

Draft Regulations

Draft Regulation

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

Physicians

— Code of ethics
— Amendments

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 amending the Code of Ethics of Physicians”, adopted by the Bureau of the Collège des médecins du Québec, may be submitted to the government, which may approve it, with or without amendment, after the expiry of 45 days following this publication.

According to the Collège des médecins du Québec, the purpose of this regulation is intended to amend the Code of Ethics of Physicians by including a new division on advertising and adapting certain ethical rules with respect to advertising and marketing.

The Collège des médecins du Québec anticipates that the amendments will have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting, M^e Linda Bélanger, assistant director in the Legal Services Division, Collège des médecins du Québec, 2170, René-Lévesque Blvd. West, Montréal (Québec) H3H 2T8; telephone no: (toll-free) 1 888 633-3246 or 514 933-4441, extension 5362, fax. no: 514 933-3276, email: lbelanger@cmq.org

Any person having comments to make on the following text is asked to send them, before the expiry of the 45 day period, to the Chairman of the Office des professions du Québec, 800, Place D’Youville, 10th floor, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister of Justice; they may also be sent to the professional order that has adopted the Regulation, namely the Collège des médecins du Québec, as well as to interested persons, ministries and organizations.

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

Regulation amending the Code of ethics of physicians*

Professional Code
(L.R.Q., c. C-26, a. 87; 2008, c. 11, s. 1 and 56)

1. The Code of Ethics of Physicians is amended by the deletion of section 86.

2. Sections 88 and 89 of this Code are replaced by the following:

“DIVISION VII.I ADVERTISING AND PUBLIC STATEMENTS

88.0.1. A physician may not, by whatever means, advertise or make a representation to the public or to a person having recourse to his services or allow such to be made in his name, about him or for its benefit, that is false, misleading or incomplete, particularly as to his level or competence or the scope of effectiveness of his services, or favouring a medication, products, or method of investigation or treatment.

88. A physician who addresses the public must communicate factual, exact and verifiable information. This information must not contain any comparative or superlative statement belittling or disparaging a service or product dispensed by another physician or other professionals.

88.1. A physician may not use or allow in an advertisement the expression in an unsuitable way of support or gratitude concerning him or his professional practice.

89. A physician, expressing medical opinions through any public information medium, must express opinions in keeping with current information in medical science on the subject and indicate the caution with respect to a new diagnostic, investigative or treatment procedure which has not been sufficiently tested.”.

3. Sections 90 and 91 of this Code are deleted.

4. Section 92 of this Code is replaced by the following:

* The Code of Ethics of Physicians, approved by Order-in-Council no. 1213-2002 of October 9, 2002 (2002, G.O. 2., 7354), has been amended by Order-in-Council no. 39-2008 of January 31, 2008 (2008, G.O. 2., 731).

“92. A physician must clearly indicate in his advertising and on all other items of identification used to offer his professional services, his name as well as his status as family physician or specialist corresponding to a speciality category. He may also mention the services he offers.”

5. This Code is modified by the addition, after section 93, of by the following sections:

“93.1. Advertising about the prices of services provided by a physician must be of a nature to inform a person who does not have special knowledge of medicine.

93.2. A physician who includes a price in his advertising must also indicate the following information:

(1) the price of the treatment or service contemplated and, if any, the validity period;

(2) any restrictions that apply;

(3) any additional services or fees that might be charged and are not already included in the fee or price;

(4) additional fees associated with the terms of payment, if any.

A physician may agree with a patient to charge a price below that published or circulated.

93.3. The physician may not in any way whatsoever make or allow advertising intended for vulnerable persons particularly due of their age, condition or the occurrence of a specific event.”

6. Section 105 of this Code is modified:

(1) by the replacement of the word “fee asked” by the word “price”;

(2) by the replacement of the words “period for which the fee” by the words “validity period, where applicable”;

(3) by the addition, at the end of the section, of the following paragraph:

“He must display for public view in the waiting room of the place where he practices the price of any services, supplies and accessory charges and medical care that he charges for.”

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

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Draft Regulation

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

Physicians

— Professional activities which may be performed by a clinical perfusionist — Amendment

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 to amend the Regulation respecting the professional activities which may be performed by a clinical perfusionist”, made by the board of directors of the Collège des médecins du Québec, appearing below, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the “Regulation is to extend the application of the Regulation respecting the professional activities which may be performed by a clinical perfusionist”.

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

Further information may be obtained by contacting Linda Bélanger, Legal Advisor, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; telephone: 514 933-4441, extension 362 or 1 888 633-3246; fax: 514 933-5374; email: lbelanger@cmq.org

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D’Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation, that is, the Collège des médecins du Québec, as well as to interested persons, departments and bodies.

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