

85. Guidance counsellors' advertising may contain only information that will help the public to make an enlightened choice.

86. Guidance counsellors may not claim, in their advertising, specific qualities or skills, in particular as to their level of competence or the scope or effectiveness of their professional services, unless they can be substantiated.

87. Guidance counsellors may not engage in or allow advertising, by any means whatsoever including social media, that is false, deceitful, incomplete or likely to be misleading.

88. Guidance counsellors who advertise their fees must

(1) specify the fees required for their professional services;

(2) specify the nature and extent of the professional services included in the fees;

(3) indicate whether costs are included in the fees; and

(4) indicate whether additional services or costs which are not included in the fees might be required.

The fees advertised are to remain in effect for a minimum of 90 days after the date they were last broadcast or published.

Guidance counsellors may, however, agree with the client on rates lower than those advertised.

89. In any advertising involving a special price, guidance counsellors must specify the period during which the price is valid, if applicable.

90. In any statement or advertisement, guidance counsellors may not give more importance to a price than to the services offered.

91. All advertising must indicate the name and professional title of the guidance counsellor. Where there are members of various professions included in the name of a partnership or joint-stock company, the title of each professional must appear.

92. Guidance counsellors who reproduce the graphic symbol of the Order for advertising purposes must ensure that the symbol conforms to the original held by the secretary of the Order.

93. Guidance counsellors who reproduce the name of the Order in their advertising must use the following wording: "member of the Ordre des conseillers et conseillères d'orientation du Québec".

94. Guidance counsellors must keep a copy of every advertisement for a period of 3 years following the date on which it was last broadcast or published. The copy must be given, on request, to the syndic, an inspector or a member of the professional inspection committee.

DIVISION IV FINAL

95. This Code replaces the Code of ethics of the members of the Ordre des conseillers et conseillères d'orientation du Québec (chapter C-26, r. 68).

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

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Gouvernement du Québec

O.C. 1193-2018, 15 August 2018

An Act respecting the Ministère de la Santé et des Services sociaux
(chapter M-19.2)

Program for the reimbursement of costs related to the transport of parenteral therapies, ophthalmic solutions and non-sterile extemporaneous preparations

Program for the reimbursement of costs related to the transport of parenteral therapies, ophthalmic solutions and non-sterile extemporaneous preparations

WHEREAS, under paragraph *h* of section 3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2), the Minister is to promote the development and implementation of programs and services according to the needs of individuals, and families and other groups;

WHEREAS, under the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), the function of the Régie de l'assurance maladie du Québec is to administer and implement the programs of the health insurance plan instituted by the Health Insurance Act (chapter A-29) and any other program entrusted to it by law or by the Government;

WHEREAS, under the fifteenth paragraph of section 3 of the Health Insurance Act (chapter A-29), the Board assumes the cost of services and goods provided under the programs it administers by virtue of the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec according to the conditions and methods provided for under those programs;

WHEREAS, under the first paragraph of section 2.1 of the Act respecting the Régie de l'assurance maladie du Québec, the Board is to recover, from the department or body concerned, the cost of services and goods it assumes under a program entrusted to it by law or by the Government, to the extent provided for under that program;

WHEREAS, under Décret 1283-2003 dated 3 December 2003, the Government entrusted to the Board the administration of the Program for the reimbursement of costs related to the transport of parenteral therapies, ophthalmic solutions and non-sterile extemporaneous preparations, approved the agreement concerning the program to be entered into between the Minister of Health and Social Services and the Régie de l'assurance maladie du Québec, the text of which was substantially the same as the text attached to that Décret, and authorized the Board to sign it;

WHEREAS such an agreement was entered into on 10 March 2004;

WHEREAS it is expedient to replace the program;

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

THAT the Program for the reimbursement of costs related to the transport of parenteral therapies, ophthalmic solutions and non-sterile extemporaneous preparations, attached to this Order in Council, be entrusted to the Régie de l'assurance maladie du Québec;

THAT this Order in Council replace Décret 1283-2003 dated 3 December 2003 as of the date on which the Program takes effect.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

PROGRAM FOR THE REIMBURSEMENT OF COSTS RELATED TO THE TRANSPORT OF PARENTERAL THERAPIES, OPHTHALMIC SOLUTIONS AND NON-STERILE EXTEMPORANEOUS PREPARATIONS

1. To be eligible under the program, persons must be covered by the basic prescription drug insurance plan by coverage provided by the Régie de l'assurance maladie du Québec (hereinafter called the "Board").

2. For the purposes of this Program, "individual agreement" means the Entente particulière relative au Programme de remboursement des coûts relatifs au transport des thérapies parentérales, des solutions ophtalmiques et des préparations magistrales non stériles between the Minister of Health and Social Services (the "Minister") and the Association québécoise des pharmaciens propriétaires.

3. Persons eligible under this Program must present to the pharmacist providing the service their valid health insurance card or claim booklet and a medical prescription for parenteral therapy, ophthalmic solution or non-sterile extemporaneous preparation written by a physician who is a member of the Collège des médecins du Québec or an equivalent organization from another province or territory, or the holder of a training card issued by the secretary of the Collège des médecins du Québec or an equivalent organization from another province or territory authorized to write such a prescription.

4. Eligible persons who do not present their valid health insurance card or claim booklet, as the case may be, to the dispensing pharmacist must pay the cost of transport, subject to section 9.

Those persons must, to benefit from this Program, submit an application for reimbursement to the Board using the form provided for that purpose along with a copy of the medical prescription, an itemized invoice for the medication purchased and proof of payment.

When requested to do so by the Board, an eligible person must in addition file or arrange for the filing of any other document necessary for assessing the application for reimbursement.

5. Eligible persons referred to in section 4 are entitled to require reimbursement from the Board only if they send their application for reimbursement within 12 months following the date of purchase.

The Board may consider an application for reimbursement sent after the expiry of the time period if the eligible persons demonstrate that they were, in fact, unable to submit their application for reimbursement sooner.

6. The transport costs referred to in this Program are those determined in the individual agreement.

7. The persons who benefit from this Program are exempted from payment of any contribution.

8. The Board bears the transport costs referred to in this Program in accordance with the individual agreement.

9. A pharmacist may only require or receive from the Board the remuneration provided for in the individual agreement for the services covered by this Program. The pharmacist may not require any payment from an eligible person.

Provided that a dispensing pharmacist has complied with this Program and the individual agreement, the dispensing pharmacist is entitled to be remunerated by the Board for a service furnished to an eligible person who did not present a valid health insurance card or claim booklet in the following cases:

(a) the person is under 1 year of age;

(b) the person is 14 years of age or older and under 18 years of age and consents alone to the insured services.

10. Services obtained outside Québec are not covered by this Program, except those furnished by a dispensing pharmacist with whom the Board has entered into an individual agreement for that purpose, where the pharmacy is situated in a region bordering on Québec and if no pharmacy situated in Québec within a radius of 32 km of that pharmacy provides services to the public.

11. The Minister and the Board may review this Program and agree on any modification, by written agreement, to the extent that the modifications comply with the financial framework and orientations of the Program.

12. The Minister reimburses to the Board, according to the methods on which they agree, the sums paid under this Program and the program development and administration costs.

13. The Board recovers any amount that would have been unduly paid as payment or reimbursement under this Program where the dispensing signatory of an agreement or an eligible person has received a sum greater than

the sum to which they were entitled to receive or where they received a payment or reimbursement without being entitled to such payment or reimbursement.

The recovery of amounts unduly paid is prescribed 5 years after the date on which the payment or reimbursement is paid by the Board. In the case of a false declaration, recovery is prescribed 5 years after the date on which the Board becomes aware of a person's ineligibility for such payment or reimbursement, but not later than 10 years after the purchase of the supply.

14. The Board provides to the Minister periodic reports on the sums reimbursed under this Program, according to the methods on which they may agree. The reports do not include personal information unless agreements have been entered into in accordance with the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1). The reports contain in particular

(a) the sex of the eligible persons;

(b) their age group, per 5-year increment;

(c) their place of residence, in particular their socio-sanitary region or the territory of their local community service centre;

(d) the transport costs from the compounding pharmacist to the pharmacist dispensing a parenteral therapy, ophthalmic solution or non-sterile extemporaneous preparation;

(e) the date of service;

(f) the cost of each prescription for parenteral therapy, ophthalmic solution or non-sterile extemporaneous preparation;

(g) the class code of the pharmacy; and

(h) the socio-sanitary region in which the pharmacy is situated.

15. The Board publishes this Program on its website within 30 days after it takes effect. It also publishes on its website, within 30 days after they take effect, any modifications to the Program.

16. This Program takes effect on 31 October 2018.

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