

Draft Regulations

Draft Regulation

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

Nurses

— Diploma or training equivalence for the issue of a permit

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 or training equivalence for the issue of a permit by the Ordre des infirmières et infirmiers du Québec, made by the Bureau of the Ordre des infirmières et infirmiers 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 updates the standards for equivalence of diplomas issued by educational establishments situated outside Québec for the purpose of issuance of a permit by the Ordre des infirmières et infirmiers du Québec. It also introduces standards of equivalence of the training of a person who does not hold a diploma required for those purposes pursuant to paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26).

The Regulation also introduces, pursuant to paragraph *c.1* of section 93 of the Professional Code, an equivalence recognition procedure to enable a decision to be reviewed by persons other than those who made it.

The Order advises that the amendments will have no financial impact on enterprises, including small and medium-sized businesses.

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 wishing to comment on the draft Regulation may submit written comments to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3, within the 45-day period. The comments will be forwarded 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.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation respecting diploma or training equivalence for the issue of a permit by the Ordre des infirmières et infirmiers du Québec

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

DIVISION I DEFINITIONS

1. In this regulation:

“diploma meeting permit requirements” means a diploma recognized, by regulation of the Government made under the first paragraph of section 184 of the Professional Code, as meeting the requirements for the permit issued by the Order (R.S.Q., c. C-26);

“diploma equivalence” means the recognition that a diploma issued by an educational establishment outside Québec certifies that the holder’s level of knowledge and skills is equivalent to the level attained by the holder of a diploma meeting permit requirements;

“training equivalence” means the recognition that a person’s training has enabled her to attain a level of knowledge and skills equivalent to that attained by the holder of a diploma meeting permit requirements.

DIVISION II DIPLOMA EQUIVALENCE STANDARDS

2. A person holding a diploma conferred by an educational establishment outside Québec may be granted diploma equivalence if her diploma was obtained upon completion of a nursing program at least equivalent to the Québec college-level program meeting the following conditions:

1° it comprises a minimum of 2805 hours, including at least 2145 hours of specific training in nursing, as follows:

(a) a minimum of 615 hours in medical and surgical nursing;

(b) a minimum of 120 hours in mental health and psychiatric nursing;

(c) a minimum of 105 hours in adult and geriatric nursing;

(d) a minimum of 75 hours in perinatal nursing;

(e) a minimum of 90 hours in child and adolescent nursing;

(f) a minimum of 480 hours in biological science, including a total of at least 135 hours in microbiology, immunology and pharmacology;

(g) a minimum of 180 hours in social science.

2° at least 1035 of the 2145 hours of specific training must be devoted to clinical experience;

3° at least 240 of the 1035 hours of clinical experience must involve the consolidation of knowledge related to the legislative, ethical, organizational and sociocultural aspects of nursing practice in Québec.

3. Section 2 notwithstanding, when the diploma being examined for equivalence was obtained more than four (4) years prior to the date of application for equivalence, and, given new developments in the profession, the knowledge it attests to no longer corresponds to the knowledge that, at the time of the application, was included in a program of study meeting permit requirements, the person is granted equivalence pursuant to sections 4 and 5, provided she has acquired, since obtaining her diploma, the required level of knowledge and skills.

DIVISION III **TRAINING EQUIVALENCE STANDARDS**

4. A person is granted training equivalence if she demonstrates that she possesses the knowledge and skills equivalent to those that may be acquired by the holder of a diploma meeting permit requirements.

5. In assessing training that is cited in support of an equivalence application, the following factors shall be considered:

(1) total years of education;

(2) the fact that the person holds one or more diplomas obtained in Québec or elsewhere;

(3) type of courses taken and course content;

(4) training periods served, and other ongoing or refresher training activities; and

(5) type, total length and period of time during which clinical experience was acquired.

DIVISION IV **PROCEDURE FOR GRANTING EQUIVALENCE**

6. Persons who, for the purpose of obtaining a permit from the Order, wish to be granted diploma or training equivalence, shall apply therefor in writing, pay the processing fee prescribed by the Bureau of the Order, under paragraph 8 of section 86.0.1 of the Professional Code and provide:

1° a certified true copy of all diplomas they hold;

2° their school records, including their official transcript bearing the seal of the educational institution in question or a certified true copy thereof, a document detailing course content and training periods served, and the number of hours related to each of these;

3° a certified true copy of their birth certificate or, failing that, a photocopy of their passport;

4° as applicable, an official attestation that they are in good standing with the regulatory body of the territory within which they are authorized to practice;

5° official attestation and a description of their clinical experience in nursing, as the case may be;

6° any information or document pertaining to the factors that may be taken into consideration for purposes of section 5.

7. Documents or information submitted in support of an application for equivalence written in a language other than French or English must be accompanied by an official translation into French or English produced by a certified translator, or, if the translation was not produced in Québec, then by a translator recognized by the authorities in his or her province or country.

8. Applications for equivalence shall be sent to the Order registrar who will examine them and submit a recommendation to the Admission by Equivalence Committee.

For purposes of submitting a recommendation to the Admission by Equivalence Committee, the registrar may ask applicants to submit to an interview, serve a training period, write an examination or some combination thereof.

9. The Admission by Equivalence Committee may render either of the following decisions:

- 1° grant diploma or training equivalence;
- 2° deny diploma or training equivalence.

Within 15 days following its decision to grant or deny equivalence, the Admission by Equivalence Committee shall inform the person concerned, in writing.

If the committee denies equivalence, it must, at the same time, inform the person concerned in writing about study programs or additional training whose successful completion within the required deadline would enable training equivalence to be granted.

The Admission by Equivalence Committee formed by the Bureau, under paragraph 2° of section 86.0.1 of the Professional Code, shall be comprised of persons who are not members of the Bureau.

10. Persons informed of the Admission by Equivalence Committee's decision to deny equivalence may appeal such decision, provided that they submit a request, in writing, to the secretary of the Order within 30 days following receipt of the decision.

The Bureau of the Order must examine such request at its first regular meeting following the date on which it was received. Before rendering a decision, it must allow the person in question to state her case at this meeting.

For this purpose, the secretary of the Order shall send the person written notice, via registered mail, specifying the date, place and time of the meeting at which the request for appeal shall be examined, no less than 15 days before such meeting will be held.

Persons wishing to attend the meeting in order to state their case must so notify the secretary of the Order at least 5 days before the scheduled meeting date. They may, however, submit their comments to the secretary in writing at any time before the scheduled meeting date.

The decision of the Bureau is final and must be sent to the person concerned by registered mail within 30 days following the date of the meeting.

DIVISION V

FINAL AND TRANSITORY PROVISIONS

11. This regulation replaces the Regulation respecting the standards for a diploma equivalence or training equivalence for the issue of a permit by the Ordre des infirmières et infirmiers du Québec approved by Order-in-Council Number 847-97 of June 25, 1997.

12. Recommendations submitted to the Bureau, under section 8 of the Regulation respecting the standards for a diploma equivalence or training equivalence for the issue of a permit by the Ordre des infirmières et infirmiers du Québec approved by Order-in-Council Number 847-97 of June 25, 1997, and concerning which the Bureau has not rendered a decision by (*insert date on which this regulation comes into force*) shall be submitted to the committee as set out in section 8 of this regulation, so that it may render a decision in accordance with section 9 of this regulation. For this purpose, the Bureau shall replace any member of this committee who had participated in issuing such recommendations with a member of the Order who is not a member Bureau.

13. Decisions rendered under section 9 of the Regulation respecting the standards for a diploma equivalence or training equivalence for the issue of a permit by the Ordre des infirmières et infirmiers du Québec approved by Order-in-Council Number 847-97 of June 25, 1997 whose deadlines for appeal as set out in section 10 have not expired by (*insert date on which this regulation comes into force*) may be reviewed by the committee as set out in section 8 of this regulation. For this purpose, the Bureau shall replace any member of this committee who had participated in rendering such decisions under appeal with a member of the Order who is not a member of the Bureau.

Requests for appeal must be forwarded to the secretary of the Order within the deadline set out in section 10 of the Regulation respecting the standards for a diploma equivalence or training equivalence for the issue of a permit by the Ordre des infirmières et infirmiers du Québec approved by Order-in-Council Number 847-97 of June 25, 1997.

Before rendering a decision, the committee must allow the person in question to state her case. The third and fourth paragraphs of section 10 apply in this case.

The decision of the committee is final and must be sent to the person in question by registered mail within 30 days following the date on which it is rendered.

14. Appeals regarding which the Bureau has not rendered a decision by (*insert date on which this regulation comes into force*) shall be submitted to the committee specified in section 8 of this regulation for review. For this purpose, the Bureau shall replace any member of the committee with a member of the Order who is not a member of the Bureau.

The third and fourth paragraphs of section 13 apply in this case.

15. Persons who have been granted partial training equivalence by the Bureau, under section 9 or 10 of the Regulation respecting the standards for a diploma equivalence or training equivalence for the issue of a permit by the Ordre des infirmières et infirmiers du Québec approved by Order-in-Council Number 847-97 of June 25, 1997, and who have been informed of the program of study or additional training they must successfully complete before being granted training equivalence shall be given two years following the date this regulation comes into force to complete said program of study or additional training.

16. This regulation shall come into force on the fifteenth day following publication in the *Gazette officielle du Québec*.