

Draft Regulation

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

Respiratory therapists — Professional activities that may be engaged in by persons other than respiratory 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 respiratory therapists”, made by the board of directors of the Ordre professionnel des inhalothérapeutes 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 replaces the “Regulation respecting the professional activities that may be engaged in by respiratory therapy externs” and the “Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists”.

The purpose of the draft Regulation is also to authorize persons eligible by equivalence to perform certain professional activities.

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

Further information may be obtained by contacting Andrée Lacoursière, assistant to the general directorate, Ordre professionnel des inhalothérapeutes du Québec, 1440, rue Sainte-Catherine Ouest, bureau 320, Montréal (Québec) H3G 1R8; telephone: 514 931-2900 or 1 800 561-0029; fax: 514 931-3621; email: adjoint.dg@opiq.qc.ca

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 and may also be sent to the Order and to interested persons, departments and bodies.

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

Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists

Professional Code
(R.S.Q., c. C-26, a. 94, par. h)

DIVISION I GENERAL

1. The purpose of this Regulation is to determine, among the professional activities that may be engaged in by members of the Ordre professionnel des inhalothérapeutes du Québec, those that may be engaged in by the following persons:

(1) a respiratory therapy student, namely, a person registered in a program of studies leading to a diploma determined by regulation of the Government made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26) and giving access to the permit issued by the Order;

(2) a respiratory therapy extern, namely, a person who, for the last 20 months, has successfully completed the first 2 years of a program of studies leading to a diploma giving access to the permit issued by the Order or who has successfully completed the theoretical courses of a program of studies determined by the board of directors of the Order for the purpose of being granted a training equivalence;

(3) a person eligible by equivalence, namely, a person who is serving a training period or is registered in a program of studies determined by the board of directors of the Order for the purpose of being granted a training equivalence.

2. Any person engaging in professional activities under this Regulation must engage in those activities in compliance with the ethical obligations applicable to members of the Order.

DIVISION II RESPIRATORY THERAPY STUDENTS

3. Among the professional activities that may be engaged in by members of the Order, the activities required for the purpose of completing a program of studies may be engaged in by a respiratory therapy student registered in a program if

(1) the activities are engaged in by a respiratory therapy student as part of the program of studies;

(2) the activities are engaged in by a respiratory therapy student under the supervision of a clinical professor, a clinical lecturer or a respiratory therapist who is available in order to intervene rapidly.

4. A respiratory therapy student records the interventions in the patient's record and signs each entry, followed by "r.t. trainee".

DIVISION III RESPIRATORY THERAPY EXTERNS

5. A respiratory therapy extern may engage in the following professional activities in a general and specialized hospital centre and in a residential and long-term care centre operated by a public institution within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5):

(1) setting up and monitoring equipment used to administer oxygen, including nasal cannulas, masks, tents, face tents and nebulizers;

(2) administering aerosol therapy techniques without positive pressure;

(3) setting up and monitoring equipment used to humidify inhaled air.

6. To engage in the activities set out in section 5, a respiratory therapy extern must meet the following conditions:

(1) provide the Order with an attestation, issued by an educational institution, that he or she is a respiratory therapy extern;

(2) provide the Order with an attestation issued by an institution referred to in section 5, that it retained the respiratory therapy extern's services;

(3) have successfully completed an integration program lasting at least 15 days that allows the respiratory therapy extern to become familiar with the policies and directives of the institution referred to in section 5 and to perfect the knowledge and skills necessary to engage in the activities set out in that section;

(4) be entered in the register of respiratory therapy externs held by the Order;

(5) engage in those activities, according to an individual prescription, under the supervision of a respiratory therapist who is present in the centre in order to

intervene rapidly and with a patient whose state of health is not in a critical phase or does not require frequent adjustments.

Despite the foregoing, a respiratory therapy extern may not engage in those activities in the following places and sectors of activity: intensive care, the coronary care unit, the operating suite, the recovery room, an emergency service or department, neonatology and the cardiopulmonary function testing department.

7. A respiratory therapy extern records the interventions in the patient's record and signs each entry, followed by "r.t. extern".

DIVISION IV PERSONS ELIGIBLE BY EQUIVALENCE

8. Among the professional activities that may be engaged in by members of the Order, the activities required to complete the program of studies or the training period prescribed for the purpose of being granted a training equivalence may be engaged in by a person eligible by equivalence if

(1) the activities are engaged in by a person eligible by equivalence as part of the program of studies or training period;

(2) the activities are engaged in by a person eligible by equivalence under the supervision of a respiratory therapist who is present in the centre in order to intervene rapidly.

9. A person eligible by equivalence records the interventions in the patient's record and signs each entry, followed by "p.el.eq. r.t.".

DIVISION V OTHER PERSONS

10. A person who does not meet the conditions for the issue of a permit of the Order may continue to engage in the professional activities listed in paragraph 7 of section 37.1 of the Professional Code if the person was engaging in respiratory therapy on 7 February 1987 or if the person was legally engaging in those activities between 11 June 1980 and 13 March 1985 and if the person meets the conditions of practice that applied to the person at that time.

11. A medical technologist may, according to a prescription and using the same technology and the same procedures, continue to administer the cardiopulmonary function tests that the medical technologist was performing on 30 January 2003.

DIVISION VI**FINAL**

12. This Regulation replaces the Regulation respecting the professional activities that may be engaged in by respiratory therapy externs (c. C-26, r. 163) and the Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists (c. C-26, r. 164).

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