

WHEREAS it is expedient to amend the Regulation to provide the manner of designating the members of a board of directors that is to administer two or more institutions referred to in paragraphs 2 and 4 to 6 of section 9 or 10 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies, before the board of directors of the Centre hospitalier de l'Université de Montréal and the Centre hospitalier universitaire Sainte-Justine is formed;

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

THAT the Regulation to amend the Regulation respecting the application of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies, attached to this Order Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting the application of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies**

Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2, s. 217)

**1.** The Regulation respecting the application of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2, r. 0.2) is amended by adding the following after section 2:

“**2.1.** Where a board of directors administers two or more institutions pursuant to section 146 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies and the members of the committees or councils of the institutions referred to in paragraphs 2 and 4 to 6 of section 9 or 10 of the Act have designated a different person to act as a member of the council, each designated member is to act alternately for a period of six months. The term of office of all the members of the same designating college is not to exceed three years.

A designated member, during the period that the member is not sitting on the board of directors, may participate in that board's meetings, but may not vote.”.

**2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

102321

**M.O., 2015**

**Order number 2015 014 of the Minister of Health and Social Services dated 1 October 2015**

An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2)

Regulation to amend the Regulation respecting the procedure for designating certain members of the board of directors of integrated health and social services centres and unamalgamated institutions

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2), was assented to on 9 February 2015;

CONSIDERING the first paragraph of section 12 of the Act which provides that the Minister determines, by regulation, the procedure for designating the persons referred to in paragraphs 1 to 6 of sections 9 and 10;

CONSIDERING that the Minister made the Regulation respecting the procedure for designating certain members of the board of directors of integrated health and social services centres and unamalgamated institutions (chapter O-7.2, r. 1) by Ministerial Order 2015-005 dated 27 March 2015 and the Regulation came into force on the date of its publication in the *Gazette officielle du Québec*, on 8 April 2015;

CONSIDERING section 146 of the Act which provides that the Government may approve the decision of the Minister of Health and Social Services that two or more institutions in the same region are to be administered by the same board of directors, composed in accordance with section 9 or 10 of the Act as specified by the Minister;

CONSIDERING that, by Order in Council 785-2015 dated 2 September 2015, the Government approved the decision of the Minister of Health and Social Services to the effect that the Centre hospitalier de l'Université de Montréal and the Centre hospitalier universitaire Sainte-Justine are to administered by one board of directors;

CONSIDERING that the Minister determined the date of designation of the members of that board of directors to be 23 October 2015, that date terminating a designation process spanning a period of 50 days;

CONSIDERING that the Regulation does not provide for any measure for the designation of members referred to in paragraphs 2 and 4 to 6 of section 9 or 10 of the Act where a board of directors administers two or more institutions pursuant to section 146 of the Act, and the members of the committees or councils of the institutions have designated a different person to act as a member of the council;

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING section 11 of the Regulations Act (chapter R-18.1) which provides that no proposed regulation may be made or submitted for approval before the expiry of 45 days from its publication in the *Gazette officielle du Québec*, or before the expiry of the period indicated in the notice accompanying it or in the Act under which the proposed regulation may be made or approved, where the notice or the Act provides for a longer period;

CONSIDERING section 12 de that Act which provides that a proposed regulation may be made without having been published, in particular if the authority making or approving it is of the opinion that the urgency of the situation warrants it;

CONSIDERING section 13 of that Act which provides that the reason justifying the absence of such publication must be published with the regulation;

CONSIDERING that, 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 or approved;

CONSIDERING that, under the first paragraph of section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority making it is of the opinion that the urgency of the situation warrants it;

CONSIDERING that, under the second paragraph of section 18 of that Act, the reason justifying such coming into force must be published with the regulation;

CONSIDERING that, in the Minister's opinion, the urgency owing to the date of designation of the members of the unified board of directors of the Centre hospitalier de l'Université de Montréal and the Centre hospitalier universitaire Sainte-Justine, set at 23 October 2015, warrants the making of the Regulation to amend the Regulation respecting the procedure for designating certain members of the board of directors of integrated health and social services centres and unamalgamated institutions and its coming into force on the date on which it is published;

CONSIDERING that it is expedient to make the Regulation which will come into force on the date of its publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the procedure for designating certain members of the board of directors of integrated health and social services centres and unamalgamated institutions, attached to this Order, is hereby made.

GAÉTAN BARRETTE,  
*Minister of Health and  
Social Services*

### **Regulation to amend the Regulation respecting the procedure for designating certain members of the board of directors of integrated health and social services centres and unamalgamated institutions**

An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2, s. 12)

**1.** The Regulation respecting the procedure for designating certain members of the board of directors of integrated health and social services centres and unamalgamated institutions (chapter O-7.2, r. 1) is amended by adding the following after section 41:

“§4. *Board of directors of two or more institutions*

**41.1.** If a member has been designated by and from among the members of the council of physicians, dentists and pharmacists of each institution administered by the board of directors, the officer, immediately after the designation, must immediately hold a drawing of lots between the members to determine the member who is to sit on the board for the first six months.

The officer must enter the result of the drawing of lots on the designation certificate.”.

**2.** The Regulation is amended by adding the following after section 48:

“**48.1.** If a member has been designated by and from among the members of the users’ committee of each institution administered by the board of directors, the officer, immediately after the designation, must immediately hold a drawing of lots between the members to determine the member who is to sit on the board for the first six months.

The officer must enter the result of the drawing of lots on the designation certificate.”.

**3.** Schedule IV to the Regulation is replaced by the following:

“**SCHEDULE IV**  
(Section 12)

DESIGNATION

**Designation Certificat**

Institution(s): \_\_\_\_\_

Designation college: \_\_\_\_\_

I, the undersigned, the officer in charge of the designation process, declare that on \_\_\_\_\_ the following candidate was designated to the position of member of the board of directors of the above-mentioned institution(s):

Name

\_\_\_\_\_

Only one candidate filed his or her candidacy or filed a valid candidacy;

More than one candidate filed his or her candidacy and the designated candidate received the greatest number of votes;

Due to a tie vote, the candidate was designated in a drawing of lots held on \_\_\_\_\_.

For members designated by and from among the members of the council of physicians, dentists and pharmacists, the council of nurses, the multidisciplinary council or the users’ committee of the institutions administered by one board of directors pursuant to section 146 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies:

Following a drawing of lots:

the member will sit on the board of directors for the first six months;

the member will not sit on the board of directors for the first six months.

Signed at \_\_\_\_\_, this \_\_\_\_\_

\_\_\_\_\_

Signature

\_\_\_\_\_

Name of officer in charge of the designation process \_\_\_\_\_.”.

**4.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

102317

**M.O., 2015**

**Order number 2015 016 of the Minister of Health and Social Services dated 5 October 2015**

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

Regulation respecting the procedure for designating certain members of the board of directors of the public institution referred to in Part IV.2 of the Act respecting health services and social services

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 137 of the Act respecting health services and social services (chapter S-4.2), which provides that the Minister determines, by regulation, the procedure for designating certain members of the boards of directors of public institutions and sets the date on which the designations take place;

CONSIDERING that the Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*;

CONSIDERING section 11 of the Regulations Act (chapter R-18.1), which provides that no proposed regulation may be made or submitted for approval before the expiry of 45 days from its publication in the *Gazette officielle du Québec*, or before the expiry of the period indicated in the notice accompanying it or in the Act under which the proposed regulation may be made or approved, where the notice or the Act provides for a longer period;