

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;

WHEREAS, in accordance with the second paragraph of section 19 of the Act, the board of directors of the Collège des médecins du Québec consulted the Office des professions du Québec, the Ordre des ergothérapeutes du Québec, the Ordre des infirmières et infirmiers auxiliaires du Québec, the Ordre des infirmières et infirmiers du Québec, the Ordre des orthophonistes et audiologistes du Québec, the Ordre professionnel des diététistes du Québec, the Ordre professionnel des inhalothérapeutes du Québec and the Ordre des pharmaciens du Québec before making the Regulation to amend the Regulation respecting certain professional activities that may be engaged in by respiratory therapists on 20 October 2017;

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 amending the Regulation respecting certain professional activities that may be engaged in by respiratory therapists was published in Part 2 of the *Gazette officielle du Québec* of 17 January 2018 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 to amend the Regulation respecting certain professional activities that may be engaged in by respiratory therapists, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

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

Medical Act
(chapter M-9, s. 3 and s. 19, 1st par., subpar. b)

Professional Code
(chapter C-26, s. 94, 1st par., subpar. h)

1. The Regulation respecting certain professional activities that may be engaged in by respiratory therapists (chapter M-9, r. 6) is amended by inserting the following after section 1:

“**1.1.** A respiratory therapist may assess the cardiopulmonary condition of a symptomatic person.

1.2. Under the national public health program made under the Public Health Act (chapter S-2.2), a respiratory therapist may prescribe a drug for smoking cessation, except varenicline and bupropion.

A respiratory therapist engages in the activity provided for in the first paragraph in accordance with the provisions applicable to individual prescriptions provided for in the Règlement sur les normes relatives aux ordonnances faites par un médecin (chapter M-9, r. 25.1).

1.3. To engage in the activity referred to in section 1.2, a respiratory therapist must hold an attestation issued by the Ordre professionnel des inhalothérapeutes du Québec attesting to the successful completion of 2 hours of training in

- (1) ethical considerations;
- (2) the procedure for prescribing a drug for smoking cessation:
 - (a) the prescription decision-making process;
 - (b) the writing of a prescription;
 - (c) the follow-up with the physician or specialized nurse practitioner; and
 - (d) record-keeping.”

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.