

WHEREAS it is expedient to approve the Regulation with amendments;

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

That the Regulation respecting professional activities that may be engaged in by persons other than occupational therapists, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

Professional Code
(chapter C-26, s. 94, par. *h*)

1. Students registered in an occupational therapy educational program may engage in, among the professional activities that may be engaged in by occupational therapists, those that are required to complete the program, provided that the students engage in the activities under the supervision of an occupational therapist and that the program leads to

(1) a diploma giving access to the permit issued by the Ordre des ergothérapeutes du Québec;

(2) a diploma in occupational therapy issued by a Canadian university outside Québec; or

(3) a diploma in occupational therapy issued by an educational institution outside Canada that has entered into an agreement on the terms and conditions of admission of a student from outside Canada with an educational institution whose educational program leads to a diploma giving access to the permit issued by the Order.

2. A person referred to in the third paragraph of section 7 or the second paragraph of section 8 of the Règlement sur les normes d'équivalence aux fins de la délivrance d'un permis par l'Ordre des ergothérapeutes du Québec (chapter C-26, r. 116.1) may engage in, among the professional activities that may be engaged in by occupational therapists, those that are required to complete the training that would enable the person to be granted an equivalence.

The activities must be engaged in

(1) in an environment appropriate to the person's training needs and approved by the Order; and

(2) under the supervision of an occupational therapist who

(a) practises clinical activities and has pertinent professional experience;

(b) has not been the subject of any penalty imposed by the disciplinary committee of the Order or by the Professions Tribunal in the last five years preceding acceptance as a supervisor; and

(c) has not been required to serve a refresher training period, whose right to practise has not been limited or suspended, has not been struck off the roll, and whose permit has not been revoked in the last five years preceding acceptance as a supervisor.

3. The persons referred to in sections 1 and 2 must engage in those activities in compliance with the rules applicable to occupational therapists, including those relating to ethics as well as the keeping of records and consulting rooms.

4. This Regulation replaces the Regulation respecting professional activities that may be engaged in by persons other than occupational therapists (chapter C-26, r. 107).

5. 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. 1128-2012, 28 November 2012

Professional Code
(chapter C-26)

Respiratory therapist — Professional activities that may be engaged in by persons other than respiratory therapists

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

WHEREAS, under paragraph *h* of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may make a regulation to determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in

by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, in accordance with paragraph *h* of section 94 of the Professional Code, the board of directors of the Ordre professionnel des inhalothérapeutes du Québec has consulted the Ordre des dentistes du Québec, the Ordre des infirmières et infirmiers du Québec, the Ordre des infirmières et infirmiers auxiliaires du Québec, the Collège des médecins du Québec, the Ordre des optométristes du Québec, the Ordre des pharmaciens du Québec, the Ordre des podiatres du Québec, the Ordre des sages-femmes du Québec, the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec and the Ordre professionnel des technologistes médicaux du Québec before the making of the Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists was published in Part 2 of the *Gazette officielle du Québec* of 27 June 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

Professional Code
(chapter 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 (chapter 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 (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter 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 (chapter C-26, r. 163) and the Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists (chapter 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*.

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Gouvernement du Québec

O.C. 1129-2012, 28 November 2012

Professional Code
(chapter C-26)

Technologistes médicaux — Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec — Amendment

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

WHEREAS, under section 87 of the Professional Code (chapter C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS the board of directors of the Ordre professionnel des technologistes médicaux du Québec made the Regulation to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec;

WHEREAS, in accordance with section 95.3 of the Professional Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional

order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec was published in Part 2 of the *Gazette officielle du Québec* on 11 July 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

Professional Code
(chapter C-26, s. 87)

1. The Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec (chapter 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 (chapter 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.”