

22. The following is inserted after section 63:

“**DIVISION IV.I**
TITLE OF AGROLOGIST AND SIGNATURE”.

23. Section 65 is replaced by the following:

“**65.** Agrologists must affix their signature and indicate clearly their name and agrologist’s title and, where applicable, the name of the partnership or joint-stock company within which they carry on professional activities on any opinion, study, research, recommendation or other document produced in the practice of their profession or under their supervision, in particular processes, methods, standards, plans, technical descriptions, analyses, publications, specifications and supervisory instructions.”.

24. The following is inserted after section 65:

“**65.1.** The signature of a document referred to in section 65 may be affixed using a technological means that ensures the document’s integrity within the meaning of the Act to establish a legal framework for information technology (chapter C-1.1).”.

25. Section 66 is amended

- (1) by inserting “, initial” after “sign”;
- (2) by striking out “advice,”.

26. Section 73 is amended by adding “and, where applicable, the name of the partnership or joint-stock company within which the agrologist carries on professional activities” after “agrologist”.

27. Section 76 is amended by replacing “All agrologists who are partners in the practice of their profession” by “Agrologists who carry on their professional activities within the same partnership or joint-stock company”.

28. Section 77 is replaced by the following:

“**77.** An agrologist may not carry on professional activities under a name or designation which is misleading or contrary to the honour or dignity of the profession or is a number name.”.

29. The Code is amended by striking out the following:

“**DIVISION VI**
COAT OF ARMS AND GRAPHIC SYMBOL
OF THE ORDER.”.

30. Section 79 is revoked.

31. Section 80 is replaced by the following:

“**80.** Agrologists or the partnership or joint-stock company within which they carry on professional activities who reproduce the graphic symbol of the Order in their advertisement or documents must ensure that the symbol conforms to the original and is not represented in such a manner as to imply that they emanate from the Order or are approved by the Order.”.

32. The following is inserted after section 80:

“**80.1.** An agrologist must ensure that every partnership or joint-stock company within which the agrologist carries on professional activities does not use the graphic symbol of the Order in connection with its advertising or name unless all the services provided by such partnership or joint-stock company are professional services rendered by agrologists.

Despite the first paragraph, a partnership or joint-stock company that provides both professional services of agrologists and other professional services may use the graphic symbol of the Order in connection with its advertising or its name provided that the graphic symbol of any other professional order or body concerned by those services is also used.”.

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

102398

Gouvernement du Québec

O.C. 1072-2015, 2 December 2015

Professional Code
(chapter C-26)

Nursing assistants
— **Professional activities that may be engaged in by persons other than nursing assistants**

Regulation respecting the professional activities that may be engaged in by persons other than nursing assistants

WHEREAS, under paragraph *h* of section 94 of the Professional Code (chapter C-26), the board of directors may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre des infirmières et infirmiers auxiliaires du Québec made the Regulation respecting the professional activities that may be engaged in by persons other than nursing assistants on 4 December 2014;

WHEREAS, pursuant to section 95 of the Professional Code 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 respecting the professional activities that may be engaged in by persons other than nursing assistants was published in Part 2 of the *Gazette officielle du Québec* of 15 April 2015 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 8 September 2015 and then 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 respecting the professional activities that may be engaged in by persons other than nursing assistants, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation respecting the professional activities that may be engaged in by persons other than nursing assistants

Professional Code
(chapter C-26, s. 94, par. h)

DIVISION I GENERAL

1. The purpose of this Regulation is to determine, among the professional activities that may be engaged in by nursing assistants, those that may be engaged in by the following persons:

(1) a student in health, assistance and nursing, namely, a person registered in a program of studies leading to a diploma determined by regulation of the Government made under the first paragraph of section 184 of the Professional Code (chapter C-26) and giving access to the permit of the Ordre des infirmières et infirmiers auxiliaires du Québec;

(2) a person eligible by equivalence, namely, a person registered in a program of studies or a period of additional training required for the purpose of obtaining equivalent training;

(3) a candidate for the profession of nursing assistant, namely, a person who successfully completed the program of studies leading to a diploma giving access to the permit of the Order or for whom the Order has recognized an equivalence of a diploma or training for the purposes of issuing such permit.

For the purposes of this Regulation, a care unit means a care unit that is not extended over several sites.

2. Any person performing professional activities under this Regulation must perform them in compliance with the ethical obligations applicable to nursing assistants.

DIVISION II HEALTH, ASSISTANCE AND NURSING STUDENT

3. A health, assistance and nursing student may carry out the professional activities that nursing assistants may perform that are required to complete the program of study in which the student is registered when the following conditions have been met:

(1) the student performs them as part of the program of study;

(2) the student performs them under the supervision of a nursing assistant who supervises the training period and who is present in the care unit concerned in order to rapidly intervene.

4. The nursing assistant student must record his or her interventions in the patient's record with his or her signature, followed by "student asst. nurs." and his or her name in block letters.

DIVISION III PERSON ELIGIBLE BY EQUIVALENCE

5. A person eligible by equivalence may carry out the professional activities that nursing assistants may perform that are required to complete the program of studies or the additional training required for the purpose of obtaining equivalence training when the following conditions have been met:

(1) the student performs them as part of the program of studies or additional training;

(2) the student performs them under the supervision of a nursing assistant who is present in the care unit concerned in order to rapidly intervene.

6. A person eligible by equivalence must record his or her interventions in the patient's record with his or her signature, followed by "p.el.eq., asst. nurs." and his or her name in block letters.

DIVISION IV CANDIDATE FOR THE PROFESSION OF NURSING ASSISTANT

7. A candidate for the profession of nursing assistant may carry out all the professional activities that nursing assistants may perform.

8. To perform the professional activities, the candidate for the profession of nursing assistant must comply with the following conditions:

(1) the candidate must hold an attestation, issued by the Order, that:

(a) the candidate successfully completed the program of studies leading to a diploma giving access to the permit of the Order or have obtained recognition by the Order of a diploma or training equivalence for the purposes of issuing a permit;

(b) the candidate has informed the Order of the address of his or her main residence and the contact information of his or her employer;

(2) the candidate must perform these activities in a centre operated by a public institution or a private institution under agreement within the meaning of the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5) that provides an integration program making it possible for the candidate to become familiar with the institution's policies and directives, to consolidate the knowledge and skills necessary to carry out these activities and to demonstrate his or her ability to perform them;

(3) the candidate must have successfully completed the integration program referred to in subparagraph 2;

(4) the candidate must perform these activities under the supervision of a nurse or a nursing assistant who is present in the care unit concerned in order to intervene immediately or to respond rapidly to the candidate's request.

9. A candidate for the profession of nursing assistant must record his or her interventions in the patient's record with his or her signature, followed by "CPAN" and his or her name in block letters.

10. A candidate for the profession of nursing assistant is authorized to perform the professional activities until the first of the following occurs:

(1) the candidate does not pass the professional examination by the time limit provided for in the Règlement sur les conditions et modalités de délivrance des permis de l'Ordre professionnel des infirmières et infirmiers auxiliaires du Québec (chapter C-26, r. 156);

(2) the candidate fails the professional examination 3 times;

(3) more than 30 days elapse after the date on which the permit of the Order is issued;

(4) more than 4 years elapse after the first professional examination session to which the candidate was called in accordance with the Règlement sur les conditions et modalités de délivrance des permis de l'Ordre professionnel des infirmières et infirmiers auxiliaires du Québec.

DIVISION V OTHER PERSON

11. A person who does not meet the conditions for the issue of a permit of the Order may continue to engage in the professional activities referred to in paragraph 5 of section 37.1 of the Professional Code, if the person was engaging in those activities on 11 July 1980 and if the person meets the conditions of practice that applied to the person at that time.

DIVISION VI FINAL

12. This Regulation replaces the Regulation respecting the professional activities that may be engaged in by persons other than nursing assistants (chapter C-26, r. 149).

13. 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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