

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

Professional Code
(chapter C-26, s. 184)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended by replacing “and Matane” by “, Matane, Beauce-Appalaches and Thetford”.

2. 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)

Ordre professionnel des sexologues du Québec — Constitution

The Minister of Justice hereby gives notice, in accordance with the second paragraph of section 27 of the Professional Code (chapter C-26), that the draft letters patent constituting the Ordre professionnel des sexologues du Québec, appearing below, will be considered by the Government on the expiry of 60 days following this publication.

In order to ensure the protection of the public, it is necessary to set out the title reserved for sexologists. To that end, the draft letters patent describe the professional activities that the members of the Order thus constituted may engage in in addition to the activities otherwise permitted by law and a description of any reserved professional activities they may engage in in addition to the activities otherwise permitted by law and the reserved professional activities they may engage in.

The draft letters patent provide for the transitional measures as are considered necessary to facilitate the commencement of the new Order's activities. The measures pertain, among other matters, to the regulations applicable to members and the replacement of such regulations, the conditions of admission of persons as initial members of the Order, the composition and operation

of the board of directors, the duration of the initial term of office of the directors, the manner in which the president and the directors are to be elected and the designation of the Order.

The draft letters patent will be submitted to the Office des professions du Québec and to the Québec Interprofessional Council for their comments. For that purpose, the Office will seek the comments of the Council and forward them with its own comments to the Minister of Justice.

Further information on the draft letters patent may be obtained by contacting Jean Rousseau, research officer, or France Lesage, advocate, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; telephone: 418 643-6912 or 1 800 643-6912; fax: 418 643-0973.

Any person wishing to comment on the draft letters patent is requested to submit written comments within the 60-day period to Jean Paul Dutrisac, Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. Comments may be forwarded by the Office to interested persons, departments or bodies.

BERTRAND ST-ARNAUD,
Minister of Justice

Letters patent constituting the Ordre professionnel des sexologues du Québec

Professional Code
(chapter C-26, s. 27)

DIVISION I GENERAL

1. A professional order is constituted by these letters patent, under the name “Ordre professionnel des sexologues du Québec” or “Ordre des sexologues du Québec”.

2. Sexologists may engage in the following professional activities, in addition to those otherwise permitted by law: assess the sexual behaviour and development of a person, determine, recommend and carry on interventions and treatment in order to foster a better sexual balance in the person in interaction with the person's environment.

The reserved professional activities that sexologists may engage in in the activities referred to in the first paragraph are the following:

(1) assess sexual disorders, provided a training certificate has been issued to them by the Ordre professionnel des sexologues du Québec pursuant to a regulation under paragraph *o* of section 94 of the Professional Code (chapter C-26);

(2) assess a person suffering from a mental or neuropsychological disorder attested by the diagnosis or assessment of an authorized professional;

(3) assess an adolescent further to a decision of a tribunal made under the Youth Criminal Justice Act (S.C. 2002, c. 1).

The practice of the profession of sexologist also includes disseminating information, promoting health and preventing suicide, illness, accidents and social problems among individuals and within families and communities to the extent that such activities are related to their professional activities.

Sexologists may practise psychotherapy and use the title of psychotherapist in accordance with Chapter VI.1 of the Professional Code.

3. The following title is reserved for sexologists: “sexologist”.

4. The permit that may be issued by the Ordre professionnel des sexologues du Québec is the sexologist’s permit.

DIVISION II TRANSITIONAL

5. On the date of constitution of the Ordre professionnel des sexologues du Québec, the board of directors of the Order is composed of the president and the following 8 directors, for the following terms:

—2 directors of the board of directors of the Association des sexologues du Québec, in office at the time of the constitution of the Order, chosen from among the directors by an election by secret ballot;

—3 directors of the Regroupement professionnel des sexologues du Québec, in office at the time of the constitution of the Order, chosen from among the directors by an election by secret ballot;

—1 director eligible to the Order at the time of the constitution of the Order, chosen by those 5 directors.

The president is chosen from among the 6 directors by an election by secret ballot.

Four of the directors, including the president, are appointed for a term ending in 2016 and 2 for a term ending in 2017, on the date the directors elected in 2016 and 2017 take office, as set by the regulation made pursuant to paragraph *b* of section 93 of the Professional Code. They are deemed to be elected directors;

—2 directors appointed by the Office des professions du Québec under section 78 of the Professional Code, one for a term ending in 2016 and the other for a term ending in 2017, on the date the directors elected in 2016 and 2017 take office, as set by the regulation made pursuant to paragraph *b* of section 93 of the Professional Code.

6. A person who, at the time of the constitution of the Ordre professionnel des sexologues du Québec, is a regular member of the Association des sexologues du Québec or the Regroupement professionnel des sexologues du Québec becomes the holder of the permit from the Order.

7. Until the coming into force of a government regulation made under the first paragraph of section 184 of the Professional Code for the purpose of determining the diplomas giving access to the permit issued by the Ordre professionnel des sexologues du Québec, the following diplomas, issued by the Université du Québec à Montréal, give access to the permit:

(1) Baccalauréat en sexologie (B.A.);

(2) Baccalauréat en sexologie (enseignement) (B.A.);

(3) Baccalauréat d’enseignement en sexologie (B.A.);

(4) Baccalauréat spécialisé en enseignement (sexologie) (B.A.);

(5) Maîtrise en sexologie (concentration clinique ou recherche-intervention) (M.A.);

(6) Maîtrise en sexologie (concentration information en sexologie) (M.A.);

(7) Maîtrise en sexologie (concentration information-sexologie) (M.A.);

(8) Maîtrise en sexologie (concentration counseling) (M.A.);

(9) Maîtrise en sexologie (concentration counseling en sexologie) (M.A.).

8. Until the coming into force of a regulation made by the Ordre professionnel des sexologues du Québec under paragraph *c* of section 93 of the Professional Code for the purpose of prescribing standards for equivalence of

diplomas issued by educational establishments situated outside Québec, for the purpose of issuing a sexologist's permit, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes, the following standards apply:

(1) standards for equivalence of diplomas issued by educational establishments situated outside Québec:

(1.1) a person who holds a diploma in sexology, issued by a university educational institution situated outside Québec, is granted an equivalence of diploma for the purpose of issuing a sexologist's permit if the person shows that the diploma was obtained after completing an undergraduate or master's program comprising a total of 90 credits. A credit represents 45 hours of training or learning activities, spent in a classroom, a laboratory, a workshop, training or personal work. At least 66 of the 90 credits must be in the following subjects and be apportioned as follows:

(a) a minimum of 21 credits in sexual development and sexual health apportioned as follows:

i. 3 credits in the knowledge of anatomy and physiology of human sexuality;

ii. 9 credits in the psychosexual development of children, adolescents, adults and elderly persons;

iii. 6 credits in the knowledge of contraception, fertility, sexually transmitted and blood infections and their consequences on human sexuality;

iv. 3 credits in the knowledge of modern models of sexual health;

(b) a minimum of 12 credits in sexual troubles, psychopathology and sexual violence apportioned as follows:

i. 3 credits in sexual dysfunctions;

ii. 3 credits in gender disorders and atypical sexuality;

iii. 3 credits in psychopathology;

iv. 3 credits in sexual abuse and federal and provincial Acts and regulations;

(c) a minimum of 21 credits in sex intervention apportioned as follows:

i. a minimum of 3 credits in professional organization, ethics and deontology, Québec's professional system, Acts and regulations governing the practice of the profession of sexologist and standards of practice respecting the practice of the profession;

ii. 6 credits related to interview and helping relation techniques;

iii. 3 credits in the study of various clientele such as the cultural and racial aspects of human sexuality;

iv. 6 credits in the planning and animation of social interventions;

v. 3 credits in the study of sex intervention programs;

(d) a minimum of 12 credits or 540 hours of training in sex intervention within a program of studies leading to a bachelor's degree. The training comprises activities allowing students to become familiar with the various aspects of the practice of the profession of sexologist with a variety of client groups and environments. The training is supervised by a professional having professional experience in the field of sex intervention;

(1.2) despite subparagraph 1.1, where the diploma for which equivalence is applied was obtained more than 5 years before the date of the application and the knowledge it certifies no longer corresponds, taking into account the development of the profession of sexologist, to the knowledge currently taught, a person is granted a training equivalence, in accordance with paragraph 2, if the person has acquired, since obtaining the diploma, the level of knowledge and skills required;

(2) standards for training equivalence of a person who does not hold a diploma required for that purpose:

(2.1) a person is granted a training equivalence for the issue of a sexologist's permit if the person shows that he or she has a level of knowledge and skills equivalent to the level that may be acquired by the holder of a diploma recognized as giving access to the sexologist's permit;

(2.2) in assessing the person's training equivalence, the following factors are taken into account:

(a) the nature and duration of the person's work experience;

(b) the fact that the person holds one or more diplomas awarded in Québec or elsewhere;

(c) the nature and content of courses taken and marks obtained;

(d) the nature and content of training periods and other training activities.

9. On the date of constitution of the Ordre professionnel des sexologues du Québec and until the end of the Order's first fiscal year, the annual fee exigible from its members is

(1) for the class of regular member: \$400;

(2) for the class of new graduate member, namely a member of the Order who received the diploma recognized as giving access to the permit of the Order or an equivalence of the diploma or training less than 4 months before: \$250;

(3) for the class of retired member, namely a member of the Order who is 55 years of age or older and who does not carry on the professional activities referred to in section 2: \$100.

10. On the date of constitution of the Ordre professionnel des sexologues du Québec and until the coming into force of a regulation made by the Order under paragraph *d* of section 93 of the Professional Code for the purpose of imposing on the members of the Order the obligation to furnish and maintain security against professional liability, every member of the Order must join a professional liability group insurance plan contract entered into by the Order, providing security to cover liability for any fault committed in the practice of their profession. An insurance certificate is issued by the Order to each sexologist who joins a group plan contract.

11. Until the coming into force of a regulation made by the Ordre professionnel des sexologues du Québec under paragraph *f* of section 93 of the Professional Code for the purpose of determining the location of the head office of the Order, the head office is situated in the territory of the Communauté urbaine de Montréal.

12. On the date of constitution of the Ordre professionnel des sexologues du Québec, the following regulations of the Association des sexologues du Québec and the Regroupement professionnel des sexologues du Québec apply, with the necessary modifications, to the members of the Order to the extent that the regulations are consistent with the provisions of the Professional Code and these letter patents:

(1) Code de déontologie des membres du Regroupement professionnel des sexologues du Québec, made by the Regroupement professionnel des sexologues du Québec on 16 November 2001;

(2) Règlement sur la tenue des dossiers et des cabinets de consultation des sexologues, made by the Association des sexologues du Québec;

(3) Règlement sur la procédure de conciliation et d'arbitrage de comptes des sexologues, made by the Association des sexologues du Québec on 9 December 1994.

The regulations cease to apply to the members of the Order on the date of coming into force of a regulation on the same subject and made by the board of directors of the Order under the Professional Code.

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