

Gouvernement du Québec

O.C. 132-2015, 25 February 2015

Professional Code
(chapter C-26)

Physical therapists and physical rehabilitation therapists
— Code of ethics of physical therapists and physical rehabilitation therapists
— Amendment

Regulation to amend the Code of ethics of physical therapists and physical rehabilitation therapists

WHEREAS, under section 87 of the Professional Code (chapter C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS the board of directors of the Ordre professionnel de la physiothérapie du Québec made, on 15 November 2013, the Regulation to amend the Code of ethics of physical therapists and physical rehabilitation therapists;

WHEREAS, under section 95.3 of the Professional Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

WHEREAS, pursuant to section 95 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 Regulation to amend the Code of ethics of physical therapists and physical rehabilitation therapists was published in Part 2 of the *Gazette officielle du Québec* of 9 April 2014 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 Code of ethics of physical therapists and physical rehabilitation therapists, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of physical therapists and physical rehabilitation therapists

Professional Code
(chapter C-26, s. 87)

1. The Code of ethics of physical therapists and physical rehabilitation therapists (chapter C-26, r. 197) is amended by replacing section 2 by the following:

“**2.** Members must take reasonable measures to ensure that persons who collaborate with the members in the practice of the profession and any partnership within which the members carry on that profession comply with the Professional Code and its regulations, including this Code.”

2. The following is added after section 2:

“**2.1.** The duties and obligations under the Professional Code and its regulations are not modified or diminished in any manner owing to the fact that a member carries on professional activities within a partnership.”

3. The following paragraph is added at the end of section 17:

“Where the physical therapist intends to proceed with cervical manipulation, the physical therapist must, in addition to meet the obligations referred to in the preceding paragraph, obtain the written consent of the client.”

4. The following sentence is added at the end of section 22:

“They may not, in particular, invoke the liability of the partnership within which they carry on professional activities or that of another person also practicing as a ground for excluding their professional liability.”

5. Section 24 is replaced by the following:

“**24.** Members must subordinate their personal interests, those of the partnership within which they carry on their professional activities or in which they have an interest and those of any other person carrying on activities within the partnership, to those of their clients.”.

6. The following paragraph is added at the end of section 26:

“Where members carry on their professional activities within a partnership, situations of conflict of interest are assessed with regard to all clients.”.

7. The following is added after section 29:

“**29.1.** Members must take reasonable measures to ensure that any person who cooperates with them or carries on his or her professional activities within the same partnership maintains professional secrecy.”.

8. Section 32 is amended by replacing “or for third parties” by “, for third persons or for any partnership within which members carry on their professional activities”.

9. This Regulation comes into force on 26 March 2015.

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Gouvernement du Québec

O.C. 133-2015, 25 February 2015

Professional Code
(chapter C-26)

**Specialist’s certificates of professional orders
— Diplomas issued by designated educational
institutions which give access to permits or
specialist’s certificates of professional orders
— Amendment**

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

WHEREAS, under the first paragraph of section 184 of the Professional Code (chapter C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist’s certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office must, before advising the Government, consult the educational institutions and the order concerned, the Bureau de coopération interuniversitaire in the case of a university-level diploma and the Minister of Higher Education, Research and Science;

WHEREAS the Office carried out the consultation;

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 diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 24 September 2014 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and that of the Ordre des psychologues du Québec;

WHEREAS it is expedient to make 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 diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

**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, 1st par.)

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 in section 1.24:

(1) by replacing paragraph 1 by the following:

“(1) Doctorat en psychologie, recherche et intervention (Ph.D.) or Doctorat en psychologie (D.Psy.) from the Université de Montréal;”;