to the first paragraph above is, for purposes of 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, a “specialized nurse practitioner candidate”. Her training card is valid for the period during which she is eligible to sit the examination related to the specialty concerned.

She is eligible to sit the examination prescribed for “nurse practitioners specializing in first-line care”, in accordance with Division III of 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, and must sit the exam within the year following the date of issue of her training card. After the year has expired, she may not sit the examination unless she proves to the Bureau of the Order that she has kept her knowledge up to date and maintained her professional skills.

A nurse practitioner specializing in first-line care specialist’s certificate will be issued to her, provided she meets the following conditions:

1° she passes the specialty examination related to the “nurse practitioner specializing in first-line care” speciality, in accordance with Division III of 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;

2° she pays the required fee for the purpose of obtaining a specialist’s certificate.

18. A nurse requesting a training card as set out in section 17 must produce the following supporting documentation, as the case may be:

1° a certified true copy of her graduate diploma in nursing, obtained in Canada;

2° an attestation regarding the number of hours of practice, as set out in subparagraph 2° of the first paragraph of section 17;

3° proof of registration on the roll or register of the professional order specified in subparagraph 1° of the first paragraph of section 17. ”.

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

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