

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.

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## **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.

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;

(2) receive such information of prescriptions held in that system; and

(3) retrieve prescriptions held in that system.

The same access authorizations may be assigned to a pharmacy resident or a pharmacy intern referred to in paragraph 11 or 12 of section 69 of the Act.

**3.** Access authorizations may be assigned to a nurse referred to in paragraph 5 of section 69 of the Act to enable the nurse 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 be assigned to such a provider with the legal authority to prescribe medications 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.

**4.** Access authorizations may be assigned to a nursing assistant referred to in paragraph 6 of section 69 of the Act to enable the nursing assistant 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.

**5.** Access authorizations may be assigned to a midwife referred to in paragraph 7 of section 69 of the Act to enable the midwife 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.

**6.** Access authorizations may be assigned to a biochemist or microbiologist referred to in paragraph 8 of section 69 of the Act to enable the biochemist or microbiologist to receive information held in the health information banks in the following clinical domains:

(1) the medication domain;

(2) the laboratory domain.

**7.** Access authorizations may be assigned to a person providing technical support services to a physician and referred to in paragraph 13 of section 69 of the Act to enable the person 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.

**8.** Access authorizations may be assigned to a person providing technical support services to a pharmacist and referred to in paragraph 14 of section 69 of the Act to enable the person 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) receive information of prescriptions held in the electronic prescription management system for medication; and

(2) retrieve prescriptions held in that system.

**9.** Access authorizations may be assigned to a medical archivist referred to in paragraph 15 of section 69 of the Act to enable the medical archivist 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.

**10.** The access authorizations that may be assigned to the providers referred to in this Division are so assigned in accordance with the terms and conditions provided for in the Act.

## DIVISION II

### ACCESS AUTHORIZATIONS THAT MAY BE ASSIGNED TO A BODY

**11.** Access authorizations may be assigned to an institution governed by the Act respecting health services and social services (chapter S-4.2) to enable the body to release information to the operations manager of a health information bank in the following clinical domains:

(1) the medication domain, provided that the institution operates a centre where a pharmacist practises;

(2) the laboratory domain, provided that the institution operates a medical biology laboratory or requests that a laboratory analysis be produced by the laboratory of Héma-Québec, the laboratory of the Centre de toxicologie du Québec or the Laboratoire de santé publique du Québec;

(3) the medical imaging domain, provided that the institution operates a centre in which a clinical radiology department is set up.

Access authorizations may be assigned to such a body to enable the body 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.

Such access authorizations may be assigned to the Cree Board of Health and Social Services of James Bay established under the Act respecting health services and social services for Cree Native persons (chapter S-5), on the same conditions.

**12.** Access authorizations may be assigned to persons or partnerships operating a community pharmacy to enable them to release information to the operations manager of a health information bank in the medication domain.

Access authorizations may be assigned to such a body to enable the body 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.

**13.** Access authorizations may be assigned to persons or partnerships operating a medical biology laboratory, within the meaning of the Regulation respecting the application of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2, r. 1), to enable them to release information to the operations manager of a health information bank in the laboratory domain.

**14.** Access authorizations may be assigned to persons or partnerships operating a medical imaging laboratory or a medical diagnostic radiology laboratory, within the meaning, respectively, of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (chapter L-0.2) and the Regulation respecting the application of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies, to enable them to release information to the operations manager of a health information bank in the medical imaging domain.

**15.** Access authorizations may be assigned to persons or partnerships operating a private physician's office or a specialized medical centre referred to in section 333.1 of the Act respecting health services and social services to enable them 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.

**16.** Access authorizations may be assigned to health and social services agencies governed by the Act respecting health services and social services that, under section 520.3.1 of that Act, host health information for an institution, to enable them to release information to the operations manager of a health information bank in the following clinical domains:

(1) the medication domain, provided that the institution for which agencies host information operates a centre where a pharmacist practises;

(2) the laboratory domain, provided that the institution for which agencies host information operates a medical biology laboratory or requests that a laboratory analysis be produced by the laboratory of Héma-Québec, the laboratory of the Centre de toxicologie du Québec or the Laboratoire de santé publique du Québec;

(3) the medical imaging domain, provided that the institution for which agencies host information operates a centre in which a clinical radiology department is set up.

**17.** Access authorizations may be assigned to a body to enable the body to receive information held in the health information banks in a clinical domain only if an authorized provider performs his or her duties within that domain.

**18.** Access authorizations that may be assigned to the bodies referred to in this Division are so assigned in accordance with the terms and conditions provided for in the Act.

### **DIVISION III** **DURATION OF USE**

**19.** Health information held in a health information bank in a clinical domain is used for a 5-year period from the time it is received by the operations manager of that information bank.

### **DIVISION IV** **COMING INTO FORCE**

**20.** This Regulation comes into force on 20 June 2013.