

Pakuashipi, 98802

Puvirnituc, 99120

Quaqtaq, 99115 and 99889

Rivière-Koksoak, 99902

Saint-Augustin, 98012

Salluit, 99135 and 99887

Tasiujaq, 99100 and 99892

Umiujaq, 99080 and 99878

Waskaganish, 99035 and 99806

Wemindji, 99050 and 99812

Whapmagoostui, 99070 and 99816

Other unorganized territories, 99910, 99914, 99916, 99918, 99920, 99922 and 99924

103677

Gouvernement du Québec

O.C. 1196-2018, 15 August 2018

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

Régie de l'assurance maladie du Québec —Ostomy Appliances Program

CONCERNING the Ostomy Appliances Program entrusted to the Régie de l'assurance maladie du Québec

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 shall promote the development and implementation of programs and services according to the needs of individuals, 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 Board 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, the Board also 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 terms and conditions 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 recovers, 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 1383-91 dated 9 October 1991, the Government entrusted the Board with the administration, the implementation and the payment of the cost of the Ostomy Appliances Program, in accordance with the provisions of an agreement concluded on 29 October 1991 between the Minister of Health and Social Services and the Board;

WHEREAS under Décret 430-96 dated 3 April 1996, the Government also entrusted the Board with the administration, the implementation and the payment of the excess purchase or replacement cost of appliances furnished to persons with a permanent ostomy who are recipients of income security, in accordance with the provisions of an agreement concluded on 16 April 1996 between the Minister of State for Employment and Social Solidarity and Minister of Income Security and the Board;

WHEREAS amendments to the Ostomy Appliances Program have become necessary;

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

THAT the Régie de l'assurance maladie du Québec be entrusted with the Ostomy Appliances Program, the text of which is attached to this Order in Council;

THAT this Order in Council replace Décret 1383-91 dated 9 October 1991 and Décret 430-96 dated 3 April 1996 as of the date on which the Program takes effect.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

OSTOMY APPLIANCES PROGRAM

DIVISION I PURPOSE

1. The Ostomy Appliances Program is intended to financially assist insured persons, within the meaning of the Health Insurance Act (chapter A-29), who have undergone a surgical procedure to create a temporary or permanent ostomy.

2. The Régie de l'assurance maladie du Québec (hereinafter "the Board") administers and implements the program, and assumes its cost, with regard to persons with an ostomy according to the terms and conditions provided for under this program.

DIVISION II PROGRAM COVERAGE

3. Subject to the conditions set out in Divisions III and IV, the Board shall reimburse to an insured person, for each ostomy, the following lump sums:

- (1) \$1 200 for a permanent ostomy;
- (2) \$800 for a temporary ostomy.

4. The Board shall also reimburse, in the case of an insured person eligible for a financial assistance program under Chapter I, II, V or VI of Title II of the Individual and Family Assistance Act (chapter A-13.1.1), an additional amount to cover the excess amount between the actual purchase or replacement cost of supplies and the sum paid to this person pursuant to section 3.

5. If the course of the insured person's pathology modifies the temporary character of the ostomy, the Board shall pay the difference between the lump sum referred to in subparagraph (1) of section 3 and that paid out in accordance with the provisions of subparagraph (2) of section 3.

DIVISION III ELIGIBILITY

6. An insured person who has undergone one of the following surgical procedures is eligible for the program:

- (1) a colostomy;
- (2) an ileostomy;
- (3) an urostomy.

Notwithstanding the foregoing, an insured person lodged in an institution operating a public residential and long-term care centre or a private one under agreement

referred to in the Act respecting health services and social services (chapter S-4.2) or, if such is the case, in an institution operating a public hospital centre for long-term care or a private one under agreement referred to in the Act respecting health services and social services for Cree Native persons (chapter S-5) is not eligible for this program.

Furthermore, an insured person who receives or would be entitled to receive a benefit under another statute of Québec, a statute of the Parliament of Canada other than the Canada Health Act (Revised Statutes of Canada (1985), chapter C-6) or under a statute of another province of Canada or another country, is not eligible for this program, except if the person is entitled thereto under the Individual and Family Assistance Act, the Act respecting occupational health and safety (chapter S-2.1), the Workers' Compensation Act (chapter A-3) or the Act respecting industrial accidents and occupational diseases (chapter A-3.001), in which case the amounts set out in this program remain reimbursable;

7. The eligibility of an insured person for this program ceases when the person undergoes the closure of an ostomy.

8. An insured person benefiting from the provisions of this program must promptly notify the Board of any change in his or her situation that affects his or her right to a payment or reimbursement or that may affect the amount thereof;

DIVISION IV PAYMENT AND REIMBURSEMENT

9. The insured person who wishes to benefit from the program must submit an application for registration to the Board, using the form that it provides for this purpose and attach a prescription written by a general practitioner or medical specialist member of the Collège des médecins du Québec or of an equivalent organization of another province or territory or by the holder of a resident training card issued by the secretary of the Collège des médecins du Québec or of an equivalent organization of another province or territory, authorized to write such a prescription, indicating the date of the surgical procedure, and the nature and temporary or permanent character of this procedure.

Where the Board so requests it from the insured person, he or she must in addition submit any other document necessary for the assessment of his or her application for reimbursement, or ensure that such a document is submitted.

10. In the case referred to in section 5, the insured person must provide to the Board a prescription written by one of the professionals specified in section 9, confirming the health outcomes and the permanent character of the ostomy.

11. The Board shall pay, in the case of a permanent ostomy, the lump sum specified in subparagraph (1) of section 3 as of the date of receivability of the application for registration. This amount will be subsequently paid out annually on the anniversary date of the surgical procedure.

In the case of a temporary ostomy, the Board shall pay half of the lump sum referred to in subparagraph (2) of section 3 as of the date of receivability of the application for registration and the second half six months after the date of the surgical procedure. Where applicable, the payments will be made twice annually.

12. In the case referred to in section 4, the insured person must submit an application for reimbursement to the Board, accompanied by the invoices detailing the supplies purchased and proof of their payment.

This application for reimbursement must be submitted within 12 months following the date of purchase of these supplies.

The Board may consider an application for reimbursement transmitted past the deadline if the insured person demonstrates that he or she was in fact unable to submit the application for reimbursement sooner.

The Board shall issue the reimbursement of an additional amount only where the documents provided justify that the reimbursement claimed corresponds to the amount exceeding the sum paid to the insured person pursuant to section 3.

13. The Board is also authorized to transmit to the provider who has signed an agreement with an insured person eligible for a program of financial assistance under Chapter I, II, V or VI of Title II of the Individual and Family Assistance Act the payment corresponding to the actual purchase or replacement cost of supplies acquired by this insured person, on presentation of a claim and after having obtained the information and documents that he or she needs to justify the payment claimed.

A “provider” is understood to be any person who has concluded an agreement with the Board within the scope of this program and for whom this agreement is in effect at the time the supply is acquired.

14. The Board shall recover any amount that may have been unduly paid by way of payment or reimbursement under this program, where the insured person or the provider has benefited from an amount greater than that to which he or she was entitled to receive or where he or she has benefited from a payment or reimbursement without entitlement.

The recovery of amounts unduly paid is prescribed five years after the date of payment or reimbursement by the Board. In the case of a false declaration, recovery is prescribed five years after the date on which the Board becomes aware of the person’s ineligibility for a payment or reimbursement, but no later than 10 years after the purchase of the supply.

DIVISION V **INDEXATION**

15. 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**

16. The Minister of Health and Social Services shall reimburse to the Board, according to the terms and conditions to which they may agree upon, the amounts paid to the persons eligible for this program as well as the development and administration real costs of this program.

DIVISION VII **INFORMATION AND REVIEW**

17. 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 terms and conditions to which they may agree upon. These reports will not contain any personal information.

18. 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

19. This program replaces the program referred to in Décret 1383-91 dated 9 October 1991 and the program referred to in Décret 430-96 dated 3 April 1996.

20. The Board shall publish this program on its website within 30 days after it has come into effect. It shall also publish on its website, within 30 days of their coming into effect, any amendment to the program.

21. Where the temporary ostomy results from a surgical procedure undergone before the coming into effect of this program, the Board shall pay the annual lump sum referred to in subparagraph (2) of section 3 in a single instalment if more than six months have passed since the date of the procedure. Where applicable, subsequent instalments will be made biannually according to the anniversary date of the surgical procedure.

22. Notwithstanding the provisions of the second paragraph of section 11, the Board, until 31 March 2019, shall pay the amount set out in subparagraph (2) of section 3 in one instalment.

23. This program comes into effect on 1 October 2018.

Notwithstanding the foregoing, this program applies to insured persons benefiting from the provisions of the Ostomy Appliances Program under Décret 1383-91 dated 9 October 1991 only as of the anniversary of their surgical procedure.

103686

Gouvernement du Québec

O.C. 1201-2018, 15 August 2018

Police Act
(chapter P-13.1)

Règles de fonctionnement de la Sûreté du Québec — Replacement

Replacement of the Règles de fonctionnement de la Sûreté du Québec

WHEREAS, under paragraph 1 of section 63 of the Police Act (chapter P-13.1), on the recommendation of the Director General, the Government may, by regulation, set rules governing the operation of the Sûreté du Québec;

WHEREAS the Règles de fonctionnement de la Sûreté du Québec were made by the Government by Décret 733-2018 dated 6 June 2018 and came into force on 20 June 2018;

WHEREAS, under the first paragraph of section 3 of the Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (chapter J-1.1), in the case of a regulation or other instrument of a legislative nature which was required to be published in French and in English and was not, the authority empowered to adopt the instrument, may replace the instrument with a text which reproduces it, without amendment, this time in French and in English;

WHEREAS, under the first paragraph of section 3 of that Act, once the text is published in the *Gazette officielle du Québec*, each provision of the text may have effect on the same date as that provided for the corresponding provision of the replaced instrument;

WHEREAS it is expedient to replace the Règles de fonctionnement de la Sûreté du Québec made by Décret 733-2018 dated 6 June 2018 by a text which reproduces it;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Règles de fonctionnement de la Sûreté du Québec be replaced by the text attached to this Order in Council to have effect from 20 June 2018.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Operating rules of the Sûreté du Québec

Police Act
(chapter P-13.1, s. 63, par. 1)

DIVISION I TERMS AND CONDITIONS FOR SIGNATURE

1. Members of the Sûreté du Québec or of its non-police personnel who hold, on a permanent or provisional basis, by interim or by temporary designation, a position referred to in the attached financial management plan are authorized, insofar as they act within the limits of their duties, to sign alone, with the same authority and effect as the Minister of Public Security, any deed, document or writing listed with respect to their position, up to the amounts indicated, where applicable, unless the power