

(2) the institution's name, permit number, dispenser number, the reference number of an application for a visual aid marked "SC" or a claim for payment and, in the case of a transfer, the number of the transferred device and the name and permit number of the institution where the device was transferred;

(3) an indication relating to the visual acuity and the field of vision in each eye, the qualification of visual incapacity, a description of the pursuit of activities justifying the allocation of a visual aid and, where the purchase or replacement cost of a visual aid is marked "SC", the information referred to in this Regulation;

(4) the code of the property or service, its nature, justification, the number of the device, the amount claimed and the date on which the property was allocated or the service rendered;

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

(6) a statement by the person in charge of the institution that the information given is accurate and complete."

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

1718

Gouvernement du Québec

O.C. 1092-2011, 26 October 2011

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

Devices which compensate for a physical deficiency and are insured under the Act
— Amendment

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act

WHEREAS, under subparagraph *h* 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 devices that compensate for a physical deficiency that must be considered to be

insured services for the purposes of the fifth paragraph of section 3 of the Act and determine the cases and conditions in and on which the Board assumes the cost of those insured services and in and on which the services are furnished;

WHEREAS the Government made the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act (c. A-29, r. 4);

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 devices which compensate for a physical deficiency and are insured 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 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 devices which compensate for a physical deficiency and are insured under the Health Insurance Act, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act

Health Insurance Act
(R.S.Q., c. A-29, s. 3, 5th and 9th pars., and s. 69, 1st par., subpar. *h*)

1. The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act (c. A-29, r. 4) is amended in section 13 by replacing the first paragraph by the following:

"**13.** Any device appearing on the list in Division II of Part II of the Tariff that is no longer used by an insured person owing to the person's death or that has

been replaced owing to a change in the person's physical condition must be returned to an institution that operates a rehabilitation centre offering technical aid services for persons with motricity impairment and that holds 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).”.

2. Section 26 is amended by replacing subparagraph 2 of the second paragraph by the following:

“(2) a general practitioner or a physician specializing in pediatrics who holds specific privileges for that purpose in a hospital or in a rehabilitation centre that offers technical aid services for persons with motricity impairment and is operated by an institution holding 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, or whose designation by the agency has been approved by the Minister of Health and Social Services in accordance with section 29.”.

3. Section 27 is amended

(1) by replacing subparagraph 1 of the first paragraph by the following:

“(1) in the case of a device that appears on one of the lists in Part I of the Tariff where it is furnished to an insured person in Québec by an institution in a hospital or in a rehabilitation centre offering technical aid services for persons with motricity impairment or by a laboratory, provided that the institution that operates the hospital or rehabilitation centre or the laboratory, as the case may be, holds a permit issued by the Minister under section 437 of the Act respecting health services and social services, section 136 of the Act respecting health services and social services for Cree Native persons or section 31 of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (R.S.Q. c. L-0.2), or where it is furnished to an insured person outside Québec by an institution or laboratory recognized under section 13 of the Health Insurance Act;”;

(2) by replacing subparagraph 2 of the first paragraph by the following:

“(2) in the case of a device that appears on one of the lists in Part II of the Tariff where it is furnished to an insured person in Québec by an institution in a hospital or in a rehabilitation centre offering technical aid services for persons with motricity impairment, provided

that the institution that operates the hospital or the rehabilitation centre 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, or where it is furnished to an insured person outside Québec by an institution recognized under section 13 of the Health Insurance Act.”.

4. Section 29 is replaced by the following:

“**29.** In regions where there is no hospital or rehabilitation centre offering technical aid services for persons with motricity impairment, an institution that operates a rehabilitation centre for persons with motricity impairment or a hospital in which there is a practising general practitioner who is empowered to attest to the needs of persons with motricity impairment and who holds specific privileges for that purpose, or in which there is a physician specializing in pediatrics who meets the same requirements, may receive a designation by the agency that is approved by the Minister of Health and Social Services pursuant to sections 347 and 377 and subparagraphs 1 to 3 and 7 of the second paragraph of section 431 of the Act respecting health services and social services, for the purposes of subparagraph 2 of the second paragraph of section 26.”.

5. The following is inserted after section 34.1:

“**34.2.** The Board assumes the cost of a service as well as the cost of the purchase, replacement, fitting or repair of a device or other equipment referred to in this Title only if the institution or laboratory sends to the Board, using the form provided by the Board, the following information, which may vary depending on the medium used or depending on whether the reference “S.C.” appears in place of the purchase or replacement price or the case involves 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 benefited from the property or service;

(2) the name, permit number and dispenser number of the institution or laboratory, and the prescriber number and the reference number of the claim concerning a device, component or supplement for which the reference “S.C.” appears in place of its purchase or replacement price or of the claim for payment;

(3) a description of the insured person's physical deficiency and disability, and the information provided for, as the case may be, in sections 4, 23 and 27;

(4) the code of the good or service, side of the body, type, the number of units, the amount claimed, the serial number, the date on which the property was allocated or the service rendered and, in the case of a repair, fitting, replacement or adjustment, the reason therefor, the date of taking possession, the reference code for the property and the manufacturer's authorization number;

(5) a statement of the labour costs, including the duration of the work and a list of the materials;

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

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

(8) a statement by the person in charge of the institution or laboratory confirming that the information provided is accurate and complete.”

6. Section 57 is amended by replacing the second paragraph by the following:

“Furthermore, a device that is no longer used by an insured person owing to the person's death or a change in the person's physical condition must be returned to an institution that operates a rehabilitation centre offering technical aid services for persons with motricity impairment 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.”

7. Section 68 is amended by replacing subparagraph 2 of the second paragraph by the following:

“(2) a general practitioner or a physician specializing in pediatrics who holds specific privileges for that purpose in a hospital or in a rehabilitation centre that offers technical aid services for persons with motricity impairment and is operated by an institution holding 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, or whose designation by the agency has been approved by the Minister of Health and Social Services in accordance with section 71;”

8. Section 69 is replaced by the following:

“**69.** In addition to the condition set forth in section 68, the Board assumes the cost of purchase, adjustment, replacement or repair of a device that is determined to

be insured or of one or a combination of its components or supplements, where the device, component or supplement, or the service, is furnished to an insured person in Québec by an institution in a hospital or a rehabilitation centre offering technical aid services for persons with motricity impairment, provided that the institution that operates the hospital or the rehabilitation centre 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, or where it is furnished to an insured person outside Québec by an institution that is recognized under section 13 of the Health Insurance Act.”

9. Section 71 is replaced by the following:

“**71.** In regions where there is no hospital or rehabilitation centre offering technical aid services for persons with motricity impairment, an institution that operates a rehabilitation centre for persons with motricity impairment or a hospital in which there is a practising general practitioner or a practising physician specializing in pediatrics who is empowered to attest to the needs of persons with motricity impairment and who holds specific privileges in that rehabilitation centre or hospital for that purpose may receive a designation by the agency that is approved by the Minister of Health and Social Services pursuant to sections 347 and 377 and subparagraphs 1 to 3 and 7 of the second paragraph of section 431 of the Act respecting health services and social services, for the purposes of subparagraph 2 of the second paragraph of section 68.”

10. The following is inserted after section 75:

“**75.1.** The Board assumes the cost of a service as well as the cost of the purchase, replacement, adjustment, repair or adaptation of a device, component or supplement referred to in this Title only if the institution sends to the Board, using the form provided by the Board, the following information, which may vary depending on the medium used or depending on whether the reference “S.C.” appears in place of the purchase or replacement price or the case involves a request for prior authorization or a claim for payment:

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

(2) the name, the permit number and the dispenser number of the institution, and the prescriber number and the reference number of the claim for payment for a

device, component or supplement for which the reference “S.C.” appears in place of its purchase or replacement price, of the request for prior authorization or of the claim for payment;

(3) a description of the insured person’s physical deficiency and disability, and the information provided for in section 62;

(4) the code for the good or service, side of the body, type, the number of units, the amount claimed, the serial number, the date on which the property was allocated or the service rendered and, in the case of a repair, fitting, replacement or adjustment, the reason therefor, the date of taking possession, the reference code for the property and the manufacturer’s authorization number;

(5) a statement of the labour costs, including the duration of the work and a list of the materials;

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

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

(8) a statement by the person in charge of the institution confirming that the information provided is accurate and complete.”.

11. 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. 1097-2011, 26 October 2011

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Building service employees – Montréal — Amendment

Decree to amend the Decree respecting building service employees in the Montréal region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree respecting building service employees in the Montréal region (c. D-2, r. 15);

WHEREAS the contracting parties designated in the Decree have, under section 6.1 of the Act, applied to the Minister of Labour to have amendments made to the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

WHEREAS, under section 7 of the Act, notwithstanding section 17 of the Regulations Act (R.S.Q., c. R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft of the amending decree was published in Part 2 of the *Gazette officielle du Québec* of 25 May 2011 and, on the same date, in a French language newspaper and in an English language newspaper with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comment was made in respect of the draft Decree;

WHEREAS it is expedient to make the draft Decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Decree to amend the Decree respecting building service employees in the Montréal region, attached hereto, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting building service employees in the Montréal region

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting building service employees in the Montréal region (c. D-2, r. 15) is amended in section 1.01

(1) by replacing paragraph *d* by the following: