

Gouvernement du Québec

O.C. 471-2013, 8 May 2013

Integrity in Public Contracts Act
(2012, chapter 25)

An Act respecting contracting by public bodies
(chapter C-65.1)

REQUIREMENT to file an application for authorization under Chapter V.2 of the Act respecting contracting by public bodies

WHEREAS the Integrity in Public Contracts Act (2012, chapter 25) was assented to on 7 December 2012;

WHEREAS the Act amends in particular the Act respecting contracting by public bodies (chapter C-65.1);

WHEREAS, under section 21.17 of the Act respecting contracting by public bodies, an enterprise that wishes to enter into a contract with a public body involving an expenditure equal to or greater than the amount determined by the Government or that wishes to enter into a subcontract that involves an expenditure equal to or greater than that amount and that is directly or indirectly related to the contract must obtain an authorization from the Autorité des marchés financiers;

WHEREAS, under section 85 of the Integrity in Public Contracts Act, from 15 January 2013, for the purposes of section 21.17 of the Act respecting contracting by public bodies, the contracts and subcontracts to which that section applies are construction contracts and subcontracts and service contracts and subcontracts that involve an expenditure equal to or greater than \$40,000,000 and for which the award process is underway on or begins after that date;

WHEREAS, under the first paragraph of section 87 of the Integrity in Public Contracts Act, the Government may, before 31 March 2016, require enterprises that are party to public contracts or subcontracts, or contracts or subcontracts deemed to be public contracts or subcontracts under the law, that are in process to file an application for authorization under Chapter V.2 of the Act respecting contracting by public bodies within the time specified by the Government;

WHEREAS, under that paragraph, in such a case, the Government may determine, on the date or dates it sets, the provisions of that chapter that are applicable and modify them as necessary, and may also set a different time period from that specified in section 21.19 of the Act respecting contracting by public bodies for the enterprise to be deemed to have defaulted on a contract;

WHEREAS, under the second paragraph of section 87 of the Integrity in Public Contracts Act, the Government may, for the purposes of the first paragraph, target contracts or subcontracts or groups of contracts or subcontracts, whether or not they are of the same category and even if they involve an expenditure that is lower than the expenditure amount specified in section 85 or determined under section 21.17 of the Act respecting contracting by public bodies;

WHEREAS, under that second paragraph, the Government may determine special terms for the applications for authorization that enterprises must file with the Autorité des marchés financiers;

WHEREAS, on 4 April 2013, the Centre hospitalier de l'Université de Montréal (CHUM) and the McGill University Health Centre (MUCH) awarded Cardinal Health Canada Inc. a service contract that involves an expenditure of \$38,930,034, for which it was asked that the Government require the enterprise that is party to the contract to file an application for authorization under Chapter V.2 of the Act respecting contracting by public bodies;

WHEREAS section 100 of the Integrity in Public Contracts Act provides, in particular, that a decision of the Government made under section 87 of the Act comes into force on the date of its adoption or on any later date specified in it and must be published in the *Gazette officielle du Québec* as soon as possible and that sections 4 to 8, 11 and 17 to 19 of the Regulations Act (chapter R-18.1) do not apply to that decision;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services and the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT the enterprise Cardinal Health Canada Inc., that is party to a service contract that involves an expenditure of \$38,930,034, awarded on 4 April 2013 by the Centre hospitalier de l'Université de Montréal (CHUM) and the McGill University Health Centre (MUCH), be required to file an application for authorization under Chapter V.2 of the Act respecting contracting by public bodies not later than 21 days after the coming into force of this Order in Council;

THAT Chapter V.2 of the Act respecting contracting by public bodies apply to that contract, with the necessary modifications, as of the date of coming into force of this Order in Council;

THAT, should the enterprise Cardinal Health Canada Inc. fail to provide, not later than 21 days after the coming into force of this Order in Council, the information and documents prescribed by the Autorité des marchés financiers under section 21.23 of the Act respecting contracting by public bodies, or the information required by the Authority under section 21.35 of the Act, the enterprise be deemed to have defaulted on the contract within the meaning of section 21.19 of the Act within 60 days after the expiry of the 21-day time limit, or the expiry of the time limit specified by the Autorité des marchés financiers to provide the information it requires, as the case may be;

THAT this Order in Council come into force on 8 May 2013.

2681

M.O., 2013

Order number 2013-003 of the Minister of Health and Social Services dated 3 May 2013

An Act respecting the sharing of certain health information
(chapter P-9.0001)

Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain was published in the *Gazette officielle du Québec* of 14 February 2013 with a notice that it could be made by the Minister on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation with amendments;

THEREFORE, the Minister of Health and Social Services makes the Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain attached to this Order.

RÉJEAN HÉBERT,
Minister of Health and Social Services

Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain

An Act respecting the sharing of certain health information
(chapter P-9.0001, ss. 70, 72, 110 and 121)

DIVISION I

ACCESS AUTHORIZATIONS THAT MAY BE ASSIGNED TO A PROVIDER

1. Access authorizations may be assigned to a physician referred to in paragraph 1 or 2 of section 69 of the Act to enable the physician to receive information held in the health information banks in the following clinical domains:

- (1) the medication domain;
- (2) the laboratory domain;
- (3) the medical imaging domain.

Access authorizations may also be assigned to such a provider to enable the provider to

- (1) release any electronic prescription for medication written by that provider to the operations manager of the electronic prescription management system for medication; and
- (2) receive such information of prescriptions held in that system.

The same access authorizations may be assigned to the holder of a training card, issued by the secretary of the Collège des médecins du Québec, referred to in paragraph 9 of section 69 of the Act or the holder of an authorization, issued by the Collège des médecins du Québec under section 42.4 of the Professional Code (chapter C-26), referred to in paragraph 10 of section 69 of the Act.

2. Access authorizations may be assigned to a pharmacist referred to in paragraph 3 or 4 of section 69 of the Act to enable the pharmacist to receive information held in the health information banks in the following clinical domains:

- (1) the medication domain;
- (2) the laboratory domain;
- (3) the medical imaging domain.