

5. A dispensary managed by Health Canada's First Nations and Inuit Health Branch and situated in the following regions:

- (1) Haute-Gatineau (Algonquins of Barrière Lake);
- (2) Témiscamingue (Long Point First Nation).

103344

Gouvernement du Québec

O.C. 85-2018, 7 February 2018

Nurses Act
(chapter I-8)

Ordre des infirmières et infirmiers du Québec
— **Classes of specialization for the activities referred to in section 36.1 of the Act**
— **Amendment**

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

WHEREAS, under paragraph *f* of section 14 of the Nurses Act (chapter I-8), the board of directors of the Ordre des infirmières et infirmiers du Québec may, by regulation, regulate, in accordance with paragraphs *e*, *h* and *i* of section 94 of the Professional Code (chapter C-26), the classes of specialization to which members of the Order must belong to engage in activities referred to in section 36.1 of the Nurses Act and, for that purpose, the board of directors may, in the regulation, establish an advisory committee;

WHEREAS, on 16 December 2016, the board of directors of the Ordre des infirmières et infirmiers du Québec made 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;

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 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 was published in Part 2 of the *Gazette officielle du Québec* of 19 April 2017 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 13 November 2017 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 and of the Minister of Health and Social Services:

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, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

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

Nurses Act
(chapter I-8, s. 14, par. *f*)

1. 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 amended by replacing its title by the following: “Regulation respecting the classes of specialization of specialized nurse practitioners”.

2. Section 1 is amended by inserting “of specialized nurse practitioners” in the first paragraph after “certificates”.

3. Section 2 is amended by replacing “to the specialty” in subparagraph 1.1 of the first paragraph by “to the class of specialization”.

4. Section 3 is amended

(1) by replacing “of nursing specialization for the activities referred to in section 36.1 of the Nurses Act (chapter I-8) to be engaged in” in the part preceding paragraph 1 by “of specialization of specialized nurse practitioners”;

(2) by replacing paragraphs 2 and 3 by the following:

“(2) nurse practitioner specializing in adult care;

(3) nurse practitioner specializing in pediatric care.”;

(3) by adding the following paragraph at the end:

“(5) nurse practitioner specializing in mental health.”.

5. Section 4 is amended

(1) by inserting “d” after “classe de spécialité” in paragraph 2 of the French text;

(2) by replacing “to the speciality” in paragraph 3 by “to the class of specialization”.

6. Section 5 is amended by replacing “contemplated in 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)” by “referred to in the Regulation respecting specialized nurse practitioners made by Order in Council 84-2018 dated 7 February 2018”.

7. Section 6 is amended by inserting “d” after “classe de spécialité” in paragraph 3 of the French text.

8. Section 7.1 is amended by inserting “d” after “classe de spécialité” in paragraph 2 of the French text.

9. Section 9 is amended by striking out “professional” in the first paragraph after “the first session of the”.

10. Section 9.3 is amended

(1) by replacing “à partir de” in the first paragraph of the French text by “à compter de”;

(2) by replacing “Order’s board of directors” in the second paragraph by “Order”;

(3) by inserting “à compter de” in the second paragraph of the French text after “ne peut excéder 4 ans”.

11. Section 10 is amended

(1) by replacing “of the specialty” by “of the class of specialization”;

(2) by replacing “in the specialty” by “in the class of specialization”.

12. Section 11 is amended by replacing “each specialty” by “all the classes of specialization or for each of them”.

13. Section 12 is amended by adding the following paragraph at the end:

“The committee may retain the services of any person whose expertise is necessary to achieve its mandate.”.

14. Section 22 is amended by replacing “30” in the first paragraph by “60”.

15. The following is inserted after section 22:

“DIVISION III.1
CONDITIONS OF PRACTICE

22.1. Before engaging in the professional activities referred to in section 36.1 of the Nurses Act (chapter I-8), a nurse who holds a specialist’s certificate of specialized nurse practitioner must provide to the secretary of the Order, not later than 1 April of each year and on the prescribed form, a statement that contains

(1) the nurse’s class of specialization;

(2) the name and membership number of the partner physicians with whom the nurse has signed a partnership agreement under the Regulation respecting specialized nurse practitioners made by Order in Council 84-2018 dated 7 February 2018;

(3) the name, address and telephone number of the institution, clinic, dispensary or any other place where the nurse practises under the partnership agreement; and

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

22.2. A nurse who holds a specialist’s certificate of specialized nurse practitioner must report to the secretary of the Order in writing any change in the information referred to in paragraphs 2 to 4 of section 22.1.

The change must be reported within 30 days of its occurrence, except if it concerns the area of care referred to in paragraph 4 of section 22.1. In the latter case, the nurse must report the new area of care at least 30 days before engaging in the professional activities referred to in section 36.1 of the Nurses Act (chapter I-8) in that area and establish that the nurse has updated the nurse's knowledge to practise in that area.

DIVISION III.2 **ADVISORY COMMITTEE ON THE PRACTICE** **OF SPECIALIZED NURSE PRACTITIONERS**

22.3. An advisory committee on the practice of specialized nurse practitioners is established.

The committee's mandate is to

(1) examine generally the quality of the clinical practice of specialized nurse practitioners in the various classes of specialization, in particular with respect to

- (a) the quality of the prescription;
- (b) the quality of interventions; and
- (c) the quality of interprofessional collaboration;

(2) recommend new clinical practices or improvements to respond to scientific developments and new conclusive data;

(3) make recommendations to the board of directors of the Collège des médecins du Québec and to the board of directors of the Ordre des infirmières et infirmiers du Québec on the terms and conditions of practice of specialized nurse practitioners and on the amendments to be made to the regulations involving specialized nurse practitioners; and

(4) analyze any issue related to the practice of specialized nurse practitioners and formulate opinions.

22.4. The committee is composed of the following 11 members:

- (1) 1 representative of the College;
- (2) 1 representative of the Order;
- (3) 1 partner physician in acute care appointed by the College;
- (4) 1 partner physician in primary care appointed by the College;

(5) 1 nurse practitioner specialized in primary care appointed by the Order;

(6) 1 nurse practitioner specialized in neonatology appointed by the Order;

(7) 1 nurse practitioner specialized in adult care appointed by the Order;

(8) 1 nurse practitioner specialized in pediatric care appointed by the Order;

(9) 1 nurse practitioner specialized in mental health appointed by the Order;

(10) 1 specialized nurse practitioner appointed by the Order with teaching responsibilities in a university training program for the practice of specialized nurse practitioners;

(11) 1 representative of the Direction nationale des soins et services infirmiers of the Ministère de la Santé et des Services sociaux.

The committee may retain the services of any person deemed necessary to achieve its mandate.

22.5. The quorum of the committee is 6 members, including 3 specialized nurse practitioners, 1 partner physician and the representatives of both orders.

22.6. The members of the committee are appointed for a 3-year term and remain in office until they are re-appointed or replaced."

16. The Regulation is amended by replacing the words "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" wherever they appear by "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".

17. The Regulation is amended by replacing the words "a specialist's certificate issued by the Order" wherever they appear by "a specialist's certificate of specialized nurse practitioners".

18. A nurse who is registered, before 8 March 2018, in a graduate-level training program leading to a diploma recognized by government regulation pursuant to the first paragraph of section 184 of the Professional Code (chapter C-26) granting access to a specialist's certificate of nurse practitioner specialized in cardiology or to a specialist's certificate of nurse practitioner specialized

in nephrology is eligible, in accordance with Division III of the Regulation respecting the classes of specialization of specialized nurse practitioners (chapter I-8, r. 8), to sit the specialty examination corresponding to the class of specialization covered by the diploma.

19. A nurse who holds, before 8 March 2018, a diploma recognized by government regulation pursuant to the first paragraph of section 184 of the Professional Code (chapter C-26) granting access to a specialist's certificate of nurse practitioner specialized in cardiology or to a specialist's certificate of nurse practitioner specialized in nephrology is eligible, in accordance with Division III of the Regulation respecting the classes of specialization of specialized nurse practitioners (chapter I-8, r. 8), to sit the specialty examination corresponding to the class of specialization covered by the nurse's diploma.

Where a nurse, admitted to the specialty examination under the first paragraph passes the examination, the Order issues the nurse, if the nurse also meets the other conditions prescribed by the regulation, a specialist's certificate of nurse practitioner specialized in adult care in the place and stead of a specialist's certificate of nurse practitioner specialized in cardiology or a specialist's certificate of nurse practitioner specialized in nephrology.

20. Specialist's certificates of nurse practitioners specialized in cardiology and in nephrology issued by the Order before 8 March 2018 become specialist's certificates of nurse practitioners specialized in adult care.

21. A nurse who, on 8 March 2018, holds a specialist's certificate of specialized nurse practitioners must, within 30 days after that date, provide the secretary of the Order with the statement provided for in section 22.1.

22. A nurse who obtained the diploma giving access to the specialist's certificate in primary care before 1 September 2017 or who, before that date, was registered in a graduate-level training program leading to a diploma giving access to the specialist's certificate of nurse practitioner specialized in primary care must, to perform the activities referred to in section 36.1 of the Nurses Act in a residential and long-term care centre, undergo training recognized by the Order.

The same applies to a nurse practitioner specialized in primary care who obtained the specialist's certificate before 8 March 2018 by recognition of an equivalence of diploma or training in accordance with the 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 (chapter I-8, r. 15.2).

The training, which lasts 35 hours, specifically focuses on the elderly and includes the following: advanced clinical evaluation, advanced physiopathology and advanced pharmacology. At least 10 hours focus on the elderly who present behavioural and psychological symptoms of dementia.

23. The advisory committee on the practice of specialized nurse practitioners is composed of 9 members until the Order appoints to the committee a nurse practitioner specialized in pediatric care and a nurse practitioner specialized in mental health.

During that period, the quorum of the committee is 5 members, including 2 specialized nurse practitioners, 1 partner physician and the representatives of both orders.

24. This Regulation comes into force on 8 March 2018.

103345

Gouvernement du Québec

O.C. 87-2018, 7 February 2018

Building Act
(chapter B-1.1)

Construction Code — Regulation — Modification

Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act

WHEREAS, under section 173 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec shall by regulation adopt a building code containing building standards for petroleum equipment installations or their vicinity;

WHEREAS, under section 176 of the Act, the code may require manufacturers to provide instructions regarding the assembly, erection, maintenance and inspection of materials, facilities and installations;

WHEREAS, under section 176.1 of the Act, a code may, with respect to the matters to which it applies, contain provisions concerning the subjects listed in section 185 of the Act;

WHEREAS, under section 178 of the Act, the code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards and provide that any reference it makes to other standards include subsequent amendments;