

WHEREAS the Board made the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act on 8 December 2010;

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 forms and statements of fees under the Health Insurance Act was published in Part 2 of the *Gazette officielle du Québec* of 20 April 2011 with a notice that it could be submitted for approval by the Government on the expiry of 45 days following its publication;

WHEREAS it is expedient that the Regulation be approved by the Government without amendment;

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

THAT the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act

Health Insurance Act
(R.S.Q., c. A-29, s. 72, 1st par., subpar. a)

- 1.** The Regulation respecting forms and statements of fees under the Health Insurance Act (c. A-29, r. 7) is amended in section 11 by striking out paragraphs 3 and 5.
- 2.** Section 14 of the Regulation is repealed.
- 3.** Forms 19, 20, 21 and 30 appearing as a Schedule to the Regulation are struck out.
- 4.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 1090-2011, 26 October 2011

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

Hearing devices and insured services — Amendment

Regulation to amend the Regulation respecting hearing devices and insured services

WHEREAS, under subparagraph *h.2* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation the Régie de l'assurance maladie du Québec or upon its recommendation, make regulations to determine the services and the sets or subsets of hearing aids that must be considered to be insured services for the purposes of the seventh paragraph of section 3 of the Act and determine the cases and conditions in and on which the Board assumes the cost of such insured services and in and on which the services are furnished;

WHEREAS the Government made the Regulation respecting hearing devices and insured services (c. A-29, r. 2);

WHEREAS the Board recommended those amendments;

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 hearing devices and insured services was published in Part 2 of the *Gazette officielle du Québec* of 20 April 2011 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 Health and Social Services:

THAT the Regulation to amend the Regulation respecting hearing devices and insured services, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hearing devices and insured services

Health Insurance Act
(R.S.Q., c. A-29, s. 3, 7th and 9th pars., and s. 69,
1st par., subpar. *h.2*)

1. The Regulation respecting hearing devices and insured services (c. A-29, r. 2) is amended in section 1 by replacing the definition of “distributor” by the following:

““distributor”: a rehabilitation centre for persons with a hearing deficiency offering technical aid services and holding a permit issued by the Minister under section 437 of the Act respecting health services and social services (R.S.Q., c. S-4.2) or section 136 of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5) that distributes assistive listening devices, or a physical or legal person that has entered into an agreement with the Board authorized by the Government under section 23 of the Act respecting the Régie de l’assurance-maladie du Québec (R.S.Q., c. R-5) and that distributes assistive listening devices;”.

2. Section 6 is amended by replacing the second paragraph by the following:

“Moreover, the hearing aid must be furnished and the services rendered in Québec by a hearing aid acoustician who is a member of the Ordre des audioprothésistes du Québec.”.

3. The following is inserted after section 16:

“**16.1.** An insured person, a distributor, a hearing aid acoustician or an institution claiming reimbursement from the Board of the cost of purchase, adjustment, replacement or repair of a hearing device provided or distributed under this Regulation must send, using the form provided by the Board, the following information, which may vary depending on the medium used or depending on whether the case involves a request for special consideration or a claim for payment:

(1) the health insurance number, the expiration date indicated on the health insurance card and the information required by the Board to identify the insured person who received the property or service;

(2) the name, dispenser number and, where applicable, permit number of the distributor or institution, and the name, member number in the Ordre des audioprothésistes du Québec and dispenser number of

the hearing aid acoustician who provided the property or the service described, as well as the reference number of the request for special consideration or the claim for payment;

(3) the hearing loss in each ear assessed according to the conditions provided for in this Regulation, and the information contained in the medical certificate referred to in subparagraph *a* of subparagraph 1 of the first paragraph of section 6 and in subparagraph 1 of the first paragraph of section 7, and, in the case of a request for special consideration;

(4) the date the impression was made and the date of service;

(5) the code for the good or service, side of the body, type, the code for the apparatus allocated, the reference code for the apparatus, the serial number, the number of units, the amount claimed, the date on which the property was allocated or the service rendered and, where applicable, the reason for replacement;

(6) the indicator for the program referred to in the claim for payment;

(7) a statement by the insured person confirming that the person received the property or service described and authorizing the Board to make the payment;

(8) the necessary information for identifying the recipient of the payment; and

(9) a statement by the hearing aid acoustician or the distributor confirming that the information provided is accurate and complete.”.

4. Section 19 is amended by replacing the first paragraph by the following:

“**19.** Upon the purchase or replacement of a hearing aid, the Board pays the hearing aid acoustician or an institution that operates a rehabilitation centre offering technical aid services for persons with a hearing deficiency and that holds a permit issued by the Minister under section 437 of the Act respecting health services and social services or section 136 of the Act respecting health services and social services for Cree Native persons, where the services are rendered by a hearing aid acoustician in its employ, the tariff fixed by the Board under section 72.1 of the Health Insurance Act to cover all of the following services:”.

5. Section 21 is amended by replacing subparagraph 2 of the first paragraph by the following:

“(2) in the case of repairs done exclusively by the hearing aid acoustician or exclusively by the institution that operates a rehabilitation centre offering technical aid services for persons with a hearing deficiency and that holds a permit issued by the Minister under section 437 of the Act respecting health services and social services or section 136 of the Act respecting health services and social services for Cree Native persons.”.

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

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Gouvernement du Québec

O.C. 1091-2011, 26 October 2011

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

Insured visual aids and related services — Amendment

Regulation to amend the Regulation respecting insured visual aids and related services

WHEREAS, under subparagraph *h.1* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation the Régie de l'assurance maladie du Québec or upon its recommendation, make regulations to determine the services and the sets or subsets of visual aids that must be considered to be insured services for the purposes of the sixth paragraph of section 3 of the Act and determine the cases and conditions in and on which the Board reimburses the cost of the insured services and in and on which the services are furnished;

WHEREAS the Government made the Regulation respecting visual aids insured under the Health Insurance (c. A-29, r. 3);

WHEREAS the Board recommended those amendments;

WHEREAS, under Order in Council 470-2011, dated 4 May 2011, the Regulation respecting visual aids insured under the Health Insurance Act has been amended by replacing its title with the following title: “Regulation respecting insured visual aids and related services”;

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 insured

visual aids and related services was published in Part 2 of the *Gazette officielle du Québec* of 20 April 2011 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 amendment;

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

THAT the Regulation to amend the Regulation respecting insured visual aids and related services, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting insured visual aids and related services

Health Insurance Act
(R.S.Q., c. A-29, s. 3, 6th and 9th pars., and s. 69, 1st par., subpar. *h.1*)

1. The Regulation respecting insured visual aids and related services (c. A-29, r. 3) is amended by replacing section 3 by the following:

“**3.** An institution recognized within the meaning of this Regulation is an institution recognized by the Minister for the purposes of the sixth paragraph of section 3 of the Health Insurance Act for the services provided and the visual aids lent in accordance with this Regulation.”.

2. The following is inserted after section 44:

“**44.1.** The Board is to reimburse to a recognized institution the purchase, replacement or repair cost of a visual aid, its components or supplements, only if the institution sends to the Board a statement of account, using a form provided by the Board, including the following information, which may vary according to the medium used, whether the visual aid is marked “SC” or a claim for payment is made:

(1) the health insurance number, the expiration date indicated on the health insurance card and the information required by the Board to identify the insured person who benefited from the property or service;