

Draft Regulation

Nurses Act
(chapter I-8)

Nurses

— **Classes of specialization for the activities referred to in section 36.1 of the Nurses Act to be engaged in**
— **Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), 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, made by the board of directors of the Ordre des infirmières et infirmiers du Québec and appearing below, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends 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) to update various classes of specialization of the Ordre des infirmières et infirmiers du Québec, to require that specialized nurse practitioners file a declaration of exercise and to establish an advisory committee on the practice of specialized nurse practitioners.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Marie-Claude Simard, Direction des services juridiques, Ordre des infirmières et infirmiers du Québec, 4200, rue Molson, Montréal (Québec) H1Y 4V4; telephone: 514 935-2501 or 1 800 363-6048; fax: 514 935-3147; email: marie-claude.simard@oiiq.org

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Ordre des infirmières et infirmiers du Québec and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

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, ss. 3 and 14, par. f)

DIVISION I AMENDMENTS

1. The title 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 replaced with the following: “Regulation respecting the classes of specialization of specialized nurse practitioner.”

2. Section 1 of this regulation is amended:

(1) by the addition, at the end of the first paragraph, of “of specialized nurse practitioner;”

(2) by the addition, at the end of the section, of the following paragraph:

“It introduces the obligation for a nurse holding a specialist’s certificate for a specialized nurse practitioner to make a declaration of practice, and it creates an advisory committee on the practice of specialized nurse practitioner.”

3. Section 2 of this regulation is amended by the addition, under sub-paragraph (1.1), of the word “class” between “corresponding to the specialty” and “concerned.”

4. Section 3 of this regulation is amended:

(1) by the replacement, in the first paragraph, of “The classes of nursing specialization for the activities referred to in section 36.1 of the Nurses Act (chapter I-8)” with “The specialization classes of specialized nurse practitioners;”

(2) by the replacement of subparagraphs (1) to (4) as follows:

“(1) nurse practitioner specializing in neonatology;

(2) nurse practitioner specializing in adult care;

(3) nurse practitioner specializing in paediatric care;

- (4) nurse practitioner specializing in primary care;
- (5) nurse practitioner specializing in mental health.”

5. Section 4 of this regulation is amended:

(1) *(Amendment to French text does not affect English text)*

(2) by the addition, under sub-paragraph (3), of the word “class” between “corresponding to the specialty” and “concerned.”

6. Section 5 of this regulation is amended by the replacement of “Division II of 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 (chapter M-9, r. 13)” with “Regulation respecting specialized nurse practitioners.”

7. *(Amendment to French text does not affect English text)*

8. *(Amendment to French text does not affect English text)*

9. Section 9 of this regulation is modified by the deletion, in the first paragraph, of the word “professional” before “examination.”

10. Section 9.3 of this regulation is amended:

(1) *(Amendment to French text does not affect English text)*

(2) by the replacement, in the second paragraph, of “determined by the Order’s Board of Directors” with “determined by the Order;”

(3) *(Amendment to French text does not affect English text)*

11. Section 10 of this regulation is amended:

(1) by the addition of the word “class” between “aspects of the specialty and “concerned;”

(2) by the addition of the word “class” between “specialized nurse practitioner in the specialty” and “concerned.”

12. Section 11 of this regulation is amended by the addition of the word “class” after “For each specialty.”

13. This regulation is amended by the addition, after section 22, of the following:

“DIVISION III.1 CONDITIONS OF PRACTICE

22.1. Prior to engaging in the professional activities referred to in section 36.1 of the Nurses Act, and by April 1 of each year thereafter at the time of registration, a nurse holding a specialist’s certificate for a specialized nurse practitioner must provide the secretary of the Order, on the form prescribed by the Order, with a declaration containing the following information:

(1) her specialization class;

(2) the name and number of the partnering physician with whom she has signed a partnership agreement pursuant to the “Regulation respecting specialized nurse practitioners;”

(3) the name, address and telephone number of the establishment, clinic, dispensary or any other location where she practices under the partnership agreement;

(4) the area of care in which she engages in professional activities referred to in section 36.1 of the Nurses Act.

22.2. A nurse holding a specialist’s certificate for a specialized nurse practitioner shall notify the secretary of the Order in writing of any change to the information mentioned in subparagraphs (1) to (4) of section 22.1.

Any such change shall be reported within 10 days following its occurrence, except where it concerns an area of care referred to in subparagraph (4) of section 22.1. In this case, the nurse shall report the new area of care at least 10 days prior to engaging in the professional activities referred to in section 36.1 of the Nurses Act in this area.

DIVISION III.2 ADVISORY COMMITTEE

22.3. An advisory committee on the practice of specialized nurse practitioner is created. The purpose of this committee is to:

(1) examine the general quality of the clinical practice of specialized nurse practitioner pursuant to the regulations, including in terms of:

i. quality of prescription;

ii. quality of intervention;

iii. quality of interprofessional collaboration;

(2) recommend new clinical practices or improvements in response to scientific developments and new evidence;

(3) make recommendations to the board of directors of the Order and to that of the Collège des médecins du Québec regarding the terms and conditions of practice of specialized nurse practitioner as well as any changes to be made to the regulations governing such activities;

(4) analyze any other matter in connection with the practice of specialized nurse practitioner.

22.4. This committee shall be made up of 11 members appointed, as the case may be, by the board of directors of the Order or by that of the Collège des médecins du Québec. It shall be made up of the following:

- (1) one representative of each of the two bodies;
- (2) one nurse practitioner specializing in neonatology;
- (3) one nurse practitioner specializing in paediatric care;
- (4) one nurse practitioner specializing in adult care;
- (5) one nurse practitioner specializing in primary care;
- (6) one nurse practitioner specializing in mental health;
- (7) one specialized nurse practitioner who has teaching duties in a university-level training program on the practice of specialized nurse practitioner;
- (8) one partnering acute care physician;
- (9) one partnering primary care physician;
- (10) one representative from the Direction nationale des soins infirmiers of the Ministère de la Santé et des Services sociaux.

The committee may appoint any person deemed appropriate to carry out its mandate.

22.5. A quorum of the committee shall be six members, including three specialized nurse practitioners, one partnering physician, and the representatives of both professional bodies.

22.6. The members of the committee are appointed for a term of three years and shall remain in place until reappointed or replaced.”

14. This regulation is amended by the replacement of “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” with “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste d’infirmière praticienne spécialisée” wherever it appears.

15. This regulation is amended by the replacement of the words “to a specialist’s certificate issued by the Order” with “to a specialist’s certificate for a specialized nurse practitioner” wherever it appears.

DIVISION II TRANSITIONAL AND FINAL PROVISIONS

16. The specialist’s certificate for a nurse practitioner specializing in nephrology and the specialist’s certificate for a nurse practitioner specializing in cardiology issued by the Order prior to (*enter effective date of this regulation*) shall become a specialist’s certificate for a nurse practitioner specializing in adult care.

17. A nurse who, on (*enter effective date of this regulation*), is the holder of a specialist’s certificate for a specialized nurse practitioner must, within 30 days following this date, provide the secretary of the Order with the declaration referred to in section 22.1.

18. A nurse who, on (*enter effective date of this regulation*), is the holder of a specialist’s certificate for a nurse practitioner specializing in primary care must, in order to engage in the activities referred to in section 36.1 of the Nurses Act in a nursing home and long-term care facility, complete 35 hours of theoretical and practical training on physical examination and the treatment of persons in long-term care, including at least 14 hours on persons exhibiting the behavioral and psychological symptoms of dementia.

19. This regulation will come into force on the fifteenth day following the date of its publication in *Gazette Officielle du Québec*.