



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 55

(2012, chapter 10)

An Act respecting the professional recognition of medical electrophysiology technologists

**Introduced 23 February 2012
Passed in principle 4 April 2012
Passed 15 May 2012
Assented to 16 May 2012**

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EXPLANATORY NOTES

This Act amends the Act respecting medical imaging technologists and radiation oncology technologists and the Professional Code to integrate medical electrophysiology technologists into the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec. To that end, it proposes the necessary amendments, including changing the name of the Order, reserving a professional title, adding a field of practice and reserving activities carried on as an activity in that field of practice.

Adjustments are proposed to the regulatory provisions governing the members of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec so that the provisions will be applicable to medical electrophysiology technologists as soon as the latter are integrated into that Order. In addition, certain persons are allowed to continue to engage in certain reserved activities.

Lastly, the transitional and consequential amendments necessary to the integration are made and a transitional provision concerning certain persons exercising professional activities in the field of mental health and human relations is amended.

LEGISLATION AMENDED BY THIS ACT:

- Professional Code (R.S.Q., chapter C-26);
- Act respecting medical imaging technologists and radiation oncology technologists (R.S.Q., chapter T-5);
- Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations (2009, chapter 28).

REGULATIONS AMENDED BY THIS ACT:

- Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (R.R.Q., chapter C-26, r. 2);

- Regulation respecting other terms and conditions for permits of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec to be issued (R.R.Q., chapter T-5, r. 4);
- Regulation respecting the categories of permits issued by the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec (R.R.Q., chapter T-5, r. 4.1);
- Règlement sur le comité d’inspection professionnelle de l’Ordre des technologues en imagerie médicale et en radio-oncologie du Québec (R.R.Q., chapter T-5, r. 6, French only);
- Regulation respecting the standards for diploma or training equivalence for the issue of a permit by the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec (R.R.Q., chapter T-5, r. 11).

Bill 55

AN ACT RESPECTING THE PROFESSIONAL RECOGNITION OF MEDICAL ELECTROPHYSIOLOGY TECHNOLOGISTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING MEDICAL IMAGING TECHNOLOGISTS AND RADIATION ONCOLOGY TECHNOLOGISTS

1. The title of the Act respecting medical imaging technologists and radiation oncology technologists (R.S.Q., chapter T-5) is amended by replacing “AND RADIATION ONCOLOGY TECHNOLOGISTS” by “, RADIATION ONCOLOGY TECHNOLOGISTS AND MEDICAL ELECTROPHYSIOLOGY TECHNOLOGISTS”.

2. Section 1 of the Act is amended

(1) by replacing “et en radio-oncologie” in paragraph *a* by “, en radio-oncologie et en électrophysiologie médicale”;

(2) by inserting “, “medical electrophysiology technologist”” after ““radiation oncology technologist”” in paragraph *c*.

3. The heading of Division II of the Act is amended by replacing “ET EN RADIO-ONCOLOGIE” by “, EN RADIO-ONCOLOGIE ET EN ÉLECTROPHYSIOLOGIE MÉDICALE”.

4. Section 2 of the Act is amended

(1) by replacing “or radiation oncology technologist” by “, radiation oncology technologist or medical electrophysiology technologist”;

(2) by replacing both occurrences of “et en radio-oncologie” by “, en radio-oncologie et en électrophysiologie médicale”.

5. The Act is amended by inserting the following heading after the heading of Division IV:

“§1. — *Medical imaging technology and radiation oncology technology*”.

6. The Act is amended by inserting the following subdivision after section 11:

“§2. — *Medical electrophysiology technology*”

“11.1. The practice of medical electrophysiology technology consists in gathering and recording the bioelectric potentials of organs or systems of the human body, or the sound waves of the cardiac system or the supra-aortic vascular system, to produce images or data for diagnostic or therapeutic purposes.

The following activities in the practice of medical electrophysiology technology are reserved to medical electrophysiology technologists:

- (1) analyzing and selecting the data gathered during a prescribed recording of cardiac or cerebral bioelectric activity;
- (2) performing a stress electrocardiogram, according to a prescription;
- (3) administering prescribed medications or other prescribed substances by oral, nasal or pharyngeal routes;
- (4) administering urgently required medications using an intravenous line already in place, according to an individual prescription;
- (5) mixing substances to complete the preparation of a medication, according to a prescription;
- (6) introducing a needle under the dermis for monitoring purposes, according to a prescription;
- (7) using invasive electric energy, according to a prescription;
- (8) verifying the functioning of a pacemaker or a pacemaker-defibrillator according to a prescription, provided a training certificate has been issued to the technologist by the Order in accordance with the regulation under paragraph *o* of section 94 of the Professional Code (chapter C-26);
- (9) programming a pacemaker or a pacemaker-defibrillator according to a prescription, provided a training certificate has been issued to the technologist by the Order in accordance with the regulation under paragraph *o* of section 94 of the Professional Code;
- (10) performing echocardiography or vascular ultrasonography according to a prescription, provided a training certificate has been issued to the technologist by the Order in accordance with the regulation under paragraph *o* of section 94 of the Professional Code;
- (11) performing carotid or transcranial Doppler ultrasonography according to a prescription, provided a training certificate has been issued to the technologist by the Order in accordance with the regulation under paragraph *o* of section 94 of the Professional Code;

(12) introducing an esophageal balloon for the purposes of a polysomnography according to a prescription, provided a training certificate has been issued to the technologist by the Order in accordance with the regulation under paragraph *o* of section 94 of the Professional Code; and

(13) adjusting the masks for a Bi-Pap or C-Pap for the purposes of a polysomnography according to a prescription, provided a training certificate has been issued to the technologist by the Order in accordance with the regulation under paragraph *o* of section 94 of the Professional Code.

“11.2. No person may practise the profession of medical electrophysiology technologist under a name other than their own.

Medical electrophysiology technologists may, however, practise their profession under the name of one or more partners.”

7. Section 12 of the Act is amended by adding “, or any of the activities described in the second paragraph of section 11.1 except a medical electrophysiology technologist” after “oncology technologist” at the end of the first paragraph.

PROFESSIONAL CODE

8. Section 32 of the Professional Code (R.S.Q., chapter C-26) is amended by replacing “or radiation oncology technologist” in the first paragraph by “, radiation oncology technologist or medical electrophysiology technologist”.

9. Section 39.3 of the Code is amended by replacing “ and the second paragraph of section 36 of the Nurses Act (chapter I-8)” in the first paragraph by “, the second paragraph of section 36 of the Nurses Act (chapter I-8) and the second paragraph of section 11.1 of the Act respecting medical imaging technologists, radiation oncology technologists and medical electrophysiology technologists (chapter T-5)”.

10. Schedule I to the Code is amended by replacing “et en radio-oncologie” in paragraph 15 by “, en radio-oncologie et en électrophysiologie médicale”.

ACT TO AMEND THE PROFESSIONAL CODE AND OTHER LEGISLATIVE PROVISIONS IN THE FIELD OF MENTAL HEALTH AND HUMAIN RELATIONS

11. Section 18 of the Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations (2009, chapter 28) is amended by replacing “at the date of its coming into force or at the date that is one year after 19 June 2009, whichever is earlier,” in the first paragraph by “at the date of its coming into force”.

REGULATORY PROVISIONS

12. Section 2.05 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (R.R.Q., chapter C-26, r. 2) is amended by replacing the first paragraph by the following paragraph:

“2.05. The following permits are issued by the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec to holders of the diplomas mentioned below, awarded by the Minister of Education, Recreation and Sports:

(1) medical imaging technologist's permit in the field of radiodiagnosis: diploma of college studies obtained following studies in diagnostic imaging completed at Ahuntsic, Rimouski or Sainte-Foy general and vocational college, Dawson College or Collège Laflèche;

(2) medical imaging technologist's permit in the field of nuclear medicine: diploma of college studies obtained following studies in nuclear medicine technology completed at Ahuntsic general and vocational college;

(3) radiation oncology technologist's permit: diploma of college studies obtained following studies in radiation oncology technology completed at Ahuntsic or Sainte-Foy general and vocational college or Dawson College; and

(4) medical electrophysiology technologist's permit: diploma of college studies obtained following studies in medical electrophysiology techniques completed at Ahuntsic general and vocational college or Ellis College.”

13. The Regulation respecting other terms and conditions for permits of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec to be issued (R.R.Q., chapter T-5, r. 4) is amended

(1) by replacing “the permit” in section 2 by “a medical imaging technologist's permit in the field of radiodiagnosis, a medical imaging technologist's permit in the field of nuclear medicine or a radiation oncology technologist's permit”;

(2) by striking out “of medical imaging technologist or radiation oncology technologist” at the end of section 14.

14. The Regulation respecting the categories of permits issued by the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec (R.R.Q., chapter T-5, r. 4.1) is amended

(1) by adding the following paragraph at the end of section 1:

“(4) medical electrophysiology technologist's permit.”;

(2) by adding the following paragraph at the end of section 2:

“The holder of a medical electrophysiology technologist’s permit may engage in the activities referred to in section 11.1 of that Act.”;

(3) by adding the following paragraph at the end of section 3:

“A member of the Order may use the title of “medical electrophysiology technologist” only if the member holds the permit referred to in paragraph 4 of section 1.”;

(4) by inserting “paragraphs 1 to 3 of” after “referred to in” in paragraph 4 of section 4;

(5) by inserting the following section after section 4:

“4.1. The persons referred to in paragraph 1 of section 2 of the Regulation respecting professional activities that may be engaged in by a medical electrophysiology technologist (chapter M-9, r. 11) who engaged in an activity listed in section 3 of the Regulation before (*insert the date of coming into force of section 14*) become holders of a medical electrophysiology technologist’s permit.”

15. Section 2 of the Règlement sur le comité d’inspection professionnelle de l’Ordre des technologues en imagerie médicale et en radio-oncologie du Québec (R.R.Q., chapter T-5, r. 6, French only) is amended

(1) by replacing “9” in the first paragraph by “12”;

(2) by replacing the second paragraph by the following paragraph:

“Trois membres sont nommés pour chacune des catégories de permis établies conformément au Règlement sur les catégories de permis délivrés par l’Ordre des technologues en imagerie médicale et en radio-oncologie du Québec (chapitre T-5, r. 4.1).”

16. The Regulation respecting the standards for diploma or training equivalence for the issue of a permit by the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec (R.R.Q., chapter T-5, r. 11) is amended

(1) by replacing “an equivalence of diploma” in the introductory clause of section 3 by “a diploma equivalence for the purposes of the issue of a medical imaging technologist’s permit in the field of radiodiagnosis, a medical imaging technologist’s permit in the field of nuclear medicine or a radiation oncology technologist’s permit”;

(2) by inserting the following section after section 3:

“3.1. A candidate holding a diploma issued by an educational institution outside Québec shall be granted a diploma equivalence for the purposes of the issue of a medical electrophysiology technologist’s permit if the diploma was issued upon completion of studies of a level equivalent to the college level comprising a minimum of 2,865 hours of training including at least 2,145 hours of specific training in medical electrophysiology technology apportioned as follows:

(1) at least 150 hours on anatomy and physiology applied to medical electrophysiology;

(2) at least 180 hours on pathology and pharmacology applied to medical electrophysiology;

(3) at least 210 hours on the entry, processing and use of data;

(4) at least 240 hours on the examination and analysis of cerebral electrophysiology data;

(5) at least 255 hours on the examination and analysis of data obtained in labyrinthic, cardiac and neuromuscular electrophysiology, polysomnography and evoked potentials;

(6) at least 45 hours on counselling and communication in medical electrophysiology;

(7) at least 45 hours on care, health and safety in medical electrophysiology; and

(8) at least 1,005 hours of clinical practice.”;

(3) by replacing “Despite section 3” in section 4 by “Despite sections 3 and 3.1”;

(4) by striking out “in radiodiagnostic technology, nuclear medicine technology and radio-oncology technology” in the first paragraph of section 5.

TRANSITIONAL AND FINAL PROVISIONS

17. As of (*insert the date of coming into force of this section*), the board of directors of the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec (the Order) consists of the president and the following 19 directors, for the following terms:

(1) the president of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec in office on (*insert the date preceding the date of*

coming into force of this section), who becomes president of the Order for the unexpired portion of his or her term;

(2) the 12 directors elected to the board of directors of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec and the four directors appointed by the Office des professions du Québec, in office on *(insert the date preceding the date of coming into force of this section)*, for the unexpired portion of their terms;

(3) a member of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec, holding a medical imaging technologist's permit in the field of radiodiagnosis, chosen in an election held by secret ballot among the directors elected to the board of directors of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec in office on *(insert the date preceding the date of coming into force of this section)*, for a term ending on the end date of the term of the directors elected to the board of directors of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec in 2011;

(4) the president of the Association des technologues en électrophysiologie médicale in office on *(insert the date preceding the date of coming into force of this section)*, for a term ending on the end date of the term of the directors elected to the board of directors of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec in 2012; and

(5) a member of the board of directors of the Association des technologues en électrophysiologie médicale in office on *(insert the date preceding the date of coming into force of this section)*, elected by the members of that board of directors in office on *(insert the date preceding the date of coming into force of this section)*, for a term ending on the end date of the term of the directors elected to the board of directors of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec in 2011.

The directors designated in subparagraphs 3 to 5 of the first paragraph are deemed to be elected directors.

18. The number of members of the board of directors of the Order to be elected in each electoral region listed below in 2013 and in 2014 is to be as follows:

(1) for the radiodiagnostic technology sector of activity:

Electoral region	Administrative regions	Number of directors 2013	Number of directors 2014
Montréal, Laval, Lanaudière, Laurentides and Montérégie	06, 13, 14, 15 and 16	3	1
Capitale-Nationale and Chaudières-Appalaches	03 and 12	1	1
Mauricie, Estrie and Centre-du-Québec	04, 05 and 17		1
Saguenay-Lac-Saint-Jean, Côte-Nord and Nord-du-Québec	02, 09 and 10		1
Outaouais and Abitibi-Témiscamingue	07 and 08		1
Bas-Saint-Laurent and Gaspésie-Îles-de-la-Madeleine	01 and 11		1

(2) for the nuclear medicine technology sector of activity: one director holding a medical imaging technologist's permit in the field of nuclear medicine is to be elected in 2013 and one in 2014 for all of Québec, which forms a single electoral region;

(3) for the radiation oncology technology sector of activity: one director holding a radiation oncology technologist's permit is to be elected in 2013 and one in 2014 for all of Québec, which forms a single electoral region; and

(4) for the medical electrophysiology technology sector of activity: one director holding a medical electrophysiology technologist's permit is to be elected in 2013 and one in 2014 for all of Québec, which forms a single electoral region.

At the election held in 2013, the elected directors are to elect the president of the Order from among their number by secret ballot.

The territory of the electoral regions corresponds to the territory of the administrative regions in Schedule I to the Décret concernant la révision des limites des régions administratives du Québec (R.R.Q., chapter D-11, r. 1, French only).

At each election, only a member of the Order who holds a corresponding category of permit may be a candidate for the office of director to represent a given sector of professional activities. To represent the radiodiagnostic technology sector, the candidate must also have his or her professional domicile in the region concerned. No person may be a candidate for an office of director to represent more than one sector of professional activities.

Only members of the Order who hold a corresponding category of permit may sign the nomination paper of a candidate for the office of director. In addition, in the case of a candidate for the office of director to represent the radiodiagnostic technology sector of activity, such members must have their professional domiciles in the region concerned. The candidates are elected in accordance with the Professional Code (R.S.Q., chapter C-26) by a vote of the members holding the corresponding category of permit. In addition, to elect a candidate to an office of director to represent the radiodiagnostic technology sector of activity, such members must have their professional domiciles in the region concerned.

The Règlement sur les modalités d'élection au Conseil d'administration de l'Ordre des technologues en imagerie médicale et en radio-oncologie du Québec (R.R.Q., chapitre T-5, r. 10, French only) applies to the elections to be held in 2013 and 2014.

19. Persons described in section 5 of the Regulation respecting professional activities that may be engaged in by a medical electrophysiology technologist (R.R.Q., chapter M-9, r. 11) may continue to engage in the activities identified in that section even when the Regulation no longer applies, provided the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec is notified in the manner determined by the board of directors.

The board of directors of the Order may make a regulation determining, among the regulatory standards applicable to the members of the Order, those applicable to those persons.

Section 95 of the Professional Code applies to the regulation made under the second paragraph.

20. In an Act, regulation, order, order-in-council, proclamation, resolution, contract or other document or in letters patent, “Ordre professionnel des technologues en imagerie médicale et en radio-oncologie du Québec” and “Ordre des technologues en imagerie médicale et en radio-oncologie du Québec” are replaced respectively by “Ordre professionnel des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec” and “Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec”.

In a regulation made under the Professional Code,

(1) “technologues en imagerie médicale et en radio-oncologie” in the French text is replaced by “technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale”;

(2) “medical imaging or radiation oncology technologists” is replaced by “medical imaging, radiation oncology or medical electrophysiology technologists”;

(3) “medical imaging technologist or radiation oncology technologist” is replaced, with the necessary modifications, by “medical imaging technologist, radiation oncology technologist or medical electrophysiology technologist”; and

(4) “medical imaging technologist and radiation oncology technologist” is replaced, with the necessary modifications, by “medical imaging technologist, radiation oncology technologist and medical electrophysiology technologist”.

21. The provisions of this Act come into force on the date or dates to be set by the Government.