

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, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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

(1) by replacing subparagraphs *a* and *b* of subparagraph 1 of the second paragraph by the following:

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

(b) Maîtrise en sciences infirmières (M. Sc.), option pratique infirmière avancée held with the Diplôme complémentaire de pratique infirmière avancée, option cardiologie, from the Université de Montréal;”;

(2) by replacing subparagraphs *a* and *b* of subparagraph 3 of the second paragraph by the following:

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

(b) Maîtrise en sciences infirmières (M. Sc.), option pratique infirmière avancée held with the Diplôme complémentaire de pratique infirmière avancée, option néphrologie, from the Université de Montréal;”;

(3) 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 (Applied) Nurse Practitioner (Primary Care) or Graduate Diploma _ Nurse Practitioner (Primary Care) from McGill University.”.

2. Subparagraphs *a* and *b* of subparagraphs 1 and 3 of the second paragraph of section 1.17 replaced by section 1 of this Regulation remain applicable to the persons who, on 13 September 2007, hold the diplomas referred to in the replaced provision.

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

8280

Gouvernement du Québec

O.C. 671-2007, 14 August 2007

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

Sages-femmes — Diploma and training equivalence standards for the issue of permits

Regulation respecting diploma and training equivalence standards for the issue of permits by the Ordre des sages-femmes du Québec

WHEREAS, under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of an order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or 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 regulation made by Order in Council 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, 2007, updated to 1 March 2007.

WHEREAS, under paragraph c.1 of section 93 of the Code, the Bureau must, by regulation, determine a procedure for recognizing an equivalence, standards for which are established in a regulation under paragraph c of that section, stipulating that a decision must be reviewed by persons other than those who made it and, for that purpose, provide that the Bureau's power to decide an application or review a decision may be delegated to a committee established under paragraph 2 of section 86.0.1 of the Code;

WHEREAS the Bureau of the Ordre des sages-femmes du Québec made the Regulation respecting diploma and training equivalence standards for the issue of permits by the Ordre des sages-femmes du Québec;

WHEREAS, pursuant to section 95 of the Code and subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination; it shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 10 January 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received by the Office des professions du Québec following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has examined the Regulation and made its recommendation;

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 respecting diploma and training equivalence standards for the issue of permits by the Ordre des sages-femmes du Québec, the text of which is attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting diploma and training equivalence standards for the issue of permits by the Ordre des sages-femmes du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, pars. c and c.1)

DIVISION I GENERAL

1. The secretary of the Ordre des sages-femmes du Québec must forward a copy of this Regulation to a person who, for the purpose of obtaining a permit from the Order, applies to have a diploma or training recognized as equivalent.

2. In this Regulation,

“diploma equivalence” means recognition pursuant to the Professional Code that a diploma issued by an educational institution outside Québec certifies that a candidate's level of competence is equivalent to the level attained by the holder of a diploma giving access to a permit;

“diploma giving access to a permit” means a diploma recognized by a regulation of the Government, made pursuant to the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), as giving access to a permit issued by the Order; and

“training equivalence” means recognition pursuant to the Professional Code that a candidate's training has enabled the candidate to attain a level of competence equivalent to the level attained by the holder of a diploma giving access to a permit.

DIVISION II DIPLOMA EQUIVALENCE STANDARDS

3. A candidate who holds a diploma issued by an educational institution outside Québec is granted a diploma equivalence if

(1) the diploma was obtained upon completion of theoretical instruction at a level equivalent to a university-level comprising a minimum of 1,080 hours, 899 of which are apportioned as follows:

(a) a minimum of 577 hours of instruction in basic subjects apportioned as follows:

i. 170 hours in human anatomy and physiology, including a review of the various systems, the physiology of reproduction and breastfeeding, embryogenesis, genetics, physiological changes in pregnancy and the physiology of labour, delivery and the normal puerperium;

ii. 85 hours in biomedical science, including interpretation of laboratory tests, biochemistry, endocrinology, microbiology, haematology and immunology;

iii. 42 hours in pharmacology, including pharmacology pertaining to childbearing;

iv. 70 hours in the psychosocial aspects of pregnancy and communication skills;

v. 42 hours in nutrition of women during pregnancy and the puerperium and in infant feeding, in particular breastfeeding;

vi. 45 hours in the professional obligations, ethics and professional regulations in Québec;

vii. 42 hours in epidemiology and research methodology;

viii. 42 hours in the social and cultural aspects of health care in Québec; and

ix. 39 hours in women's studies;

(b) a minimum of 322 hours of specific instruction in the field of midwifery practice apportioned as follows:

i. 39 hours dealing with normal pregnancy;

ii. 82 hours in pathologies of pregnancy;

iii. 24 hours dealing with normal labour and delivery;

iv. 15 hours in pathologies of the intrapartum period;

v. 22 hours dealing with the normal puerperium;

vi. 12 hours in pathologies of the puerperium;

vii. 12 hours dealing with the normal newborn;

viii. 26 hours in neonatal pathologies;

ix. 45 hours of introduction to the practice of midwifery in Québec; and

x. 45 hours dealing with the technical and interpersonal skills required of midwives in Québec;

(2) the diploma was obtained upon completion of practical training comprising a minimum of 1,740 hours including

(a) 300 hours in prenatal clinical placement, including a minimum of 250 prenatal consultations;

(b) 480 hours in clinical placement in labour and delivery, including labour support and a minimum of 60 deliveries, 40 of which have been performed as primary caregiver;

(c) complete physical examination of 15 newborns during their first twenty-four hours of life;

(d) 85 hours in postpartum clinical placement, including breastfeeding support and a minimum of 60 maternal consultations and 60 newborn consultations;

(e) 450 hours of internship within a team of midwives during which the candidate independently provided all primary care that is part of the practice of midwifery, including prenatal, intrapartum and postnatal care; and

(f) 160 hours spent with professionals other than midwives during which the candidate had exposure to clinical risk situations and obstetrical and neonatal complications.

The practical training under subparagraph 2 of the first paragraph must have included a minimum of 10 continuous courses of care. Each course of care must include a minimum of seven consultations, at least one of which is prenatal and one is postnatal, in addition to attending the delivery. The complete courses of care may have been performed, in whole or in part, within the scope of subparagraphs *a* to *e* of subparagraph 2 of the first paragraph.

4. Despite section 3, where the diploma for which an equivalence application is made was obtained more than three years before the application and, considering developments in the profession, the competencies certified by the diploma no longer correspond to those competencies currently being taught in an education program leading to a diploma giving access to a permit, the candidate is granted a training equivalence pursuant to section 5 if the candidate has attained the required level of competence since obtaining the diploma.

DIVISION III TRAINING EQUIVALENCE STANDARDS

5. A candidate is granted a training equivalence if the candidate demonstrates having a level of competence equivalent to the level attained by the holder of a diploma giving access to a permit.

6. In assessing the training equivalence of a candidate, the Bureau is to take into particular account the following factors:

(1) the fact that the candidate holds one or more diplomas;

(2) the nature and content of courses taken, the number of hours or credits of each course, and the results obtained;

(3) the total number of years of education;

(4) the supervised training periods in the practice of midwifery and other training or upgrading activities;

(5) the nature and duration of the candidate's experience in the field of midwifery practice; and

(6) any contribution to the development of the profession of midwifery.

DIVISION IV EQUIVALENCE RECOGNITION PROCEDURE

7. A candidate who wishes to have an equivalence recognized must provide the secretary with the following documents and information:

(1) a written application together with the fees required for dossier assessment under paragraph 8 of section 86.0.1 of the Professional Code;

(2) the candidate's complete academic record, including a description of courses taken, the number of hours or credits of each course, and the official transcript of the marks obtained;

(3) a certified copy of the diplomas held by the candidate;

(4) where applicable, proof that the candidate is or was a member of a recognized order or association of midwives or a certified copy of any permit the candidate holds or has held;

(5) where applicable, an attestation and description of the candidate's relevant work experience in the field of midwifery practice;

(6) where applicable, an attestation of the candidate's successful completion of any supervised clinical training or participation in any other training or upgrading activity in the field of midwifery practice and a detailed description of the content of the activity; and

(7) where applicable, any information relating to other factors the Bureau may take into account pursuant to section 6.

8. Documents in a language other than French or English that are submitted in support of an application must be accompanied by a French or English translation certified under oath by the translator.

9. The committee formed by the Bureau to study equivalence applications is to make appropriate recommendations to the Bureau.

For the purposes of making an appropriate recommendation, the committee may ask the person to come to an interview, to pass an examination or to serve a training period.

10. At the first regular meeting following the date of receipt of a recommendation, the Bureau must decide

(1) to recognize the diploma or training equivalence;

(2) to recognize the training equivalence in part; or

(3) to refuse to recognize the diploma or training equivalence.

11. Within 15 days of the decision by the Bureau, the secretary of the Order must send the decision to the candidate in writing by registered mail.

Where the Bureau refuses to recognize the equivalence applied for or recognizes the training equivalence in part, it must, at the same time, inform the candidate in writing of the education programs, the bridging programs or, as applies, clinical placements or examinations which if successfully completed within the allotted time would enable the candidate to be granted the training equivalence.

12. A candidate who is informed of the Bureau's decision not to recognize the equivalence applied for or to recognize the equivalence in part may apply for a review, provided that the candidate applies to the secretary in writing within 30 days of receiving the decision.

The committee set up by the Bureau to decide on review of applications is composed of persons who are not members of the Bureau or the committee provided for in section 9.

The committee must, before disposing of the application, inform the candidate of the date on which it will hold the meeting relating to the candidate's application and of the candidate's right to make submissions.

A candidate who wishes to be present at the meeting to make submissions must notify the secretary at least five days before the date scheduled for the meeting. The candidate may, however, send written submissions to the secretary at any time before the date scheduled for the meeting.

The decision of the committee is final and must be sent to the candidate in writing by registered mail within 30 days following the date of the decision.

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

8281

Gouvernement du Québec

O.C. 672-2007, 14 August 2007

Pharmacy Act
(R.S.Q., c. P-10)

Medications

— Terms and conditions of sale — Amendments

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

WHEREAS, under section 37.1 of the Pharmacy Act (R.S.Q., c. P-10), the Office des professions du Québec, after consultation with the Conseil du médicament, the Ordre professionnel des médecins du Québec, the Ordre professionnel des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec may, by regulation, establish categories of medications and determine, for each category, if need be, by whom and subject to what terms and conditions the medications may be sold. The rules may vary for the same medication according to whether it is intended for human or animal consumption;

WHEREAS under that section, the Office des professions du Québec made the Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998;

WHEREAS the Office carried out the required consultations;

WHEREAS the Office made the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications at its sitting of 25 January 2007;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 14 February 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received by the Chair of the Office following that publication;

WHEREAS, in accordance with section 13 of the Professional Code (R.S.Q., c. C-26), the Office is submitting the Regulation to the Government for approval;

WHEREAS it is expedient to approve the Regulation without amendment;

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 Regulation respecting the terms and conditions for the sale of medications, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications*

Pharmacy Act
(R.S.Q., c. P-10, s. 37.1)

1. The Regulation respecting the terms and conditions for the sale of medications is amended by inserting the following after section 8:

“**8.1.** Despite section 7, a vaccine to be administered as part of a vaccination operation under the Public Health Act (R.S.Q., c. S-2.2) may be sold without prescription to a nurse for professional use.

* The Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998 (1998, *G.O.* 2, 2149), was last amended by the regulation approved by Order in Council 998-2005 dated 26 October 2005 (2005, *G.O.* 2, 4823). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.