

Gouvernement du Québec

O.C. 753-2014, 20 August 2014

An Act respecting health services and social services
(chapter S-4.2)

Minister of Health and Social Services
—**information that institutions must provide**
—**Amendment**

Regulation to amend the Regulation respecting the information that institutions must provide to the Minister of Health and Social Services

WHEREAS, under paragraph 26 of section 505 of the Act respecting health services and social services (chapter S-4.2), the Government may, by regulation, prescribe the personal and non-personal information that an institution must provide to the Minister concerning the needs for and utilization of services;

WHEREAS, under section 433 of the Act, in performing the duties under section 431, the Minister may require an institution to furnish to the Minister, at the time and in the form the Minister determines, the information, whether personal or not, prescribed by regulation under paragraph 26 of section 505 concerning needs for and utilization of services;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the information that institutions must provide to the Minister of Health and Social Services was published in Part 2 of the *Gazette officielle du Québec* on 27 December 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 17 of that Act, a regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation or in the Act under which it is made;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the information that institutions must provide to the Minister of Health and Social Services, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the information that institutions must provide to the Minister of Health and Social Services

An Act respecting health services and social services
(chapter S-4.2, s. 433 and s. 505, par. 26)

1. The Regulation respecting the information that institutions must provide to the Minister of Health and Social Services (chapter S-4.2, r. 23) is amended by inserting the following after section 5.2:

“**5.3.** Every public institution or private institution under agreement must provide the Minister with the information in Schedule VII in respect of the following users, provided that the institution collects the information:

(1) every elderly person for whom the institution conducted the identification of a loss of autonomy or received an identification of loss of autonomy form duly completed, whether or not the identification actually shows a loss of autonomy;

(2) every user of full age or user who is an emancipated minor for whom the institution conducted the assessment of a loss of autonomy using recognized tools, whether or not the assessment actually shows a loss of autonomy, or to whom the institution provides services by reason of significant and persistent disabilities, even if no prior identification or assessment was conducted.”

2. Section 6 is amended

(1) by inserting “and 5.3” after “5.1”;

(2) by adding the following at the end of subparagraph 1 of the first paragraph:

“(f) the code of the municipality where the user’s residence is located.”

3. The following is added after section 6:

“**6.1.** Despite sections 2 to 5.3, the institutions referred to therein are required to provide the information prescribed therein only from the moment they have access to the information asset indicated by the Minister.”

4. The following Schedule is added after Schedule VI:

“SCHEDULE VII

1. The institution referred to in section 5.3 provides the following information:

- (1) concerning the user:
 - (a) the name of the user’s mother;
 - (b) the reason for which the user’s health insurance number cannot be provided, where applicable;
 - (c) the date of death, where applicable;
 - (d) the address of the user’s permanent place of residence;
 - (e) the address and code of the municipality of the place where the user is staying, where applicable;
- (2) concerning any identification of the user’s loss of autonomy using the tool Prisma-7:
 - (a) the care and service program and the centre or sub-centre of activities to which the identification is associated;
 - (b) the dates of beginning and end of the association of the identification with the centre or sub-centre of activities;
 - (c) the dates of beginning and end of the user’s participation in the care and service program;
 - (d) the sequential number assigned to the identification;
 - (e) the date on which identification began and the date on which it is completed;
 - (f) the result of the identification;
 - (g) the permit number of the institution where the identification was conducted;
 - (h) the number, on the institution’s permit, of the facility where the identification was conducted;
- (3) concerning any assessment of the user’s loss of autonomy using the multi-clientele assessment tool (OEMC) or the functional autonomy measurement system (SMAF) exclusively:
 - (a) the assessment model used;
 - (b) the care and service program and the centre or sub-centre of activities to which the assessment is associated;

- (c) the dates of beginning and end of the association of the assessment with the centre or sub-centre of activities;

- (d) the dates of beginning and end of the user’s participation in the care and service program;

- (e) the sequential number assigned to the assessment;

- (f) the date on which assessment began and the date on which it is completed;

- (g) upon any provision of information, the history of the statements of realization of the assessment and the dates on which those statements of realization have changed;

- (h) the result of the computation of the SMAF;

- (i) the results of the computation of incapacity and handicap for each element of the SMAF;

- (j) the type of resource-person who renders services to the user with respect to each element of the SMAF and an indication of the resource’s stability for each of those elements;

- (k) the Iso-SMAF profile;

- (l) the Euclidean distance;

- (m) the employment title of the provider who conducted the assessment;

- (n) the permit number of the institution where the assessment was conducted;

- (o) the number, on the institution’s permit, of the facility where the assessment was carried out;

- (4) concerning any individualized service plan or intervention plan established for the user and any new version of those plans:

- (a) the type of plan;

- (b) the care and service program and the centre or sub-centre of activities to which the plan is associated;

- (c) the dates of beginning and end of the association of the plan with the centre or sub-centre of activities;

- (d) the date of beginning and end of the user’s participation in the care and service program;

- (e) the sequential number assigned to the plan;

- (f) the version number;
 - (g) the goal of the plan;
 - (h) the date of creation of the plan version and the date on which it was completed;
 - (i) the date on which the plan was developed;
 - (j) upon any provision of information, the history of the statements of conduct of the plan and the dates on which those statements of conduct have changed;
 - (k) the means to be used and the interventions to be performed, identified on the plan, and the category to which they are related, their frequency, the day fixed for their implementation, their dates of beginning and end, the time allocated to them, the place where they are implemented or performed, the type of provider assigned to them, the centre and sub-centre of activities to which they are associated at the time of planning, the identity of their provider, and the link between the provider and the user, where applicable;
 - (l) the date of any revision of the plan;
 - (m) the degree of achievement of the objectives per type of act;
 - (n) the degree of acceptance of the plan by the user;
 - (o) the employment title of the provider in charge of the plan;
 - (p) a mention that the case was assigned to a case manager or a pivotal provider and the dates of beginning and end of the assignment of the case to any case manager or pivotal provider;
 - (q) the permit number of the institution where the plan was carried out;
 - (r) the number, on the institution's permit, of the facility where the plan was carried out;
- (5) concerning any transmission of information to the Minister:
- (a) the permit number of the institution from which the data is provided;
 - (b) the code of the health region from which the information originates;

- (c) the date of transmission;
- (d) the number assigned to the transmission;
- (e) the dates on which the period concerned begins and ends.”.

5. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

3459