

DIVISION V INDEXATION

11. The amounts set out in this program are adjusted by operation of law on 1 January of each year by the rate of increase of the pension index established according to section 117 of the Act respecting the Québec Pension (chapter R-9). If the amount thus obtained contains a fraction of a dollar, it is rounded to the nearest dollar.

The Board publishes on its website the result of the indexation carried out under this section.

DIVISION VI PROGRAM COST

12. The Minister of Health and Social Services shall reimburse to the Board, according to the methods to which they may agree upon, the amounts paid to the persons eligible for the terms and conditions of this program and the cost of developing and administering this program.

SECTION VII INFORMATION AND REVIEW

13. The Board shall provide to the Minister of Health and Social Services periodic reports on the costs incurred within the scope of this program, according to the methods to which they may agree upon. These reports will not contain any personal information.

14. The Minister of Health and Social Services and the Board may review the program and agree upon any amendments deemed relevant. Such amendments will be deemed to be part of this program.

DIVISION VIII FINAL PROVISIONS

15. This program replaces the program covered by Order in Council 1177-96 dated 18 September 1996 and the program covered by Order in Council 1187-96 dated 18 September 1996.

16. The Board shall publish this program on its website within 30 days after it has come into effect.

17. This program comes into effect on 21 March 2018.

Notwithstanding the foregoing, this program applies to insured persons qualifying for the provisions of the External Breastforms Program under Order in 1177-96 dated 18 September 1996 only after the expiration of a period of 24 months following the date of payment of the initial lump sum or of the biennial lump sum, as the case may be.

The provisions of section 8 apply to the partial external breastforms acquired as of 21 March 2018.

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Gouvernement du Québec

O.C. 454-2018, 28 March 2018

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

Provincial Committee on the dispensing of health and social services in the English language

Regulation to amend the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language

WHEREAS, under the first paragraph of section 509 of the Act respecting health services and social services (chapter S-4.2), as it reads taking into account section 107 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), the Government shall, by regulation, provide for the formation of a provincial committee entrusted with advising the Government on the dispensing of health and social services in the English language and on the approval, evaluation and modification by the Government of each access program developed by a public institution in accordance with section 76 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies;

WHEREAS, under the second paragraph of section 509 of the Act respecting health services and social services, the regulation must provide for the composition of the committee, its rules of operation and internal management, the manner in which its affairs are to be conducted and its functions, duties and powers;

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 Provincial Committee on the dispensing of health and social services in the English language was published in Part 2 of the *Gazette officielle du Québec* of 19 July 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language with amendments;

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

THAT the Regulation to amend the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language, attached to this Order in Council, be made

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language

An Act respecting health services and social services (chapter S-4.2, s. 509)

1. The Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language (chapter S-4.2, r. 4) is amended by replacing section 1 by the following:

“**1.** Pursuant to section 509 of the Act respecting health services and social services (chapter S-4.2), the Provincial Committee on the dispensing of health and social services in the English language is hereby formed.

The Committee shall be composed of 11 members appointed by the Minister of Health and Social Services to represent all of the English-speaking population, as follows:

(1) 4 members residing within the Montréal or Laval health region, including at least 3 who reside in the territory of the Montréal health region;

(2) 1 member residing within the Montérégie health region;

(3) 1 member residing within the Estrie health region;

(4) 1 member residing within the Outaouais health region;

(5) 4 member residing within the other health regions of Québec.

At least 1 of the members and no more than 2 among them must be physicians who practise or have practised their profession in a centre operated by a public health and social services institution, or be professionals or middle management officers who are or have been employed by such an institution.

1.1. No person may be a member of the Committee who

(1) is not resident in Québec;

(2) is a minor;

(3) is under tutorship or curatorship;

(4) within the preceding 3 years, forfeited his office or was removed from his duties as a member of the board of directors of a health and social services institution;

(5) within the preceding 3 years, was convicted of an offence against the Act respecting health services and social services (chapter S-4.2) or a regulation under the Act;

(6) holds a position as president and executive director, assistant president and executive director, senior administrator or senior management officer of a health and social services institution;

(7) is a member of the board of directors of a health and social services institution;

(8) is a member of the board of directors of the Régie de l'assurance maladie du Québec;

(9) is a member of the board of directors of a foundation of a health and social services institution;

(10) is employed by the Ministère de la Santé et des Services sociaux or the Régie de l'assurance maladie du Québec;

(11) is a member of a regional committee for programs of access to health services and social services in the English language formed pursuant to section 510 of the Act respecting health services and social services (chapter S-4.2).”.

2. Section 2 is replaced by the following:

“**2.** In order to appoint the members of the Committee, a selection committee tasked with making recommendations to the Minister of candidacies for each position to be filled is established. The committee is established by the organizations of Québec Community Groups Network and Community Health and Social Services Network and composed of an equal number of representatives from each organization.

The selection committee determines the rules of internal management.

A member of the selection committee must, once appointed, complete a confidentiality agreement provided by the Minister and send it to the Minister as soon as possible.

2.1 To carry out its mandate, the selection committee must issue a general call for candidacies. The call for candidacies must provide for a minimum 30-day period to allow interested persons to apply. The selection committee must inform the Minister of the terms related to the call for candidacies.

The Minister makes available to the selection committee the financial resources considered necessary and reasonable for carrying out the call for candidacies. No amount may be paid to the members of the selection committee, in particular as remuneration or reimbursement of expenses.

The Minister may, on the selection committee's written and justified request, authorize the extension of the nomination period.

If the selection committee fails to issue a call for candidacies within a period deemed reasonable, the Minister shall act in its stead.

2.2. During the period that follows by 21 days the date of the end of the nomination period, the selection committee evaluates the correspondence of the candidacies received with the profiles identified in the second and third paragraphs of section 1. It also evaluates the demonstrated comprehension, knowledge and experience of the candidates regarding the cultural, historic and linguistic issues of the English-speaking community of Québec as well as the issues faced by that community concerning the provision of health services and social services, the organization of the health and social services network and its governance.

2.3. The selection committee must, within 60 days following the date of the end of the nomination period, recommend to the Minister 2 candidates for each position to be filled within the Committee.

The selection committee may not recommend the candidacy of any of its members.

The selection committee must also send to the Minister, with its recommendations, the complete list of candidacies received and a report detailing the reasons justifying the recommendation of each submitted candidacy.

2.4. The Minister chooses the members of the Committee among the persons recommended by the selection committee.

Where it is impossible for the Minister to obtain from the selection committee recommendations that comply with those provided for in section 2.3, the Minister may appoint members of his or her own choosing."

3. Section 3 is amended by replacing the second and third paragraphs by the following:

"Upon the expiry of his term of office, a member shall remain in office until he is reappointed or replaced.

A member may not serve more than 2 consecutive terms."

4. Section 4 is replaced by the following:

"4. A member's office becomes vacant if the member dies, is absent without valid reason from more than 3 consecutive regular meetings of the Committee or submits his resignation in writing to the Minister and a copy of it to the chairman of the Committee."

5. Section 6 is amended by replacing the second paragraph by the following:

"The Minister designates, to act as secretary of the Committee, a member of the staff of the Ministère de la Santé et des Services sociaux who is informed of the concerns of the English-speaking community of Québec concerning access to health services and social services in English, who is sensitive to those concerns and who has a special knowledge of the legal and administrative framework governing the provision of health services and social services in the English language.

The secretary shall participate in the meetings of the Committee but the secretary shall have no right to vote."

6. Section 7 is replaced by the following:

"7. Any vacancy occurring before the expiry of a term of office must be filled by the Minister within the following 180 days, for the unexpired portion of the term.

In such a case, the appointment must comply with the rules provided for in the second and third paragraphs of section 1, but the process provided for in sections 2 to 2.4 does not apply.

The member is chosen by the Minister among the 2 candidates recommended by the Committee within 60 days of the vacancy."

7. Section 10 is amended by replacing the introductory sentence by the following: "In support to the chairman of the Committee, the secretary performs the following duties:"

8. Section 12 is replaced by the following:

“**12.** The Committee must hold at least 5 meetings a year.

The meetings may be held using means which allow all of the participants to communicate directly with each other, but at least 3 of them must physically reunite at least 8 members.”

9. Section 13 is replaced by the following:

“**13.** Meetings of the Committee are called by the secretary at the request of the chairman. However, the Minister may, if the Minister deems it expedient, require the secretary to call a special meeting of the Committee.

The secretary is required to call a meeting of the Committee at the written request of not fewer than 5 members.

The Committee sets the time periods of the prior notices to call meetings.”

10. Section 14 is replaced by the following:

“**14.** The meetings of the Committee shall be convened by means of a notice transmitted to each member.

In an emergency, the Committee may proceed without the formal calling of a meeting if the chairman so decides.”

11. Section 15 is amended by replacing “Six” by “A majority of the”.**12.** Section 18 is replaced by the following:

“**18.** To carry out the mandate entrusted to it by section 509 of the Act respecting health services and social services (chapter S-4.2), the Committee may

(1) submit observations or give its opinion on any administrative document produced by the Minister to guide institutions in the preparation of programs of access to health services and social services in the English language to English speakers;

(2) give its opinion on the approval, assessment and modification by the Government of each program of access;

(3) monitor the application of the programs of access in the various regions of Québec;

(4) give its opinion on any proposed legislative amendment likely to affect the provision of health services and social services in the English language and on any other matter affecting the provision of services;

(5) favour the preparation and circulation of the documents and programs to inform on the provision of health services and social services in the English language.

Furthermore, for the purpose of performing its functions, the Committee maintains relations with the English-speaking communities of Québec. The Committee also holds consultations as required, solicits opinions and receives and hears requests and suggestions by persons, organizations or associations. It may also create subcommittees.”

13. The following is inserted after section 18:

“**18.1.** The Committee shall submit to the Minister, not later than 1 March of each year, a work plan for the following year, accompanied by a proposed operating budget.”

14. The Regulation is amended by replacing “committee” by “Committee” everywhere it occurs.

15. The term of office of the members of the Provincial Committee on the dispensing of health and social services in the English language shall end on 26 April 2018.

16. Despite the first paragraph of section 3 of the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language (chapter S-4.2, r. 4), for the first appointment of the members of the Committee following the coming into force of this Regulation, the Minister may appoint 2 members among those referred to in subparagraph 1 of the second paragraph of section 1 and 3 members among those referred to in subparagraphs 2 to 5 of the second paragraph of that section for a term of 4 years.

17. 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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