

CHAPTER V TRANSITIONAL AND FINAL

95. Every disciplinary complaint whose process is in progress on (*insert the date preceding the date of coming into force of this By-law*) is continued in accordance with this By-law, with the necessary modifications.

The periods for the striking off of a penalty in section 91 apply to the disciplinary penalties imposed before the coming into force of this By-law.

96. The members of the discipline committee appointed in accordance with section 54 of the Regulation respecting the discipline of members of the Sûreté du Québec (R.R.Q., c. P-13.1, r. 2) become members of the discipline committee constituted in accordance with section 58 of this By-law.

97. This By-law replaces the Regulation respecting the discipline of members of the Sûreté du Québec (R.R.Q., c. P-13.1, r. 2).

98. This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Draft Regulation

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

Medical technologists — Code of ethics — 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 Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec, made by the board of directors of the Ordre des technologistes médicaux du Québec and appearing below, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation specifies certain sections and determines new derogatory acts to the dignity of the profession.

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

Further information may be obtained by contacting Alain Collette, Director General and Secretary, Ordre professionnel des technologistes médicaux du Québec, 281, avenue Laurier Est, Montréal (Québec) H2T 1G2; telephone: 514 527-9811, extension 3005; fax: 514 527-5314.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice; they may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec

Professional Code
(R.S.Q., c. C-26, s. 87)

1. The Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec (c. C-26, r. 243) is amended by replacing section 1 by the following:

“**1.** This Code determines, pursuant to section 87 of the Professional Code (R.S.Q., c. C-26), the duties and obligations to be discharged by every member of the Ordre professionnel des technologistes médicaux du Québec.”

2. Section 2 is amended by replacing “and integrity” by “, integrity and based on the interest of his or her clients.”

3. Section 4 is amended by adding the following sentence: “If the interest of the client so requires, the medical technologist must consult another member of the Order, a member of another professional order or any other competent person, or refer the client to one of those persons.”

4. The heading of Division VII is replaced by the following: “INFORMATION, CHOICE AND CONSENT OF THE CLIENT”.

5. Section 22 is amended by replacing “his client’s right” by “the right of the client or the client’s legal representative” and by adding the following sentence: “The medical technologist must not, by any means, interfere with the client’s freedom of choice.”.

6. Section 23 is replaced by the following:

“**23.** A medical technologist must, except in an emergency, obtain free and enlightened consent from the client or the client’s legal representative before undertaking any action.”.

7. Section 24 is amended by inserting “or the client’s legal representative” after “client”.

8. The following section is inserted after section 24:

“**24.1.** A medical technologist must declare in writing, to the service head or the director of the laboratory or, where there is no service head or director of the laboratory, to a person designated by them, any incident, accident or non-compliant process that could be detrimental to the adequate conduct of the analysis, accuracy of the result, diagnosis, therapeutic follow-up and health of the client.”.

9. Section 25 is amended by adding the following paragraphs:

“(5) failing to notify the Order or allowing that activities reserved for medical technologists are carried out by a person who is not authorized to practise the profession;

(6) failing to notify the Order of the incompetence of a medical technologist or the practice of the profession in a detrimental manner;

(7) communicating with the complainant without the prior written permission from the syndic or assistant syndic, where the medical technologist is informed of an inquiry into his or her professional conduct or competence or where the medical technologist has received notice of a complaint against him or her;

(8) intimidating a person or taking reprisals or threatening to take reprisals against any person who

(a) has reported derogatory behaviour or conduct or intends to do so; or

(b) has taken part or cooperated in an inquiry into derogatory conduct or behaviour or intends to do so.”.

10. Section 26 is amended

(1) by replacing paragraph 3 by the following:

“(3) may consider that the medical technologist is released from professional secrecy with the written or express authorization of the client or where so ordered or expressly authorized by law;”;

(2) by adding the following paragraph:

“(4) must refrain from using his or her position to obtain information irrelevant to the practice of the profession in the record of clients.”.

11. The heading of Division X is replaced by the following: “ACCESSIBILITY AND RECTIFICATION OF RECORDS”.

12. Section 47 is amended by adding “by the Order or any other authority offering training recognized by the Order” at the end.

13. 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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Draft Regulation

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

Occupational therapists — Professional activities that may be engaged in by persons other than occupational therapists

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 the professional activities that may be engaged in by persons other than occupational therapists, appearing below and made by the board of directors of the Ordre des ergothérapeutes du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation determines the professional activities that, pursuant to the terms and conditions set out in the Regulation, may be engaged in by persons other than occupational therapists.