

## Regulations and other Acts

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### M.O., 2009

#### Order number 2009-007 of the Minister of Health and Social Services dated 16 July 2009

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions

CONSIDERING the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions made by Order in Council 1218-96 dated 25 September 1996;

CONSIDERING section 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, c. 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING the replacement of the title of the Regulation by “Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions”, approved by T.B. 193821 dated 21 September 1999;

CONSIDERING the replacement of the words “regional boards” in the title of the Regulation by the word “agencies”, pursuant to paragraph 2 of section 309 of chapter 32 of the Statutes of 2005 which came into force on 1 January 2006;

CONSIDERING the necessity to amend the Regulation;

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services;

CONSIDERING the authorization obtained from the Conseil du trésor in accordance with the third paragraph of section 487.2 of the Act respecting health services and social services;

THEREFORE, the Minister of Health and Social Services hereby makes the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions.

YVES BOLDDUC,  
*Minister of Health and Social Services*

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#### Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions\*

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 487.2)

**1.** Section 2 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions is amended by inserting, after the first paragraph, the following paragraph:

“Notwithstanding the first paragraph, shall not participate in group insurance plans provided for in Chapter 4 but instead shall receive the monetary compensation provided for in the second paragraph of section 37, any retired person who temporarily carries out the duties of an officer or temporarily occupies a position of officer with an employer while participating in group insurance plans for retired management personnel in the public and parapublic sectors or while receiving a pension under a pension plan administered by the Commission administrative des régimes de retraite et d’assurance (CARRA) other than the Pension Plan of Elected Municipal Officers (PEMO), the Retirement Plan for the mayors and councillors of municipalities or the Pension Plan of the Members of the National Assembly (PPMNA).”

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\* The Regulation respecting certain terms of employment applicable to senior administrators of agencies and health and social services institutions, made by Order in Council No. 1218-96 dated 25 September 1996 (1996, G.O. 2, 5749), was last amended by the regulation enacted by Ministerial Order No. 2007-007 dated June 21, 2007 (2007, G.O. 2, 3243). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2009, updated to March 1, 2009.

**2.** Section 37 of this regulation is amended by replacing, in the second paragraph, the word “equivalent” with the word “equivalent” and the words “that he receives” with the words “paid to him”.

**3.** This regulation is amended by inserting, after section 37, the following section:

“**37.1.** Notwithstanding sections 35 to 37, shall not participate in group insurance plans provided for in this Chapter but instead shall receive the monetary compensation provided for in the second paragraph of section 37, any retired person who is appointed to a position of officer while participating in group insurance plans for retired management personnel in the public and parapublic sectors or while receiving a pension under a pension plan administered by the Commission administrative des régimes de retraite et d’assurance (CARRA) other than the Pension Plan of Elected Municipal Officers (PPEMO), the Retirement Plan for the mayors and councillors of municipalities (RPMCM) or the Pension Plan of the Members of the National Assembly (PPMNA).”

**4.** This regulation is amended by inserting, after section 134.1, the following section:

“**134.1.1.** As of the day on which this section comes into force, a person referred to in the second paragraph of section 2 or section 37.1 and who is already employed with an employer and is participating at that time in group insurance plans provided for in Chapter 4 shall continue to benefit from those insurance plans for a maximum of 90 days from that date. Upon expiration of that period, that person shall cease to be covered by those insurance plans and shall receive the monetary compensation provided for in the second paragraph of section 37.

However, the first paragraph does not apply if the person concerned is disabled and is already covered by the salary insurance plan provided for in Chapter 4. In such a case, that person shall continue to benefit from the provisions of that plan and from the other group insurance plans provided for in this Chapter until the expiry date of his salary insurance benefits or until the termination date of those benefits as provided for in section 49 or in the master policy. As of that date, that person shall receive the monetary compensation provided for in the second paragraph of section 37”.

**5.** This regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

## M.O., 2009

### Order number 2009-008 of the Minister of Health and Social Services dated 16 July 2009

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions

CONSIDERING the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions made by Order in Council 1217-96 dated 25 September 1996;

CONSIDERING section 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, c. 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING the replacement of the title of the Regulation by “Regulation respecting certain terms of employment applicable to senior administrators of regional boards and of public health and social services institutions”, approved by T.B. 193820 dated 21 September 1999;

CONSIDERING the replacement of the words “regional boards” in the title of the Regulation by the word “agencies”, pursuant to paragraph 2 of section 309 of chapter 32 of the Statutes of 2005 which came into force on 1 January 2006;

CONSIDERING the necessity to amend the Regulation;

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services;

CONSIDERING the authorization obtained from the Conseil du trésor in accordance with the third paragraph of section 487.2 of the Act respecting health services and social services;