

ARTICLE 18

The Administrative Arrangement comes into force on the same date as the Agreement. It shall have the same term as the Agreement.

Done at Québec, on 18 September 2008, in two copies, in French and in Dutch, both texts being equally authentic.

For the competent
authority of Québec

For the competent
authority of Belgium

ALAIN CLOUTIER

GODELIEVE VAN DEN BERGH

SCHEDULE 3

(s. 2)

**SUPPLEMENTAL ADMINISTRATIVE
ARRANGEMENT BETWEEN QUÉBEC
AND BELGIUM CONCERNING MUTUAL
RENUNCIATION TO THE REIMBURSEMENT
OF HEALTH BENEFITS**

Considering paragraph 2 of Article 27 of the Agreement on social security between Québec and the Kingdom of Belgium, signed at Québec on 28 March 2006, the competent authorities of Québec and Belgium have mutually agreed to the following provisions:

ARTICLE 1

The Parties renounce to the reimbursement of the benefits in kind provided under Articles 23 and 24, paragraph 2 of Article 25 and Article 26 of the Agreement.

ARTICLE 2

This Supplemental Administrative Arrangement, which comes into force on the same date as the Agreement, is concluded for a term of one year.

It shall be renewed automatically from year to year, unless notice of termination is given 12 months before the expiry of each term.

Done at Québec on 18 September 2008, in two copies, in French and in Dutch.

For the competent
authority of Québec

For the competent
authority of Belgium

ALAIN CLOUTIER

GODELIEVE VAN DEN BERGH

Gouvernement du Québec

O.C. 569-2010, 23 June 2010

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

Certification of drug addiction or pathological gambling resources

WHEREAS, under section 346.0.6 of the Act respecting health services and social services (R.S.Q., c. S-4.2), the Government may determine, by regulation, the health and social criteria with which the operator of a residence for the elderly must comply to receive a certificate of compliance, which may vary according to category of residence for the elderly, as well as the conditions that must be satisfied by the staff members and volunteers of a residence for the elderly and by the persons working on behalf of such a residence, in accordance with the responsibilities they assume, particularly with regard to the required training and to safety;

WHEREAS, under section 346.0.21 of the Act, the provisions of subdivision 2.1 of Division II of Chapter I of Title 1 of Part III apply, with the necessary modifications, to all resources and categories of resource offering lodging determined by government regulation except intermediary resources, family-type resources and specialized medical centres within the meaning of the Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the certification of drug addiction or pathological gambling resources was published in Part 2 of the *Gazette officielle du Québec* of 21 April 2010 with a notice that it could be submitted to the Government to be made on the expiry of 45 days following that publication;

WHEREAS, under section 17 of that Act, a regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation or in the Act under which it is made or approved;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under the second paragraph of section 18 of that Act, the reason justifying such coming into force must be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies such coming into force:

— the Individual and Family Assistance Regulation, made by Order in Council 1073-2006 dated 22 November 2006, provides for the payment to last resort assistance recipients, on certain conditions, of a special benefit to cover the lodging expenses of an adult or dependent child in a centre offering drug addiction services with lodging, operated by a community or private body holding certification from the Minister of Health and Social Services for that purpose or that has submitted an eligible application with the Minister with all the documents required for its processing;

— presently, the Ministère de l'Emploi et de la Solidarité sociale pays the special benefit to residents of resources certified under a voluntary program for the certification of private or community bodies involved in drug rehabilitation and offering lodging set up by the Ministère de la Santé et des Services sociaux, or to residents of resources having filed an application for certification under that program. The Ministère de la Santé et des Services sociaux stopped accepting such applications under the program on 15 January 2010;

— the Act to amend the Act respecting health services and social services with regard to the certification of certain resources offering lodging to vulnerable clientele (2009, c. 46) provides that the date on which the deadlines begin for filing an application for certification under the new Act for drug addiction resources that were not already certified under the voluntary certification program is 30 June 2010 and the Ministère de l'Emploi et de la Solidarité sociale pays the benefit until that date for residents of those resources, provided that they are still in the process of being certified on that date;

— the Ministère de l'Emploi et de la Solidarité sociale will be able to pay benefits from July 2010 to residents of all resources that were not already certified under the voluntary certification program that will have filed their application for certification under the new Act before 31 July 2010. In such context, the Regulation must come into force as soon as possible before 31 July 2010 so that resources may file applications for certification before 31 July 2010, which will prevent a financial loss to last resort assistance recipients and the drug addiction resources that receive them;

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 and the Minister for Social Services:

THAT the Regulation respecting the certification of drug addiction or pathological gambling resources, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the certification of drug addiction or pathological gambling resources

An Act respecting health services and social services (R.S.Q., c. S-4.2, ss. 346.0.6 and 346.0.21)

DIVISION 1 RESOURCES CONCERNED

1. Subdivision 2.1 of Division II of Chapter I of Title 1 of Part III of the Act respecting health services and social services (R.S.Q., c. S-4.2) applies to any resource in drug addiction or pathological gambling that offers lodging.

Such a resource is a place that offers residential services and support services of various kinds, including therapy, social reintegration, assistance and support in recovering from an intoxication, and assistance and support in disintoxication, through individual or group interventions in the field of drug addiction or pathological gambling.

2. Only a legal person may operate a drug addiction or pathological gambling resource.

3. The services in the field of drug addiction or pathological gambling must be offered by the operator as part of a program mainly designed to serve clients with a dominant drug addiction or pathological gambling problem.

If an operator offers services to more than one type of client, the operator must group the services offered under that program in a separate unit and may hold the certificate of compliance referred to in section 346.0.3 of the Act only in respect of that program.

4. For the purposes of this Regulation, persons working as volunteers within a resource are considered staff members of that resource.

1. General

5. The operator of a drug addiction or pathological gambling resource must treat residents with courtesy, fairness and understanding, and with respect for their dignity, autonomy and needs.

6. Drug addiction or pathological gambling activities must be part of an intervention program that relies on an intervention approach or model recognized in the field.

7. The physical layout of the resource must facilitate activities and make the environment welcoming and functional.

Mixed occupation by men and women, persons of full age and minors is prohibited in the resource's bedrooms, dormitories or sanitary facilities, and any close contact that may hinder the assistance and support objectives must be avoided.

8. The bedrooms and dormitories used by residents must be a comfortable place to rest and recover.

9. The operator must establish and enforce cohabitation rules.

10. The operator must adopt a residents' charter of rights and responsibilities and ensure that every resident knows of its existence and has access to it.

11. The operator must adopt a code of ethics for the resource's directors and staff members that sets out the practices and behaviours expected in their dealings with residents.

The operator must ensure that every director and staff member has read and understood the code of ethics and has undertaken, in writing, to comply with it.

12. The operator must make available to residents, on the premises, a document setting out the resource's aims and including the following elements:

- (1) the resource's mission statement and intervention philosophy; and
- (2) the admission criteria for clients.

These elements must be included in all information documents describing the services offered by the resource.

13. An operator must ensure that the advertising for the services offered reflects reality.

2. Operation of the resource

14. The operator's board of directors must have at least 5 members and meet at least 4 times a year.

15. The operator must hold an annual meeting.

The operator must produce an annual activity report containing at least the following elements:

- (1) the profile of the clients served;
- (2) the number of residents having received services from the resource;
- (3) the type of services provided;
- (4) the number of dissatisfactions expressed by residents of the resource and a report on the follow-up to each complaint; and
- (5) the measures planned to improve the quality of the services provided to clients.

16. The operator must adopt general by-laws respecting its operation and the operation of the board of directors including

- (1) the criteria for becoming a member of the legal person;
- (2) the number of seats on the board of directors;
- (3) the procedure for appointing and dismissing directors, and the term of appointments;
- (4) the procedures for convening and organizing the annual meeting;
- (5) the number of meetings of the board of directors each year;
- (6) the procedure for convening meetings, the decision-making process and the quorum necessary at meetings; and
- (7) the content of the minutes of the meetings of the board of directors, which must describe the decisions made, and proof that the minutes have been approved by the board of directors.

17. The operator must inform all residents of their right provided for in the Act to directly file a complaint with the territory's agency and must post in a conspicuous and accessible place the information related to the exercise of that right.

The operator must also establish and apply a procedure to assess its services, as well as a procedure for processing dissatisfactions including

(1) the possibility for any resident of expressing dissatisfactions verbally or in writing;

(2) the designation of a person responsible for examining the dissatisfactions expressed by residents; and

(3) a requirement for that person to give reasons for all decisions made following the examination of dissatisfactions;

18. The operator must, before providing services, have a consent form signed by the person who intends to use the services or the person's legal representative.

The form must indicate that the person or the person's legal representative has, before receiving services, received information on

(1) the residents' rights and responsibilities;

(2) the approach used by the operator;

(3) the type and duration of the services proposed;

(4) the conditions for a residential stay;

(5) the cost of all the services and the method of payment;

(6) the rules governing a residential stay; and

(7) the procedure for the management, archiving and destruction of files.

19. The operator must draw up an organizational chart.

20. The operator must designate the person responsible for coordinating and assessing the intervention team.

The person must meet one of the following conditions:

(1) have, as provided for in the Schedule, eligible university training in intervention or human resources management and have a minimum of 3 years relevant experience in the field of drug addiction or pathological gambling;

(2) have, as provided for in the Schedule, eligible collegial training in intervention or human resources management, as well as a university certificate in addiction counselling and have a minimum of 5 years relevant experience in the field of drug addiction and pathological gambling; or

(3) hold an addiction counselling certificate awarded by a recognized university and have a minimum of 7 years relevant experience in the field of drug addiction or pathological gambling.

21. The operator must keep and update a file on each staff member, including a description of the tasks and qualifications, and the professional supervision required.

The file must also include a description of the training and upgrading activities required from staff members and of the activities actually completed.

22. The operator must ensure the supervision of case workers by a person meets one of the following conditions:

(1) have, as provided for in the Schedule, eligible university training in intervention and have a minimum of 3 years relevant experience in the field of drug addiction or pathological gambling; or

(2) hold a master's university degree in drug addiction and have a minimum of 3 years relevant experience in the field of drug addiction or pathological gambling.

23. The operator must ensure that at least 75% of all full-time case workers have

(1) eligible university training in intervention, as provided for in the Schedule;

(2) a university addiction counselling certificate; or

(3) eligible collegial training in intervention as provided for in the Schedule.

24. The operator must ensure that each case worker has received training on the intervention program offered by the operator.

The operator must also encourage case workers to participate in professional development or skills upgrading activities related to the intervention program offered by the operator.

25. The operator must establish and apply a written reception and integration procedure for new residents and a reception and integration procedure for new staff members.

3. Requirements

26. The services offered for remuneration by the operator must be offered in accordance with the Consumer Protection Act (R.S.Q., c. P-40.1).

27. The operator must ensure

(1) that the operator's retail or restaurant activities, or supply of services for remuneration, do not jeopardize the residents' health or safety because of a failure to comply with the Food Products Act (R.S.Q., c. P-29) or a regulation thereunder;

(2) that the residents' health or safety is not jeopardized by being housed by the operator in a building that does not meet the standards contained in a by-laws on hygiene, sanitation, security or construction of the municipality where the operator's residence is located; and

(3) that the residents' health and safety is not jeopardized by being housed by the operator in a building that does not meet the standards of the Public Buildings Safety Act (R.S.Q., c. S-3) or the Building Act (R.S.Q., c. B-1.1), or of a regulation thereunder.

28. The operator must ensure that the place where the operator conducts activities is in a state that ensures the physical safety of residents.

The operator must, in addition, establish and apply a maintenance plan for the operator's buildings and facilities.

29. The operator must establish and keep updated an evacuation plan for emergencies.

4. Insurance

30. The operator must have and maintain liability insurance in a sufficient amount to cover the operator against any claim resulting from the operator's civil or professional liability.

The operator must also have and maintain separate insurance covering the liability of the operator's directors and officers.

31. The building in which the operator conducts activities must be insured.

5. Resident files

32. The operator must keep up to date, for each resident, a complete file containing, in particular,

(1) information on the resident's identity;

(2) the contact information of a relative or friend that may be contacted in an emergency, if the resident is a minor, of a parent or tutor;

(3) a personalized assessment of the resident's condition and situation;

(4) the service contract and the resident's written consent to the services;

(5) written authorization from the resident to the operator for each communication of information concerning the resident;

(6) any information on the resident received from other persons or organizations authorized by the resident to forward information;

(7) the intervention plan prepared for the resident;

(8) notes concerning the resident's progress during the stay;

(9) a summary of the resident's stay, including recommendations on follow-up;

(10) a suicide risk assessment conducted at the resident's arrival and departure; and

(11) the resident's written consent to nursing and medical care.

33. The operator must appoint a person responsible for the custody, consultation, conservation and management of files.

34. Case workers must sign and date any note added to a resident's file.

35. The operator must protect the confidentiality of the personal information held and provide access in accordance with the Act respecting the protection of personal information in the private sector (R.S.Q., c. P-39.1).

36. The operator must establish a file management procedure that includes measures to ensure confidentiality and to permit access by residents.

The operator must, in addition, establish a procedure for the archiving and destruction of files that provides in particular for their conservation for a minimum of 5 years.

6. *Health and safety of residents*

37. The operator must complete, in accordance with recognized practices, a personalized assessment of each new resident.

38. The operator must draw up an individualized intervention plan for each resident, including, in particular,

(1) the target objectives, the methods to be used in meeting the objectives, and a timeframe for meeting the objectives;

(2) details on participation by the resident and, if applicable, by the resident's immediate circle, in the drafting and revision of the intervention plan;

(3) the revision of the intervention plan for a stay that extends beyond 3 months; and

(4) the name of the case worker responsible for the intervention plan and, if applicable, the follow-up plan established with community organizations.

39. The operator must, in accordance with recognized practices, assess the suicide risk of each resident when admitted and prior to departure.

40. The operator must ensure that appropriate follow-up measures are recommended for each resident prior to departure.

41. The operator must maintain a ratio of one case worker for every fifteen residents or less per work shift during which program activities are conducted.

42. The operator must establish and apply safety measures that take into account the type of clients and the environment in which the operator provides services.

43. Outside the hours of program activities, staff members must actively monitor residents in a way adapted to the type of clients and the environment surrounding the residents.

44. The operator must ensure that every new resident has been the subject of a medical assessment in the 7 days prior to admission, or will be so assessed in the 7 days following admission.

45. The operator must have a protocol for intervention in crisis and emergency situations and ensure that every staff member know the protocol and has the skills to apply it.

46. The operator must define a procedure for medical emergencies and inform staff members of the procedure.

The operator must provide a complete, easily accessible and properly stored first-aid kit.

47. The operator must ensure that a staff member with training in first aid and resuscitation is present on the premises at all times.

48. The operator must draw up and apply a procedure for the management of infectious biomedical waste, with assistance from a pharmacist, and make it known to staff members.

49. The operator must establish and apply hygiene and sanitation measures to prevent contagion, infection and contamination.

7. *Food and medication*

50. An operator who provides meals to residents must offer varied menus in keeping with Canada's Food Guide to Healthy Eating.

A staff member is responsible for meal preparation.

51. The operator must draw up and apply a protocol for medication management, with assistance from a pharmacist under a written agreement, and establish control mechanisms.

The protocol defines measures to be taken upon a resident's admission and departure, and specifies procedures for the storage, conservation, preparation and distribution of medication, as well as management measures for outdated medication.

52. The operator must designate a person responsible for applying the protocol for medication management and draw up a list of persons authorized to distribute medication.

The person must ensure that a medication distribution log is kept up to date.

53. The operator must establish and apply an admission protocol specific to a person on replacement therapy.

The protocol provides in particular that the resource must, before admitting such a person and after obtaining the person's consent, establish written agreements with

the person's prescribing physician and dispensing pharmacist and, if applicable, with the psychosocial worker monitoring the person, setting out the terms and conditions on which the person may continue that treatment during the rehabilitation stay.

54. The operator must draw up and apply a procedure for the management of replacement medication that defines measures for the control, reception and return of the product, safe storage and distribution conditions, and the measures to be taken if a resident on replacement therapy leaves precipitately.

The procedure must be validated by a health professional.

55. The staff members responsible for applying the protocol provided for in section 53 must have received specific training from the Institut national de santé publique du Québec on the management and monitoring of clients on replacement therapy that is suited to their profile.

8. Particularities and exemptions

56. Provided that services are not interrupted, section 44 does not apply to the operator of a resource where only reintegration support services are offered when admitting a person who has just completed a stay in another resource in the field of drug addiction or pathological gambling.

57. The operator of a resource referred to in section 56 must maintain a ratio of one case worker for every twenty residents or less per work shift during which program activities are conducted.

58. The operator of a resource offering a disintoxication support program must ensure that the severity of a new resident's withdrawal is assessed by qualified personnel, in accordance with recognized practices, in the 24 hours prior to or following admission.

59. The operator of a resource that specifically caters to clients with concurrent drug addiction and mental health disorders must ensure that at least one staff member trained to intervene adequately with residents under a training program recognized in the field is present at all times on the premises.

The operator must also ensure that at least one staff member having the qualifications required to provide support to the intervention team with clients having mental health disorders is available at all times to provide support to the intervention team.

In addition, the operator must, for prevention purposes, draw up a crisis intervention plan for every resident that is suited to the resident's state of mental health.

60. An operator referred to in section 15 or 16 of the Act to amend the Act respecting health services and social services with regard to the certification of certain resources offering lodging to vulnerable clientele (S.Q., 2009, c. 46) must comply with section 23 of this Regulation within 6 years after first obtaining a certificate pursuant to the Act.

Despite the foregoing, the operator must be able to demonstrate, when the application for a certificate is evaluated, that at least 50% of the operator's staff is enrolled in training provided for in section 23 and will graduate within 3 years.

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

SCHEDULE

LIST OF ADMISSIBLE TRAINING PROGRAMS

1. Intervention

(a) college level

Diploma of college studies in

- Nursing
- Special care counselling
- Social service
- Youth and adult correctional intervention

(b) university level

Bachelor's degree, master's degree or doctorate in

- Special education
- Criminology
- Psycho-education
- Psychology
- Counselling
- Social service or social work
- Sexology
- Sociology
- Nursing
- Drug addiction

2. Human resources management

(a) college level

Diploma of college studies in

— Administrative techniques

(b) university level

Bachelor's degree, master's degree or doctorate in

— Administration

— Health administration

— Public administration

— Human resources management in the workplace

— Human resources management

— Management

— MBA

— Industrial or labour relations

— Commerce

— Administration

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Gouvernement du Québec

O.C. 572-2010, 23 June 2010

Private Security Act
(R.S.Q., c. S-3.5)

Training required to obtain an agent licence to carry on private security activities

Regulation respecting the training required to obtain an agent licence to carry on private security activities

WHEREAS, under section 112 of the Private Security Act (R.S.Q., c. S-3.5), the Government may make a regulation determining the training required to obtain an agent licence, which may include exemptions or provisional conditions for existing personnel, and defining the Bureau de la sécurité privée's role as regards training;

WHEREAS, under section 113 of the Act, regulatory provisions made in particular under section 112 may vary according to the class of licence to which they apply;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the training required to obtain an agent licence to carry on private security activities was published in Part 2 of the *Gazette officielle du Québec* of 24 March 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation respecting the training required to obtain an agent licence to carry on private security activities, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the training required to obtain an agent licence to carry on private security activities

Private Security Act
(R.S.Q., c. S-3.5, s. 112)

1. The training required to obtain an agent licence to carry on private security activities is as follows:

(1) for security guarding, to have successfully completed, in a private security guarding program, at least 70 hours of course for which a transcript of marks is issued by a school board;

(2) for investigation, to have successfully completed the 135-hour course "Initiation aux techniques d'enquête et d'investigation" offered in a college-level educational institution, or to hold a Diploma in College Studies in police technology or a bachelor's degree in security and police studies obtained in the 5 years preceding the licence application, or their equivalent recognized by the Minister of Education, Recreation and Sports;

(3) for locksmith work, to hold a diploma of vocational studies in locksmithing or its equivalent recognized by the Minister of Education, Recreation and Sports;

(4) for the transport of valuables, to have successfully completed training on the handling of firearms and the use of force provided by the École nationale de police du Québec or an instructor qualified by that school.

2. An agent licence may be issued to a person who does not meet the training requirements provided for in section 1 where the person's level of knowledge and skills is equivalent to the training required.

In assessing the training equivalence, the Bureau de la sécurité privée takes the following factors into account, among other things: