

For the purposes of this section, service includes the performance of professional services by a notary pursuant to a contract for services for the benefit of two or more persons, in particular but without limiting the foregoing, the acquisition or sale of a family residence or an undivided co-ownership, the settlement of a succession, the creation of a patrimony by appropriation or of the constitution of a legal person, and any investment of a movable or immovable nature.

**19.** The maximum compensation payable shall be reviewed every five years after this regulation comes into force.

**20.** The balance of a notary's general trust account shall, subject to section 42 of the Regulation respecting trust accounting by notaries approved by the Office des professions du Québec on (*specify date of approval*), be distributed by the secretary of the Committee among the claimants in respect of the notary, in proportion and up to the amount of each claim allowed, less the sum paid pursuant to section 18, at the expiry of 60 days following publication of a notice to that effect in a newspaper circulating in the place where the notary has or had his professional domicile.

The secretary of the Committee shall cause the notice to be published after one year has elapsed without any new claim exceeding \$100,000 against the fund in respect of that notary.

**21.** The claimant shall sign an acquittance in favour of the Order upon payment of the compensation.

#### DIVISION IV TRANSITIONAL AND FINAL

**22.** This regulation replaces the Regulation respecting trust accounting by notaries approved by order in council 995-2002 dated September 11, 2002.

However the Regulation respecting trust accounting by notaries shall continue to govern claims filed against the fund before (*specify date on which regulation comes into force*).

**23.** The compensation fund contemplated in section 2 shall consist of the moneys and property already allocated for this purpose as at (*specify date on which regulation comes into force*).

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

### Draft Regulation

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

#### Physicians — Professional activities that could be engaged in during clinical perfusion

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 respecting professional activities that could be engaged in during clinical perfusion”, adopted by the Board of Directors of the Collège des médecins du Québec, may be submitted to the Government, which may approve it with or without amendment, upon the expiry of 45 days following this publication.

The purpose of this Regulation is to update the “Regulation respecting the professional activities which may be performed by a clinical perfusionist” and to impose the obligation of refresher courses to the perfusionist by the necessity to be certified by the Canadian Society of Clinical Perfusion.

This Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Mre Linda Bélanger, Legal Advisor, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; telephone number: 514 933-4441, extension 5362, facsimile number: 514 933-5374, email: lbelanger@cmq.org

Any person having comments to make on the following text is asked to send them, before the expiry of the 45day period, to the Chair 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 respecting professional activities that could be engaged in during clinical perfusion

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

**1.** The purpose of this regulation is to determine, amongst the professional activities that physicians may engage in, those professional activities that may be engaged in by a clinical perfusionist or by other persons in a facility operated by an establishment in 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) or as part of the interhospital transport of a patient or an organ.

**2.** In this regulation, “clinical perfusionist” means any person certified by the Canadian Clinical Perfusion Society and satisfying one of the following conditions:

(1) has been issued a certificate or diploma of specialized advanced studies (D.E.S.S.) in extracorporeal perfusion by the Université de Montréal;

(2) has 24 months of experience in clinical perfusion during the last 4 years and has an attestation issued by a cardiovascular and thoracic surgeon or by a heart surgeon confirming successful completion of a supervised training period lasting 3 months done in an internship situation of the education program leading to a diploma in specialized advanced studies (D.E.S.S.) in extracorporeal perfusion issued by the Université de Montréal.

**3.** A clinical perfusionist may engage in the following professional activities:

(1) operate and assure the operation of cardiac, pulmonary or circulatory assistance, autotransfusion or apheresis equipment;

(2) provide clinical supervision of the condition of persons linked to cardiac, pulmonary or circulatory assistance, autotransfusion or apheresis equipment;

(3) administer and adjust medication or other substances when they have been prescribed;

(4) mix substances in order to complete the preparation of a medication, in accordance with a prescription;

(5) obtain samples from catheters in place or from the circulatory support circuit, according to a prescription;

(6) perform treatments through circulatory support systems, according to a prescription.

**4.** May also engage in the activities contemplated in section 3 the following person:

(1) a student registered in a training program leading to a diploma contemplated in sub-paragraph (1) of section 2 may, in the presence of a clinical perfusionist, engage in the activities contemplated in section 3 to the extent to which they are required to complete this program;

(2) a person engaged in the training period provided in subparagraph (2) of section 2 may, in the presence of a clinical perfusionist, cardiovascular and thoracic surgeon or a cardiac surgeon, engage in the activities contemplated in section 3 to the extent that they are required for the purposes of completing this training period;

(3) the holder of a diploma referred to in subparagraph 1 of the section 2, during his period of eligibility to certification to the Canadian Society of Clinical Perfusion.

**5.** A person who, on April 30, 2003 was practicing as a clinical perfusionist is authorized to continue to perform the activities listed in section 3.

**6.** This regulation replaces the Regulation respecting the professional activities that can be performed in clinical perfusion (c. M-9, r. 3).

**7.** This regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* and shall cease to apply on the date of the fourth anniversary of its coming into force.

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