

(2) the ethical aspect of the survey with regard to the sensitivity of the personal information collected and the purposes for which it is to be used.

### §3. *Video-surveillance*

**9.** A public body must consult the committee referred to in section 2 on the special measures pertaining to video-surveillance technology to be complied with to protect personal information.

Those measures must examine

- (1) the need to use that technology; and
- (2) whether the use of that technology is consistent with the right to privacy.

## DIVISION V FINAL

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

- (1) paragraph 4 of section 2, which comes into force on 29 November 2010; and
- (2) sections 4 to 6, which come into force on 29 November 2009.

8682

Gouvernement du Québec

## O.C. 418-2008, 30 April 2008

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

### Nurses

#### — Certain professional activities that may be performed by nursing assistants

Regulation respecting certain professional activities that may be performed by nursing assistants

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may make a regulation to determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the Bureau of the Ordre des infirmières et infirmiers du Québec made the Regulation respecting certain professional activities that may be performed by nursing assistants;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and 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 3 October 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office 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 profession:

THAT the Regulation respecting certain professional activities that may be performed by nursing assistants, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation respecting certain professional activities which may be engaged in by nursing assistants

Professional Code  
(R.S.Q., c. C-26, s. 94, par. *h*)

## DIVISION I GENERAL

**1.** The purpose of this Regulation is to determine which of the professional activities that may be performed by nurses may, following the issue of a prescription and in accordance with the other terms and conditions set out herein, be performed by:

- (1) nursing assistants;
- (2) students registered in a program of study leading to a diploma qualifying them for a permit issued by the Ordre des infirmières et infirmiers auxiliaires du Québec;
- (3) persons eligible by equivalence, that is, persons who take courses or serve a training period determined by the Ordre des infirmières et infirmiers auxiliaires du Québec for purposes of having an equivalence recognized, in accordance with the Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec, approved by Order in Council 749-98 dated 3 June 1998.

## **DIVISION II**

### **MAINTENANCE CARE OF A TRACHEOSTOMY CONNECTED TO A VENTILATOR**

#### **2.** Nursing assistants may perform the following professional activities:

- (1) provide maintenance care of a tracheostomy connected to a ventilator, when the parameters of the ventilator are regulated;
- (2) open a device incorporated into the ventilation circuit in order to administer a metered-dose inhaler;
- (3) ventilate using a manual, self-inflating resuscitator, whether connected to an oxygen source or not;
- (4) reinstall the tracheal cannula in case of decannulation, in emergency situations, and in the absence of an authorized professional available to perform an immediate intervention.

#### **3.** In order to perform the professional activities set out in section 2, nursing assistants must meet the following conditions:

- (1) they must hold an attestation issued by the Ordre des infirmières et infirmiers auxiliaires du Québec, certifying that:
  - (a) they have completed at least seven hours of theoretical and practical training organized by the Order, in application of subparagraph *j* of the first paragraph of section 86 of the Professional Code (R.S.Q., c. C-26), and which covers the following aspects:

- i. anatomy of the respiratory system;
- ii. complications and limitations associated with maintenance care of a tracheostomy connected to a ventilator;

- iii. techniques related to maintenance care of a tracheostomy connected to a ventilator;
- iv. the operation of a device incorporated into the ventilation circuit;

(b) they have successfully performed each of the professional activities set out in paragraphs 1 to 3 of section 2 at least three times under the immediate supervision of a nurse or respiratory therapist, and such supervision has been recorded on a form bearing the date, location, as well as the name and signature of the nurse or respiratory therapist who has supervised them;

(2) they must perform these professional activities in one of the following centres, operated by an institution within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5):

- (a) a residential and long-term care centre;
- (b) a hospital centre, when the patient is in rehabilitation, lodging or long-term care;
- (c) a rehabilitation centre for persons with physical disabilities;
- (3) a nurse must be available on the premises, so that the latter may intervene with the patient quickly;
- (4) the user falls under a therapeutic nursing plan and his state of health is not in a critical or acute phase.

Provided the conditions set out in subparagraphs 2 to 4 of the first paragraph have been met, nursing assistants may, as part of the training set out in subparagraph 1 of that paragraph, perform the professional activities set out in section 2 under the immediate supervision of a nurse or respiratory therapist.

## **DIVISION III**

### **ASSISTANCE WITH THE ADMINISTRATION OF INTRAVENOUS THERAPY**

#### **4.** Nursing assistants may perform the following professional activities:

- (1) install a short peripheral intravenous catheter, measuring less than 7.5 centimetres;

(2) administer an intravenous solution without additives using a short peripheral intravenous catheter measuring less than 7.5 centimetres;

(3) install and irrigate a short intermittent injection intravenous catheter, measuring less than 7.5 centimetres, with an isotonic solution.

**5.** In order to perform the professional activities set out in section 4, nursing assistants must meet the following conditions:

(1) they must hold an attestation issued by the Ordre des infirmières et infirmiers auxiliaires du Québec, certifying that:

(a) they have successfully completed at least 21 hours of theoretical and practical training organized by the Order, in application of subparagraph *j* of the first paragraph of section 86 of the Professional Code, covering the following aspects:

- i. anatomy of the vascular system;
- ii. short peripheral intravenous catheter installation techniques;
- iii. administration of an intravenous solution without additives;
- iv. installation and irrigation of a short intermittent injection peripheral intravenous catheter;
- v. complications and limitations associated with the installation and irrigation of a short peripheral intravenous catheter;
- vi. complications and limitations associated with the administration of an intravenous solution without additives;
- vii. preventing infections related to the use of a short peripheral intravenous catheter;

(b) they must have successfully performed each of these professional activities at least three times under the immediate supervision of a nurse, and such supervision must have been recorded on a form bearing the date, location, as well as the name and signature of the nurse who has supervised them;

(2) these professional activities have been performed in a centre operated by 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, except for the fields of pediatrics and neonatology;

(3) the patient falls under a therapeutic nursing plan.

Provided that the conditions set out in subparagraphs 2 and 3 of the first paragraph have been met, nursing assistants may, as part of the training set out in subparagraph *b* of subparagraph 1 of that paragraph, perform the professional activities set out in section 4.

Subparagraph 1 of the first paragraph does not apply to nursing assistants:

(1) who have completed the training set out therein as part of a program of study leading to a diploma qualifying them for a permit issued by the Ordre des infirmières et infirmiers auxiliaires du Québec;

(2) who have been granted diploma or training equivalence by the Ordre des infirmières et infirmiers auxiliaires du Québec after the training set out in subparagraph 1 of the first paragraph has been incorporated into the program of study leading to a diploma qualifying them for a permit issued by the Order.

**6.** Nursing assistants may also perform the following professional activities:

(1) check intravenous infusions and maintain the flow rate;

(2) remove intravenous infusions if administered with a peripheral intravenous catheter measuring less than 7.5 centimetres;

(3) remove a peripheral intravenous catheter measuring less than 7.5 centimetres.

In order to perform these professional activities, nursing assistants must meet the following conditions:

(1) these professional activities are performed in a pediatric unit in a centre operated by 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;

(2) the patient falls under a therapeutic nursing plan.

**7.** Students registered in a program of study leading to a diploma qualifying them for a permit issued by the Ordre des infirmières et infirmiers auxiliaires du Québec may perform the professional activities set out in section 4 if they meet the conditions set out in subparagraphs 2 and 3 of the first paragraph of section 5, and to the extent that the performance of such activities is required in order for them to complete this program.

These students may also perform the professional activities set out in section 6 if they meet the conditions set out therein and to the extent that the performance of such activities is required in order for them to complete their programs.

**8.** Persons eligible by equivalence may perform the professional activities set out in section 4 if they meet the conditions set out in subparagraphs 2 and 3 of the first paragraph of section 5, and to the extent that the performance of such activities is required in order to obtain training equivalence.

Such persons may also perform the professional activities set out in section 6 if they meet the conditions set out therein and to the extent that the performance of such activities is required in order to obtain training equivalence.

**9.** Nursing assistants who performed the professional activities set out in the first paragraph of section 6 before 29 May 2008 may continue to do so provided the following conditions have been met:

(1) these professional activities are performed in a centre operated by 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;

(2) the patient falls under a therapeutic nursing plan.

This section will cease to be in effect on 29 May 2011.

#### **DIVISION IV** **FINAL**

**10.** This Regulation replaces the Regulation respecting certain professional activities which may be engaged in by nursing assistants, approved by Order in Council 630-2007 dated 7 August 2007.

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

8693

Gouvernement du Québec

### **O.C. 419-2008, 30 April 2008**

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

#### **Nurses**

#### **— Certain professional activities which may be performed by a puéricultrice or a garde-bébé and by other persons**

Regulation respecting certain professional activities which may be performed by a puéricultrice or a garde-bébé and by other persons

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may make a regulation to determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the Bureau of the Ordre des infirmières et infirmiers du Québec made the Regulation respecting certain professional activities which may be performed by a puéricultrice or a garde-bébé and by other persons;

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 under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and 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 3 October 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office 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: