

**93.** An insurer referred to in section 264 of the Regulation respecting the application of the Act respecting insurance (R.R.Q., 1981, c. A-32, r.1), as it read on 9 September 2009, may continue to limit the amount of the insurance liable to conversion in the manner described in that section until the expiry of the master-policy in force.

**94.** An insurer that, on 18 December 2002, held a licence to transact damage insurance may transact insurance of persons if the insurer is authorized to transact automobile insurance or liability insurance, but only to the extent permitted by those classes of insurance.

**95.** This Regulation replaces the Regulation respecting the application of the Act respecting insurance (R.R.Q., 1981, c. A-32, r.1).

**96.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 5 which will take effect on the date of coming into force of section 39 of the Act to amend the Act respecting insurance and other legislative provisions (2002, c. 70), which replaces section 88.1 of the Act respecting insurance.

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Gouvernement du Québec

### O.C. 894-2007, 12 August 2009

Health Insurance Act  
(R.S.Q., c. A-29)

#### Regulation — Amendments

Regulation to amend the Regulation respecting the application of the Health Insurance Act

WHEREAS, under subparagraph *b* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Régie de l'assurance maladie du Québec or upon its recommendation, make regulations to determine among the services contemplated in section 3 of the Act those which are not to be considered insured services, and how often some of those contemplated in subparagraph *c* of the first paragraph or in the second paragraph of section 3 may be rendered in order to remain insured services;

WHEREAS, under subparagraph *d* of the first paragraph of section 69 of the Act, the Government may, in the same manner, make regulations to determine which services rendered by dentists are to be considered insured

services for the purposes of the second paragraph of section 3 in respect of each class of insured persons contemplated therein;

WHEREAS, under subparagraph *g* of the first paragraph of section 69 of the Act, the Government may, in the same manner, make regulations to determine which services rendered by optometrists are considered insured services for the purposes of subparagraph *c* of the first paragraph of section 3 and fix the age of insured persons who may receive such services or some of them;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the application of the Health Insurance Act was published in Part 2 of the *Gazette officielle du Québec* of 4 March 2009 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Board has been consulted on the draft Regulation;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the application of the Health Insurance Act, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the application of the Health Insurance Act\*

Health Insurance Act  
(R.S.Q., c. A-29, s. 69, 1st par., subpars. *b*, *d* and *g*)

**1.** The Regulation respecting the application of the Health Insurance Act is amended in section 22

(1) by replacing “a 24-month period” in paragraph *j* by “2 consecutive calendar years” and by replacing “a 12-month period” by “a calendar year”;

\* The Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r.1) was last amended by the regulation made by Order in Council 329-2007 dated 2 May 2007 (2007, *G.O.* 2, 1405). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

(2) by replacing “except in an emergency” in subparagraph *i* of paragraph *k.1* by “except an emergency examination or, where the insured person is followed for oncological purposes by a dentist practising in an institution which operates a hospital centre listed in Schedule E, a second examination”.

**2.** Section 34 is amended by replacing “a partial vision examination, as defined” in the second paragraph by “a partial vision examination and an emergency examination, as defined” and by replacing “is considered an insured service” by “are considered insured services”.

**3.** The following is inserted after section 34.1:

“**34.1.1.** The posterior segment examination with pupil dilation is to be considered an insured service, for the purposes of subparagraph *c* of the first paragraph of section 3 of the Act, for insured persons with a known diagnosis of diabetes and treated by medication, and for insured persons with myopia of 5 diopters or more.”.

**4.** Schedule E in Schedule I to this Regulation is inserted after Schedule D.

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

#### **Schedule I**

(s. 5)

#### “SCHEDULE E

(s. 22, par. *k.1*)

#### INSTITUTIONS WHICH OPERATE A HOSPITAL CENTRE WHERE A SECOND DENTAL EXAMINATION DURING A 12-MONTH PERIOD FOR ONCOLOGICAL PURPOSES IS CONSIDERED AN INSURED SERVICE

- (1) Hôpital Notre-Dame (CHUM)
- (2) Montreal General Hospital
- (3) Sir Mortimer B. Davis General Jewish Hospital
- (4) Hôpital Maisonneuve-Rosemont
- (5) Pavillon L’Hôtel-Dieu de Québec (CHUQ)
- (6) C.H.U. de Sherbrooke
- (7) Hôpital de Chicoutimi

(8) Centre hospitalier régional de Trois-Rivières – Pavillon Sainte-Marie

(9) Hôpital de Gatineau

(10) Hôpital régional de Rimouski

(11) Hôpital Charles LeMoyné

(12) Hôpital de la Cité-de-la-Santé de Laval”

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