

Draft Regulations

Draft Regulation

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

Activities engaged in and described in sections 39.7 and 39.8 of the Professional Code — 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 Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code, made by the Office des professions du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The Regulation determines that the activities described in sections 39.7 and 39.8 of the Professional Code (R.S.Q., c. C-26) may be engaged in by persons acting for a rehabilitation centre for physically impaired persons during social integration activities. It also enables persons acting for schools or other temporary alternative environment for children to provide the invasive care involved in assistance with activities of daily living referred to in section 39.7 of the Code, subject to certain conditions.

The Office advises that the new measures will have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Jean-Martin Poisson, Direction des affaires juridiques, or Line Poitras, Direction de la recherche et de la coordination, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; telephone: 418 643-6912 or 1 800 643-6912; fax: 418 643-0973.

Any interested 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 sent by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to interested persons, departments and bodies.

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

Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code*

Professional Code
(R.S.Q., c. C-26, s. 39.9)

1. The Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code is amended by inserting the following before section 1:

“DIVISION I REHABILITATION CENTRES”.

2. Section 2 is amended by replacing “or socio-occupational program administered by the centre” at the end of the second paragraph by “, the socio-occupational program administered by the centre or during outings within the scope of a socio-occupational program administered by the centre”.

3. The following Division is inserted after section 3:

“DIVISION II SCHOOLS AND OTHER TEMPORARY ALTERNATIVE ENVIRONMENTS FOR CHILDREN

3.1. The persons acting on behalf of a school or other temporary alternative environment for children may engage in the activities described in section 39.7 of the Professional Code if an agreement to that effect has been entered into between the school or temporary alternative environment and an institution within the meaning of the Act respecting health services and social services or the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).

3.2. A person acting on behalf of a school or other temporary alternative environment for children may engage in the activities referred to in section 3.1, at any place they are required, on the following conditions:

* The Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code, approved by Order in Council 66-2004 dated 29 January 2004 (2004, G.O. 2, 989), has only been amended by the regulation approved by Order in Council 634-2005 dated 23 June 2005 (2005, G.O. 2, 2300).

(1) the person learns how to perform the activities with a professional from the institution authorized by law to engage in such activities, namely a physician, a nurse, a nursing assistant or a respiratory therapist;

(2) the person is supervised the first time he or she engages in the activity by a professional from the institution authorized to engage in the activity;

(3) the person complies with the rules of care in force in the institution to which the agreement referred to in section 3.1 refers, where applicable; and

(4) the person has access at all times to a professional authorized to engage in the activities.”.

4. 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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Draft Regulation

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

Hearing-aid acousticians — Conciliation and arbitration procedure for accounts of members of the Ordre

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 the conciliation and arbitration procedure for accounts of members of the Ordre des audioprothésistes du Québec, appearing below, may be submitted to the Government which may approve it, with or without amendment,

In accordance with section 88 of the Professional Code (R.S.Q., c. C-26), the draft Regulation establishes the conciliation and arbitration procedure for accounts of hearing-aid acousticians that may be used by persons having recourse to their services. The draft Regulation includes provisions that allow a person to use the procedure if the person has already paid the account in whole or in part, and provides for the setting up of a council of arbitration which may, if necessary, determine the amount of any reimbursement to which a person may be entitled. The draft Regulation provides that the arbitration may take place before a council composed of one or three members according to the amount of the dispute.

Further information may be obtained by contacting Claude Forest, Secretary General of the Ordre des audioprothésistes du Québec, 11305, rue Notre-Dame Est, Montréal-Est (Québec) H1B 2W4; telephone: 514 640-5117; e-mail: oaq@ordreaudio.qc.ca

Any person having comments on the matter 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 sent by the Office to the Minister responsible for the administration of legislation respecting the professions and may also be sent to the professional order that made the regulation and to interested persons, departments and bodies.

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

Regulation respecting the conciliation and arbitration procedure for accounts of members of the Ordre des audioprothésistes du Québec

Professional Code
(R.S.Q., c. C-26, s. 88)

DIVISION I CONCILIATION

1. The syndic of the Ordre des audioprothésistes du Québec must send a copy of this Regulation to every person who requests it.

2. A client who has a dispute with a hearing-aid acoustician concerning the amount of an account for professional services that has been paid in whole or in part, or that remains unpaid, may apply in writing for conciliation by the syndic within 60 days of the date of receipt of the account.

3. A hearing-aid acoustician whose account is the subject of an application for conciliation may consent to conciliation by the syndic, despite the expiry of the 60-day period.

4. A hearing-aid acoustician may not bring legal action for the recovery of an account for professional services as long as the time to file an application for conciliation is not expired.