

The taking of examinations and preparatory activities are free of charge.

24. Parents who make a request under section 20 or 21 must provide the school board that has jurisdiction with the student's learning project.

DIVISION VI TRANSITIONAL AND FINAL

25. Despite section 3 of this Regulation, for the year 2018, the date provided for in subparagraph 1 of the first paragraph of that section is deemed to be 1 September.

26. This Regulation comes into force on 1 July 2018.

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Gouvernement du Québec

O.C. 659-2018, 30 May 2018

Health Insurance Act
(chapter A-29)

Forms and statements of fees under the Act — Amendment

CONCERNING the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act

WHEREAS, section 2.0.13 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), provides that the Régie de l'assurance maladie du Québec (hereinafter "the Board") may require, from every person filing an application under a provision of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), the Health Insurance Act (chapter A-29), the Act respecting prescription drug insurance (chapter A-29.01) or their regulations that the person use the appropriate form provided by the Board and that the person provide the information and documents necessary to the processing of the application;

WHEREAS, under subparagraph (b) of the first paragraph of section 72 of the Health Insurance Act, the Board may, by regulation, prescribe the cases in and conditions according to which a mandatary may claim fees from the Board on behalf of a professional in the field of health, the information, and the tenor of the documents pertaining to the claim that the professional must file with the Board and preserve, together with the time for which such documents must be kept;

WHEREAS, under the second paragraph of section 72 of that Act, such a regulation must be approved by the Government before coming into force;

WHEREAS the Board has made the Regulation respecting forms and statements of fees under the Health Insurance Act (chapter A-29, r. 7) and that it has been approved by the Government;

WHEREAS the Board made, on 4 October 2017, by resolution CA-521-17-55, the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act;

WHEREAS, in accordance with sections 10 et 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act was published in Part 2 of the of the *Gazette officielle du Québec* of 20 December 2017, with notice that it could be submitted for approval by the Government on the expiry of the 45-day period following that publication;

WHEREAS it is expedient to approve this Regulation without any amendments;

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

THAT the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting forms and statement of fees under the Health Insurance Act

Health Insurance Act
(chapter A-29, s. 72)

1. The Regulation respecting forms and statements of fees under the Health Insurance Act (chapter A-29, r. 7) is amended by replacing its title with the following:

“REGULATION RESPECTING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF HEALTH INSURANCE CARDS AND THE TRANSMITTAL OF STATEMENTS OF FEES AND CLAIMS”

2. Section 3 of the Regulation is amended:

(1) by deleting subparagraphs *b*, *c*, *d* and *i*;

(2) by replacing subparagraph *g* with the following:

“(g) “manual” means the documentation published by the Board that establishes the technical specifications necessary to bill it by electronic means;”

3. Section 5 of the Regulation is amended by replacing “in accordance with the form and tenor of Form 2” with “, using the form it provides for this purpose”.

4. Section 9 of the Regulation is replaced with the following:

“**9.** Subject to section 9.4.1, statements of fees and claims from professionals in the field of health must be submitted to the Board using the form it provides for this purpose or in accordance with Division VIII of this Regulation.”.

5. Sections 9.1 to 9.4 of the Regulation are revoked.

6. Section 10 of the Regulation is replaced with the following:

“**10.** Every professional in the field of health must sign his statements of fees or claims and any document related thereto, and certify that he personally provided the services listed on his statements of fees or claims. In the case of a pharmacist who has not personally provided the services listed on his claims and any related document, he must certify that such services were legally provided by one of his employees.

However, using the form the Board provides for this purpose, a professional in the field of health may authorize one or more mandataries to sign, on his behalf and in his name, his statements of fees or claims and any related document, including any notice of change of address, certify that the services listed on any statement of fees or claim and on any related document were provided by the mandator himself, and receive from the Board any information he may require respecting the statements of fees or claims that he is hereby authorized to sign. In the case of a pharmacist who did not personally provide the services listed on the claim or related documents, the mandatory is authorized to certify that such services were provided legally by an employee of the pharmacist.

The statements of fees or claims submitted by a professional in the field of health for services rendered in an establishment and remunerated on other than on a fee-for-service basis must be countersigned by a person duly authorized by the establishment where this professional in the field of health provided the services. A professional in the field of health may not countersign his statements of fees or claims.”.

7. Section 11 of the Regulation is revoked.

8. Division VI of the Regulation is revoked.

9. The title of Division VIII of the Regulation is amended by replacing “MAGNETIC RECORDING AND TELECOMMUNICATIONS” with “ELECTRONIC MEANS”.

10. Section 15 of the Regulation is replaced with the following:

“**15.** A professional in the field of health or group of professionals in the field of health wishing to submit statements of fees or claims to the Board by electronic means must, beforehand, send the Board an application for accreditation, using the form the Board provides for this purpose.

For the purposes of this division, a group of professionals in the field of health is one that is duly constituted by the Board following a request submitted to it, using the form it provides for this purpose.

The Board shall consider each application for accreditation and send its decision to the applicant in writing. An application for accreditation shall be accepted if the applicant meets the requirements of sections 16 and 18.

Where an application for accreditation is submitted to the Board by a group of professionals in the field of health and where the Board accepts the application, each of the professionals in the field of health who is a member of the accredited group is deemed to be an accredited professional in the field of health and all of the provisions of this division will apply to him with the necessary modifications.”.

11. Section 16 of the Regulation is amended:

(1) by deleting “duly constituted under Form 7”;

(2) by replacing “a duly completed mandate drawn up as in Form 23” with “a mandate in compliance with the form the Board provides for this purpose”.

12. Section 18 of the Regulation is amended by replacing the second paragraph with the following:

“A group of professionals in the field of health must attach to its application for accreditation a copy of the application for constitution form referred to in the second paragraph of section 15 and, where applicable, a copy of the form referred to in the second paragraph of section 10 authorizing a mandatory to sign the billing statements of members of the group.”.

13. Section 19 of the Regulation is replaced with the following:

“19. An accredited professional in the field of health must always record in a billing statement the information contained in each of the statements of fees and claims that he submitted to the Board, or that were submitted in his name to the Board, by electronic means. The signatures and certifications provided for in section 10 must then be affixed to this billing statement.”

14. Section 26 of the Regulation is amended by replacing, in the fourth paragraph, “magnetic recording media or telecommunications” with “electronic means”.

15. Section 27 of the Regulation is revoked.

16. Section 28 of the Regulation is replaced with the following:

“28. The statements of fees or claims submitted to the Board by electronic means must include the information required in the form referred to in section 9 and in the manual, except for the signatures and certifications specified in section 10.”

17. Section 28.1 of the Regulation is amended by replacing, in the second paragraph, “magnetic recording media or telecommunications” with “electronic means”.

18. Section 29 of the Regulation is amended:

(1) by replacing, in the first paragraph, “The magnetic recording media” with “The electronic means”;

(2) by deleting the third and fourth paragraphs.

19. Sections 31 and 33 of the Regulation are revoked.

20. Section 34 of the Regulation is replaced with the following:

“34. Any insured person who is entitled to insured medications and who wishes the Board to assume the cost of exceptional medications determined by regulation must submit to the Board an application for authorization, using the form the Board provides for this purpose. However, a prescriber may submit such a form to the Board on behalf of an insured person.”

21. The Regulation is amended by deleting, after SCHEDULE I, Forms 1 to 31.

22. This Regulation comes into force on the 15th day following its publication in the *Gazette officielle du Québec*.

Gouvernement du Québec

O.C. 699-2018, 6 June 2018

Environment Quality Act
(chapter Q-2)

Recover and reclaim residual materials — Compensation for municipal services — Amendment

Regulation to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials

WHEREAS, under the third paragraph of section 53.31.2 of the Environment Quality Act (chapter Q-2), the Government may, by regulation, as regards one or more designated materials or classes of materials, specify which persons from among the persons referred to in subparagraph 6 of the first paragraph of section 53.30 are required to pay a compensatory contribution as compensation to the municipalities;

WHEREAS, under the first paragraph of section 53.31.3 of the Act, the annual compensation owed to the municipalities is based on the cost of the services they provide during a year to deal with the materials or classes of materials subject to compensation, that is, the collection, transportation, sorting and conditioning costs, including an indemnity for the management of those services;

WHEREAS, under the second paragraph of section 53.31.3 of the Act, the Société québécoise de récupération et de recyclage determines annually the amount of the compensation, by calculating for each municipality, in accordance with the calculation method and the performance and effectiveness criteria determined by regulation of the Government, the costs of the services provided that are eligible for compensation and the management indemnity to which the municipality is entitled, and by aggregating all the costs and fees calculated for the municipalities;

WHEREAS, under section 53.31.5 of the Act, the amount of the annual compensation owed to the municipalities under section 53.31.3 is divided among the materials or classes of materials subject to compensation, according to the share allotted to each by order of the Government and the Government may, by regulation and for every material or class of materials it specifies, set the maximum amount of the annual compensation payable and limit the amount of the annual compensation payable to a percentage it sets;