

## Draft Regulations

### Draft regulation

Health Insurance Act  
(chapter A-29)

#### Régie de l'assurance maladie du Québec — Eligibility and registration of persons — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec, the text of which appears hereafter, may be made by the government on the expiry of the 45-day deadline following this publication.

This draft regulation aims to, among other things, update the list of information and documents required during registration and renewal of registration with the Régie de l'assurance maladie du Québec, specify the documents that may serve to prove a person's period of presence in Québec, amend the specifications for photographs so as to harmonize them with those of the Société de l'assurance automobile du Québec and facilitate re-use of a photograph during replacement of a health insurance card.

For further information, please contact:  
Stéphan Mercier  
Direction de l'admissibilité et des renseignements aux personnes assurées  
Régie de l'assurance maladie du Québec  
1125, Grande Allée ouest, 3<sup>e</sup> étage  
Québec (Québec) G1S 1E7

Telephone: 418 682-5137  
Fax: 418 644-4476  
Email: stephan.mercier@ramq.gouv.qc.ca

Persons wishing to comment on this draft regulation may write, before the deadline, to the Minister of Health and Social Services, at 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

RÉJEAN HÉBERT,  
*Minister of Health and Social Services*

### Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec

Health Insurance Act  
(chapter A-29, s. 5, 9 and 69, 1st par.,  
subpars. (a),(j),(j.1), (j.2),(j.3), (l), (l.1), (l.2) and (m))

**1.** The Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec (chapter A-29, r. 1) is amended by inserting, after section 7.2, the following:

“**7.3.** For the purposes of sections 6 and 7.2, a person may demonstrate to the Board that he has been physically present in Québec by one of the following documents:

- (1) a letter from his employer or a work contract mentioning the period of employment and place where he performs his work;
- (2) a statement of earnings;
- (3) a record of employment issued by the employer for the purposes of the Employment Insurance Program;
- (4) a written attestation from a staff member of a local employment centre confirming the period during which he participated in an employment re-integration measure;
- (5) a report card or academic transcript;
- (6) a letter from the staff of an educational institution confirming the period during which he underwent training;
- (7) a personal bank account statement;
- (8) a personal credit card statement;
- (9) a statement of his personal credit file from a credit bureau having its headquarters or home office in Canada;
- (10) a probation document issued by the proper authority or a letter from a probation officer indicating the period during which he was on probation or serving a community sentence;

(11) if this person is unable to provide one of the documents mentioned in subparagraphs (1) to (10), any other document that establishes that he was physically present in Québec during that period.”

**2.** Section 13.1 of that Regulation is replaced by the following:

“**13.1** The Board may verify with the person who issued a document required under this Regulation or with the person who provided an attestation or a solemn declaration regarding an item of information required under this Regulation, the exactness of the information or documents provided by a person who applies to the Board for registration, renewal of registration or replacement of his health insurance card, who notifies the Board of a change concerning the information or documents provided in support of any of those applications or who has provided a document to the Board for the purposes of section 7.3 or section 13.3.”

**3.** That Regulation is amended by inserting, after section 13.2, the following:

“**13.3.** The Board may, where it holds information that contradicts or conflicts with the information and documents provided by the insured person or where the information and documents are incomplete, require of an insured person that he provide any document that establishes the accuracy of the information or documents required under this Regulation.”

**4.** Section 14 of that Regulation is amended:

(1) by replacing subparagraph (6) by the following:

“(6) where applicable, the person’s date of arrival in Québec, date of settlement in Québec, last country of residence or last province of residence in Canada and health insurance number issued by the last province of residence, if available;”;

(2) by replacing subparagraph (7) by the following:

“(7) where the person returns to Québec to take up residence again, the date of departure from and date of arrival in Québec, the date of establishing his domicile in Québec, the last country or province of residence, the date of arrival at that destination, the health insurance number assigned by the Board and, where applicable, the health insurance number issued by the last province of residence, if available;”;

(3) by replacing subparagraph (9) by the following:

“(9) in the event where he is staying in Québec temporarily, the reason for and expected duration of the stay;”

**5.** Section 15 of that Regulation is amended, in the first paragraph:

(1) by replacing, in subparagraph (1), the text following “(c. A-29, r. 7),” by:

“a photograph meeting the specifications of the International Civil Aviation Organization (ICAO). The specifications are listed in the subsection entitled “Displayed identification feature(s) of the holder” of section IV of Volume 1 of Part 3 of ICAO Doc 9303 entitled “Machine Readable Travel Documents” and in Appendix 5 of that same section, except with respect to the following rules having precedence over the ICAO standards:

(a) the photograph must be a colour photograph measuring 50 mm wide X 70 mm high (2 in. wide X 2 3/4 in. high);

(b) a person may be photographed wearing tinted glasses if he is declared to be blind, suffering from photophobia or light intolerance and if he submits a medical certificate to that effect;”;

(2) by deleting, in paragraphs (c) and (d) of subparagraph (2), the words “subject to the last paragraph of this section;”;

(3) by replacing subparagraph (3) by the following:

“(3) in the case of a person not holding Canadian citizenship, one of the following documents:

(a) for a person who is a resident of Québec:

(i) the original of the document issued by Canadian immigration authorities attesting to the person’s status as permanent resident of Canada, as well as the original of the Québec selection certificate;

(ii) the original of the document issued by the Immigration and Refugee Board of Canada attesting to the person’s refugee status, accompanied by the original of the Québec selection certificate;

(iii) the original of the Québec selection certificate, as well as the original of the document issued by Canadian immigration authorities demonstrating that this person is authorized to apply in Canada for landing;

(iv) the original of the permit of the Minister of Citizenship, Immigration and Multiculturalism of Canada issued under the Immigration and Refugee Protection Act (Statutes of Canada 2001, chapter 27) with a view to granting landing and identified by code number 86, 87, 88, 89, 90, 91 or 92, together with the original of the Québec selection certificate;

(v) the original of the permit of the Minister of Citizenship, Immigration and Multiculturalism of Canada issued under the Immigration and Refugee Protection Act (S.C. 2001, c. 27) with a view to granting landing and identified by code number 93, 94 or 95;

(b) for a person who is a temporary resident of Québec:

(i) the original of the person's attestation of stay in Québec as a scholar issued by the Ministère de l'Éducation, du Loisir et du Sport;

(ii) the original of the employment authorization issued by Canadian immigration authorities indicating the employer's name and place of employment, together with, in the case of a Canadian International Development Agency scholar, the original of an attestation from an educational institution that the person is receiving only a scholarship supplement from the Agency;

(iii) the original of the authorization issued by Canadian immigration authorities allowing the person to be in Canada, together with a document evidencing that the person holds a liturgical office;";

(4) by replacing paragraph (b) of subparagraph (4) by the following:

"(b) in the case of the spouse, the original of the marriage certificate, the original of the civil union certificate or a sworn statement that:

(i) the spouses have been in a de facto union for at least 1 year; or

(ii) a child has been born of their union; or

(iii) they have adopted a child together; or

(iv) one of the spouses has adopted the other's child;

(b.1) where it is impossible to provide the marriage or civil union certificate, a sworn statement that he is married or in a civil union, as well as the date and place of the marriage or civil union;";

(5) by replacing paragraph (c) of subparagraph (4) by the following:

"(c) in the case of a dependant 18 years of age or older, the original of the evidence of school attendance or the original of the medical certificate, or both, as the case may be;";

(6) by replacing paragraph (b) of subparagraph (7) by the following:

"(b) a copy of the deed of purchase of the property or of the deed of hypothec;";

(7) by replacing paragraph (c) of subparagraph (7) by the following:

"(c) an attestation from the employer, containing the given name, surname, address, telephone number and signature of the declarant and date of signature, that the person holds employment in Québec;";

(8) by replacing paragraph (e) of subparagraph (7) by the following:

"(e) a sworn statement from the lessor, representative of the lessor or lessee, as identified on the residential lease, the address of which is provided under subparagraph (3) of section 14, that the person making an application for registration resides there; this statement must also contain the given name, surname, address, telephone number and signature of the declarant, and the date of his signature;";

(9) by replacing subparagraph (9) by the following:

"(9) in the case of a permanent resident, within the meaning of the Immigration and Refugee Protection Act who has been temporarily absent from Canada, the original of the document issued by Canadian immigration authorities attesting that he has retained his permanent resident status;";

(10) by deleting subparagraph (9.1);

(11) by deleting subparagraph (9.2);

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

"A copy of one of the documents required under subparagraphs (2), (3) and (4) of the first paragraph is admissible insofar as the person presents the original of that document to a person referred to in section 31."

**6.** Section 21 of that Regulation is amended, in the first paragraph:

(1) by replacing, in subparagraph (1), the text following "(c. A-29, r. 7)," by:

"a photograph meeting the specifications of the International Civil Aviation Organization (ICAO). The specifications are listed in the subsection entitled "Displayed identification feature(s) of the holder" of section IV of Volume 1 of Part 3 of ICAO Doc 9303 entitled "Machine Readable Travel Documents" and in

Appendix 5 of that same section, except with respect to the following rules having precedence over the ICAO standards:

(a) the photograph must be a colour photograph measuring 50 mm wide X 70 mm high (2 in. wide X 2 3/4 in. high);

(b) a person may be photographed wearing tinted glasses if he is declared to be blind, suffering from photophobia or light intolerance and if he submits a medical certificate to that effect;”;

(2) by deleting subparagraph (2.2);

(3) by replacing subparagraph (4.2) by the following:

“(4.2) in the case of a permanent resident, within the meaning of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27) who has been temporarily absent from Canada, the original of the document issued by Canadian immigration authorities attesting that he has retained his permanent resident status;”.

**7.** Section 22 of that Regulation is amended, in the first paragraph:

(1) by deleting the words “in writing”;

(2) by inserting, after subparagraph (2.1), the following:

“(2.2) if a change has been made to his Canadian citizen or permanent resident status within the meaning of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27) since his registration or last renewal, the date of this change and one of the documents among those specified in paragraph (c) of subparagraph (2) and in subparagraph (3) of the first paragraph of section 15 attesting to this change;”;

(3) by deleting subparagraph (3.2);

(4) by replacing, in subparagraph (4), the text following “(c. A-29, r. 7),” by:

“a photograph meeting the specifications of the International Civil Aviation Organization (ICAO). The specifications are listed in the subsection entitled “Displayed identification feature(s) of the holder” of section IV of Volume 1 of Part 3 of ICAO Doc 9303 entitled “Machine Readable Travel Documents” and in Appendix 5 of that same section, except with respect to the following rules having precedence over the ICAO standards:

(a) the photograph must be a colour photograph measuring 50 mm wide X 70 mm high (2 in. wide X 2 3/4 in. high);

(b) a person may be photographed wearing tinted glasses if he is declared to be blind, suffering from photophobia or light intolerance and if he submits a medical certificate to that effect;”;

(5) by replacing subparagraph (5.2) by the following:

“(5.2) in the case of a permanent resident, within the meaning of the Immigration and Refugee Protection Act who has been temporarily absent from Canada, the original of the document issued by Canadian immigration authorities attesting that he has retained his permanent resident status;”;

(6) by inserting, after subparagraph (5.2), the following:

“(5.3) proof that the person has been physically present in Québec as prescribed in section 7.3;”.

**8.** Section 24 of that Regulation is amended:

(1) by replacing, in the first paragraph, “in writing,” by “therefor”;

(2) by replacing, in subparagraph (4) of the first paragraph, the text following “(c. A-29, r. 7),” by:

“a photograph meeting the specifications of the International Civil Aviation Organization (ICAO). The specifications are listed in the subsection entitled “Displayed identification feature(s) of the holder” of section IV of Volume 1 of Part 3 of ICAO Doc 9303 entitled “Machine Readable Travel Documents” and in Appendix 5 of that same section, except with respect to the following rules having precedence over the ICAO standards:

(a) the photograph must be a colour photograph measuring 50 mm wide X 70 mm high (2 in. wide X 2 3/4 in. high);

(b) a person may be photographed wearing tinted glasses if he is declared to be blind, suffering from photophobia or light intolerance and if he submits a medical certificate to that effect;”;

(3) by inserting, after the first paragraph, the following:

“Notwithstanding the preceding, where an insured person has his application for replacement of a health insurance card authenticated according to one of the

methods prescribed in section 32.1, the documents listed in subparagraphs (4) and (7) of the first paragraph do not have to be provided.”.

**9.** Section 31 of that Regulation is amended by adding, after the second paragraph, the following:

“Furthermore, in the case of foreign citizens working in Québec for a government other than that of Canada or Québec or working for an organization recognized by the Gouvernement du Québec and coming under a government other than that of Canada or Québec and having signed an agreement with the Minister of Health and Social Services as referred to in section 10.1 of the Act Respecting the ministère de la Santé et des Services Sociaux (chapter M-19.2), an application for registration or for replacement of a health insurance card may also be authenticated by the Minister of International Relations, La Francophonie and External Trade.”.

**10.** Section 32 of that Regulation is amended by deleting subparagraph (6) from the first paragraph.

**11.** That Regulation is amended by inserting, after section 32, the following:

“**32.1** Notwithstanding sections 31 and 32, for an application for replacement of a health insurance card, where the Board already holds a photograph and the signature of the insured person filing the application, authentication may also be achieved by one of the following methods:

(a) by the online authentication service available on the website of the Board;

(b) by submittal to the Board of a form provided by the Board to that effect, duly completed and signed by the insured person filing the application and by an insured person who has known him for at least 2 years and who attests to his signature, the latter having to indicate his name in block letters, his telephone number and his address;

(c) by the method prescribed in section 32 without, however, the insured person filing the application having to provide a photograph and without the person referred to in section 31 having to attest that the photograph corresponds to the person filing the application.”.

**12.** 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  
(chapter C-26)

### Physical rehabilitation therapists — Diplomas giving access to permits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends section 2.12 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders to add 2 new programs to it. The addition will allow diploma holders who have completed one of those programs to obtain a physical rehabilitation therapist permit from the Ordre professionnel de la physiothérapie du Québec.

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

The draft Regulation will be submitted to the Office des professions du Québec and to the Ordre professionnel de la physiothérapie du Québec for their opinion. To that end, the Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions and bodies concerned.

Further information may be obtained by contacting Marie-France Salvas, Legal Services, Ordre professionnel de la physiothérapie du Québec, 7151, rue Jean-Talon Est, bureau 1000, Anjou (Québec) H1M 3N8; telephone: 514 351-2770; toll free: 1 800 361-2001; fax: 514 351-2658; email: physio@oppq.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Paul Dutrisac, Chair of the Office des professions du Québec, 800, place D’Youville, 10<sup>e</sup> 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 professional order concerned and to interested persons, departments and bodies.

BERTRAND ST-ARNAUD,  
*Minister of Justice*