

4. Any combination of medications, vitamins and natural health products in this Schedule is permitted subject to the restrictions provided for in the Schedule that apply to them.

103574

Gouvernement du Québec

O.C. 846-2018, 20 June 2018

Optometry Act
(chapter O-7)

**Optometrist
— Standards for the issue and holding of permits
authorizing an optometrist to administer and
prescribe medications and provide eye care**

Regulation respecting the standards for the issue and holding of permits authorizing an optometrist to administer and prescribe medications and provide eye care

WHEREAS, under the first paragraph of section 19.2 of the Optometry Act (chapter O-7), the board of directors of the Ordre des optométristes du Québec must, by regulation, fix the standards for the issue and holding of a permit authorizing an optometrist to administer medication to his or her patients in accordance with section 19.1 of the Act;

WHEREAS, under the second paragraph of section 19.2 of the Act, the board of directors of the Ordre des optométristes du Québec must also, by regulation, fix the standards for the issue and holding of a permit authorizing an optometrist to administer and prescribe medication to a patient for therapeutic purposes and to provide eye care to the patient in accordance with section 19.1.1 of the Act;

WHEREAS the board of directors of the Ordre des optométristes du Québec made the Regulation respecting the standards for the issue and holding of permits authorizing an optometrist to administer and prescribe medications and provide eye care on 15 June 2017;

WHEREAS, pursuant to section 95 of the Professional Code (chapter C-26) 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 such an 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 standards for the issue and holding of permits authorizing an optometrist to administer and prescribe medications and provide eye care was published in Part 2 of the *Gazette officielle du Québec* of 22 November 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 27 April 2018 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 standards for the issue and holding of permits authorizing an optometrist to administer and prescribe medications and provide eye care, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

**Regulation respecting the standards
for the issue and holding of permits
authorizing an optometrist to administer
and prescribe medications and
provide eye care**

Optometry Act
(chapter O-7, s. 19.2)

**DIVISION I
ISSUE OF PERMITS**

1. A permit authorizing an optometrist to administer medications for eye examination purposes only and a permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care are issued to a member of the Ordre des optométristes du Québec who

(1) has submitted to the secretary of the Order an application for a permit on the form provided for that purpose;

(2) has paid the fees prescribed by the board of directors of the Order for the issue of the permit;

(3) has successfully completed, during the 4 years preceding the year of the application, under a training program offered by an educational institution that issues a diploma meeting the requirements for the permit issued by the Order or as part of another training program recognized as equivalent by the board of directors, a training period that includes a minimum of 145 hours of theoretical and clinical courses in eye health and the pharmacological treatment of certain ocular pathologies;

(4) has successfully completed training in Basic Life Support (BLS) for health care professionals of the Heart and Stroke Foundation of Canada.

2. The permits referred to in section 1 are also issued to a member of the Order who meets the other conditions prescribed in that section, although the member's training has been acquired prior to the period referred to in paragraph 3 of that section or has not reached the level of training referred to in that paragraph, provided the member

(1) has successfully completed the training program provided for in section 3;

(2) holds, outside Québec, a legal authorization to administer medications for eye examination purposes and to administer and prescribe medications for therapeutic purposes and provide eye care following terms and conditions comparable to those covered by the Regulation respecting the medications that may be administered and prescribed by an optometrist and respecting the eye care that may be provided by an optometrist (*insert the reference*).

3. The training program must be approved by the board of directors and it must include a minimum of 145 hours of theoretical and clinical courses in eye health and in the pharmacological treatment of certain ocular pathologies, offered by the École d'optométrie of the Université de Montréal or by another educational institution whose standards comply with those of the Accreditation Council on Optometric Education.

DIVISION II UPGRADING PROGRAM

4. An optometrist who holds one of the permits referred to in section 1 must, for each reference period, update his or her knowledge by taking part in the upgrading program approved by the board of directors and provided for in section 5.

In this Division, "reference period" means any 3-year period starting on a date determined by the board of directors.

5. The upgrading program must include 30 hours of theoretical or clinical training related to the subject areas referred to in section 3.

6. In the case of an optometrist who is entered or re-entered on the roll of the Order during a reference period, the number of hours of the upgrading program is established in proportion to each month, whether complete or not, of entry during that period.

7. An optometrist who is entered on the roll of the Order as of the 30th month following the beginning of the reference period is exempted from the obligation to take part in the upgrading program for a reference period in effect.

8. Paragraph 2 of section 1 applies, with the necessary modifications, to the upgrading program referred to in this Division if it is offered by the Order.

9. The secretary of the Order sends a notice to the optometrist who fails to comply with this Division.

The notice indicates to the optometrist

(1) the nature of the optometrist's failure;

(2) the 60-day period the optometrist has from receipt of the notice to remedy his or her failure and provide proof thereof;

(3) the sanction to which the optometrist is subject if the optometrist does not remedy his or her failure within the time prescribed.

10. The board of directors suspends the permit referred to in section 1 where it is held by an optometrist who has not remedied his or her failure within the time prescribed. Such suspension may not last longer than the reference period following the reference period for which the optometrist has failed to meet the requirements of the upgrading program.

The secretary of the Order notifies the optometrist in writing of the sanction imposed on him or her and that the optometrist is subject to the cancellation of the optometrist's permit if the optometrist does not remedy his or her failure before the expiry of the reference period during which the optometrist's permit is suspended.

11. At the expiry of the reference period for which the permit is suspended, the board of directors cancels the permit of the optometrist who has not remedied the situation described in the notice provided for in section 9. The secretary of the Order notifies the optometrist in writing of the cancellation of his or her permit.

12. An optometrist whose permit has been cancelled must again meet the conditions provided for in section 1 for the issue of the permit.

DIVISION III TRANSITIONAL AND FINAL

13. This Regulation replaces the Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer medications (chapter O-7, r. 13) and the Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care (chapter O-7, r. 14).

14. An optometrist who holds only the permit issued under the Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer medications (chapter O-7, r. 13) is deemed to have obtained the issue of that permit pursuant to section 1.

Despite the foregoing, the optometrist must take part in the upgrading program provided for in Division II and have successfully completed the program before 1 April 2021, subject to suspension or cancellation of his or her permit pursuant to sections 10 and 11, with the necessary modifications.

15. An optometrist who holds the permit issued under the Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care (chapter O-7, r. 14) is deemed to have obtained the issue of the permits referred to in section 1.

Despite the foregoing, the optometrist must take part in the upgrading program provided for in Division II and have successfully completed the program before 1 April 2021, subject to suspension or cancellation of his or her permits pursuant to sections 10 and 11, with the necessary modifications.

Until an attestation of the Order is obtained according to which the optometrist has completed the upgrading program provided for in Division II, the optometrist may, as holder of the permit authorizing him or her to administer and prescribe medications for therapeutic purposes and provide eye care, perform only the acts authorized by the Regulation respecting the medications that may be administered and prescribed for therapeutic purposes by an optometrist and respecting the eye care that may be provided by an optometrist (chapter O-7, r. 11), as it read on 18 July 2018.

16. An optometrist who meets the conditions of section 1 and who has completed the training program referred to in section 1 before 1 April 2018 obtains the issue of the permits referred to in that section.

Despite the foregoing, the optometrist must take part in the upgrading program provided for in Division II and have successfully completed the program before 1 April 2021, subject to suspension or cancellation of his or her permits pursuant to sections 10 and 11, with the necessary modifications.

Until an attestation of the Order is obtained according to which the optometrist has completed the upgrading program provided for in Division II, the optometrist may, as holder of the permit authorizing him or her to administer and prescribe medications for therapeutic purposes and provide eye care, perform only the acts authorized by the Regulation respecting the medications that may be administered and prescribed for therapeutic purposes by an optometrist and respecting the eye care that may be provided by an optometrist (chapter O-7, r. 11), as it read on 18 July 2018.

17. This Regulation comes into force on 19 July 2018.

103575

Gouvernement du Québec

O.C. 847-2018, 20 June 2018

Medical Act
(chapter M-9)

Professional Code
(chapter C-26)

Respiratory therapists — Certain professional activities that may be engaged in by respiratory therapists — Amendment

Regulation to amend the Regulation respecting certain professional activities that may be engaged in by respiratory therapists

WHEREAS, under subparagraph *b* of the first paragraph of section 19 of the Medical Act (chapter M-9), the board of directors of the Collège des médecins du Québec must by regulation determine among the activities referred to in the second paragraph of section 31 of the Act those which, under certain prescribed conditions, may be engaged in by classes of persons other than physicians;