

Gouvernement du Québec

**O.C. 79-2014, 6 February 2014**

Nurses Act  
(chapter I-8)

Professional Code  
(chapter C-26)

**Infirmières et infirmiers**  
— **Classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in**  
— **Amendment**

Regulation to amend the Regulation respecting the classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in

WHEREAS, under paragraph *f* of section 14 of the Nurses Act (chapter I-8), the board of directors may by regulation regulate, in accordance with paragraphs *e*, *h* and *i* of section 94 of the Professional Code (chapter C-26), the classes of specialization to which members of the Order must belong to engage in activities referred to in section 36.1 and for that purpose, the board of directors may, in the regulation, establish an advisory committee;

WHEREAS, under section 94.1 of the Professional Code, the board of directors of a professional order may, in a regulation that it is authorized to make under the Code or under an Act constituting the professional order, make compulsory a standard established by a government or body and provide that reference to such a standard includes any subsequent amendment made to it;

WHEREAS the board of directors of the Ordre des infirmières et infirmiers du Québec made the Regulation to amend the Regulation respecting the classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in at its meeting of 20 and 21 June 2013;

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 Regulation respecting the classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in was published in Part 2 of the *Gazette officielle du Québec* of 25 September 2013 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 Regulation respecting the classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in, attached to this Order in Council, be approved.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

**Regulation amending the Regulation respecting the classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in**

Nurses Act  
(chapter I-8, s. 14, par. (f))

Professional Code  
(chapter C-26, s. 94.1)

**1.** Section 1 of the Regulation respecting the classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in (chapter I-8, r. 8) is amended:

(1) by striking out “and determines the standards regarding diploma and training equivalence for the purpose of issuing such certificates, and the procedure for equivalence recognition” in the first paragraph;

(2) by replacing the second paragraph with:

“Its purpose is also to regulate the issue of training cards to specialized nurse practitioner students or attestations of practice to specialized nurse practitioner candidates, and to determine the professional activities they may engage in under certain terms and conditions.”

**2.** Section 2 of this regulation is amended:

(1) by replacing paragraph (1) of the first paragraph with:

“(1) “specialized nurse practitioner student” means a nurse:

(a) who is registered in a graduate-level training program leading to a degree granting access to a specialist’s certificate issued by the Order;

(b) who is required to take training for the purpose of obtaining equivalence in accordance with the “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers” approved by the Office des professions du Québec on 15 November 2013;

“(1.1) “specialized nurse practitioner candidate” means a nurse who is eligible to sit the specialty examination corresponding to the specialty concerned, as set out in Division III.”;

(2) by striking out paragraph (2) of the first paragraph.

**3.** Section 4 of this regulation is amended:

(1) by replacing “of Division IV” in paragraph (1) by “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers”;

(2) by replacing paragraph (2) by:

“(2) if specializing in neonatology, a training certificate in neonatal resuscitation issued by the Canadian Paediatric Society.”;

(3) by striking out paragraphs (4) and (5).

**4.** The title of Division II of this regulation, “TRAINING CARDS”, is replaced by “TRAINING CARDS AND ATTESTATIONS OF PRACTICE”.

**5.** Section 5 of this regulation is amended by replacing “Specialized nurse practitioner candidates who hold a training card issued by the secretary of the Order” by “Specialized nurse practitioner students who hold a training card and specialized nurse practitioner candidates who hold an attestation of practice”.

**6.** This regulation is amended by inserting, after section 5, the subdivision “§ 1. — Training cards”.

**7.** Section 6 of this regulation is amended:

(1) by replacing “candidate” by “student”;

(2) by replacing, in paragraph (1), “or has been granted equivalence as set out in Division IV” by “or has been assigned a training site required for the purpose of obtaining equivalence pursuant to the “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers”, among those in the list drawn up by the program review subcommittee in accordance with the Regulation respecting the committees on training of the Ordre des infirmières et infirmiers du Québec (chapter I-8, r. 11)”;

(3) by striking out, in paragraph (3), “in cardiology or”.

**8.** Section 7 of this regulation is replaced by the following section:

“7. The training card shall indicate the name of the specialized nurse practitioner student and, as applicable, the educational institution where she is enrolled or the site where she is serving her clinical training period.

The card is valid for a period of 12 months and is renewable. It expires on the date when the specialized nurse practitioner student is no longer enrolled in the graduate-level training program leading to a degree granting access to a specialist’s certificate issued by the Order, or has completed the clinical training period for the purpose of obtaining equivalence pursuant to the “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers”.

**9.** This regulation is amended by inserting, after section 7:

“§2. *Attestation of practice*

“7.1. An attestation of practice shall be issued by the secretary of the Order to a specialized nurse practitioner candidate who:

(1) holds a diploma recognized by government regulation, pursuant to the first paragraph of section 184 of the Professional Code (chapter C-26), granting access to a specialist’s certificate issued by the Order, or has been recognized as possessing equivalence, pursuant to the “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers”;

(2) if specializing in neonatology, holds the training certificate as set out in paragraph (2) of section 4;

(3) must provide the Order with an attestation, issued by an institution referred to in section 5, that it has retained her services;

(4) pays the required fee for the purpose of obtaining an attestation of practice.

“7.2. The attestation of practice shall indicate the name of the specialized nurse practitioner candidate, the class of specialty in question and the name of the institution that has retained her services.

The attestation is valid for a period of 12 months and is renewable. It expires on the date when the specialized nurse practitioner candidate is no longer eligible to sit the specialty examination, in accordance with Division III.”

**10.** Section 9 of this regulation is replaced by the following sections:

“9. Nurses eligible to sit the specialty examination must sit the first session of the professional examination following the date on which they obtain their diploma or the date on which they are granted diploma or training equivalence, pursuant to the “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers”.

If the nurse fails an examination, she shall sit the examination at the session following the session in which she failed.

“9.1. The obligation provided in the first paragraph of section 9 does not apply to a nurse who has been recognized as possessing equivalence pursuant to the “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers” fewer than 90 days preceding the date on which the specialty examination is held.

This nurse must sit the examination session following the one for which she would have had to register pursuant to the first paragraph of section 9.

“9.2. The obligation provided in the first or second paragraph of section 9 or the one provided in the second paragraph of section 9.1 does not apply to a nurse who demonstrates to the Order that she did not sit the examination within the time period allowed because of a health problem, childbirth, the death of her father, mother, child or spouse, or unavoidable circumstances.

This nurse must sit the session of the examination following the date on which her incapacity ends.

“9.3. Nurses eligible to sit the specialty examination must pass it within 3 years from the first examination session following the date on which they obtain their diploma or the date on which they are granted diploma or training equivalence pursuant to the “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers”.

However, a person who demonstrates to the Order that she did not pass the examination within the time period allowed because of a health problem, childbirth, the death of her father, mother, child or spouse, or unavoidable circumstances shall have an additional time period determined by the Order’s board of directors. This period may not exceed 4 years from the first examination session following the date on which she obtained her diploma or the date of the decision by the Order granting her diploma equivalence or training equivalence pursuant to the “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers”.

“9.4. For the application of section 9.2 and the second paragraph of section 9.3, a nurse who cannot sit the examination because of a health problem, childbirth or a death must provide the Order with a medical certificate, a birth certificate or a death certificate.”

**11.** Section 11 of this regulation is replaced by the following section:

“**11.** For each specialty, an examination committee shall be formed by the Order’s board of directors pursuant to paragraph (2) of section 86.0.1 of the Professional Code. At least one member of the committee must be a physician.”.

**12.** Section 18 of this regulation is amended by striking out the second paragraph.

**13.** Section 20 of this regulation is amended:

(1) by replacing “2” by “3”;

(2) by striking out “and one member appointed by the board of directors of the Collège des médecins”.

**14.** Division IV of this regulation is struck out.

**15.** Schedule I of this regulation is struck out.

**16.** 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. 80-2014, 6 February 2014

Medical Act  
(chapter M-9)

### Physicians

#### — Activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians

#### — Amendment

Regulation to amend the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians

WHEREAS, under subparagraph *b* of the first paragraph of section 19 of the Medical Act (chapter M-9), the board of directors of the Collège des médecins du Québec must, by regulation, determine among the activities referred to in the second paragraph of section 31 of that Act those which, under certain prescribed conditions, may be engaged in by classes of persons other than physicians;

WHEREAS the board of directors of the Collège des médecins du Québec made the Regulation to amend the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians, after having consulted, in accordance with the second paragraph of section 19 of that Act, the Office des professions du Québec and the Ordre des infirmières et infirmiers du Québec;

WHEREAS, pursuant to section 95 of the Professional Code (chapter C-26) and subject to sections 95.0.1 and 95.2 of the Code, 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 Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians was published in Part 2 of the *Gazette officielle du Québec* of 25 September 2013 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 Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians, attached to this Order in Council, be approved.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*