

## Draft Regulations

### Draft Regulation

An Act respecting clinical and research activities relating to assisted procreation (R.S.Q., c. A-5.01)

#### Clinical activities related to assisted procreation — 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 clinical activities related to assisted procreation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides the cases in which a centre for assisted procreation must enter into a service agreement with an institution, as well as the conditions on which such an agreement is to be entered into.

It also strengthens the exceptional character of the decision to transfer more than one embryo into a woman.

Further information on the draft Regulation may be obtained by contacting Jeannine Auger, Direction générale des services de santé et médecine universitaire, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 2<sup>e</sup> étage, Québec (Québec) G1S 2M1; telephone: 418 266 5827; fax: 418 266-4605; email: jeannine.auger@msss.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

YVES BOLDUC,  
Minister of Health and Social Services

### Regulation to amend the Regulation respecting clinical activities related to assisted procreation

An Act respecting clinical and research activities relating to assisted procreation (R.S.Q., c. A-5.01, s. 30, pars. 2 and 7)

**1.** The Regulation respecting clinical activities related to assisted procreation (c. A-5.01, r. 1) is amended in section 2 by replacing paragraph 7 by the following:

“(7) have entered into a service agreement with an institution operating a hospital centre designated as a university hospital centre or affiliated university centre within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2), particularly for the following purposes:

(a) allowing the clientele of the centre for assisted procreation to receive there the diagnostic biological examinations required prior to an assisted procreation activity, the cost of which is being paid in accordance with the Hospital Insurance Act (R.S.Q., c. A-28) or the Health Insurance Act (R.S.Q., c. A-29), as the case may be;

(b) referring there a person who shows complications resulting from an assisted procreation activity or who requires follow-up for a high-risk pregnancy resulting from *in vitro* fertilization;

(c) ensuring that physicians who practise their profession in the centre for assisted procreation hold an appointment allowing them to also practise their profession in the hospital centre so that the expertise necessary for participating in medical instruction and addressing complications resulting from an assisted procreation activity is available at all times.”.

**2.** Section 4 is amended by replacing paragraph 7 by the following:

“(7) have entered into a service agreement with an institution operating a hospital centre designated as a university hospital centre or affiliated university centre within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2), particularly for the following purposes:

(a) allowing the clientele of the centre for assisted procreation to receive there the diagnostic biological examinations required prior to an assisted procreation activity, the cost of which is being paid in accordance with the Hospital Insurance Act (R.S.Q., c. A-28) or the Health Insurance Act (R.S.Q., c. A-29), as the case may be;

(b) referring there a person who shows complications resulting from an assisted procreation activity or who requires follow-up for a high-risk pregnancy resulting from an *in vitro* fertilization;

(c) ensuring that physicians who practise their profession in the centre for assisted procreation hold an appointment allowing them to also practise their profession in the hospital centre so that the expertise necessary for participating in medical instruction and addressing complications resulting from an assisted procreation activity is available at all times.”.

**3.** The following is added after section 5:

“**5.1.** A service agreement referred to in paragraph 7 of section 2 and paragraph 7 of section 4 must be authorized by a resolution of the board of directors of the institution and be signed by the executive director of the institution. The agreement must be valid for 3 years.

The agreement must include

(1) a description of the services offered by the centre for assisted procreation and by the institution, respectively;

(2) the terms and conditions for reviewing the agreement;

(3) the roles and responsibilities of the physicians who practise their profession in the centre for assisted procreation and those practising in the hospital centre operated by the institution for the treatment of complications resulting from an assisted procreation activity and for the follow-up of high-risk pregnancies resulting from *in vitro* fertilization;

(4) the name of all physicians who practise their profession in the centre, specifying which ones hold an appointment allowing them to practise their profession in a hospital centre operated by an institution, whether or not the physician is a signatory of the agreement;

(5) a commitment by the institution or centre to comply with the guidelines resulting from the best practices in matters of assisted procreation.”.

**4.** Section 17 is amended by replacing the second paragraph by the following:

“However, in exceptional circumstances and taking into account the quality of embryos, a physician may decide to transfer a maximum of 2 embryos.”.

**5.** The following is inserted after section 18:

“**18.1.** *In vitro* maturation and micro-surgical testicular sperm extraction may be carried out only in a centre for assisted procreation located in a facility maintained by an institution operating a hospital centre designated as a university hospital centre.

**18.2.** All physicians who practise in a centre for assisted procreation must ensure the follow-up of a person to whom they provided assisted procreation services until the person is taken in charge by another physician.”.

**6.** The following is inserted after section 26:

“**26.1.** A centre for assisted procreation may not refer a person to a clinic for assisted procreation located outside Québec or cooperate with such a clinic if the assisted procreation services provided there do not comply with the standards of the Act and this Regulation and with the guidelines resulting from the best practices in matters of assisted procreation.”.

**7.** 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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## Notice

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

### Security guards — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Government, after consulting the Comité paritaire des agents de sécurité and in accordance with sections 6 and 8 of the Act, intends to amend the Decree respecting security guards (c. D-2, r. 1).

Notice is also given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the draft Decree to amend the Decree respecting security guards, appearing below, may be made by the Government on the expiry of 45 days following this publication.