

WHEREAS the rates of contribution of municipalities to those supplementary benefits plans were fixed from 1 March 2016 by Order in Council 71-2016 dated 3 February 2016;

WHEREAS, under the first paragraph of section 122.3 of the Courts of Justice Act, at least once every three years, Retraite Québec is to cause an actuarial valuation of the supplementary benefits plans provided for in the second paragraph of section 122 of the Act to be prepared for the Minister of Justice by the actuaries it designates;

WHEREAS the last actuarial valuation of the supplementary benefits plans was sent to the Minister of Justice in November 2018;

WHEREAS, under the third paragraph of section 122.3 of the Courts of Justice Act, the Government determines, by order, at intervals of not less than three years, the rates of contribution of the municipalities to the plans, which are based on the result of the last actuarial valuation of the plans;

WHEREAS, under the third paragraph of section 122.3 of the Act, the order may have effect from 1 January following the date on which the Minister of Justice receives the actuarial valuation or any later date fixed in the order;

WHEREAS it is expedient to amend the rates of contribution of municipalities to the supplementary benefits plans of judges of the Municipal Courts to whom the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act apply;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the rate of contribution of municipalities to the supplementary benefits plan be, in respect of judges of the Municipal Courts to whom the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16) applies, fixed at the amount by which 29.59% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay, exceeds the municipality's rate of contribution and the rate of the contribution paid by the judge into the pension plan established by Part V.1 of the Act and, if applicable, the rate of the contribution paid by the judge into the supplementary benefits plan;

THAT the rate of contribution of municipalities to the supplementary benefits plan be, in respect of judges of the Municipal Courts to whom the pension plan provided

for in Part VI of the Courts of Justice Act applies, fixed at 17.86% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay;

THAT this Order in Council have effect from 1 January 2019.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

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Gouvernement du Québec

### **O.C. 56-2019, 29 January 2019**

An Act respecting the sharing of  
certain health information  
(chapter P-9.0001)

#### **Regulation**

Regulation respecting the application of the Act  
respecting the sharing of certain health information

WHEREAS, under paragraph 20 of section 4 of the Act respecting the sharing of certain health information (chapter P-9.0001), the Government may, by regulation, determine any other persons or partnerships to which, in the performance of any act under the Act, the specific information management rules defined by the health and social services network information officer and approved by the Conseil du trésor in accordance with section 10.1 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) apply;

WHEREAS, under section 24 and paragraph 2 of section 120 of the Act respecting the sharing of certain health information, the Government may, by regulation, determine the cases in which an institution operating a centre where a pharmacist practises must release the health information listed in section 26 of the Act to the operations manager of a health information bank in the medication domain;

WHEREAS, under paragraph 18 of section 26 and paragraph 1 of section 120 of the Act, the Government may, by regulation, prescribe the health information that makes up the medication domain in addition to that listed in section 26 of the Act;

WHEREAS, under paragraph 4 of section 44 and paragraph 1 of section 120 of the Act, the Government may, by regulation, prescribe the health information that makes up the hospitalization domain in addition to that listed in section 44 of the Act;

WHEREAS, under paragraph 16 of section 69 and paragraph 4 of section 120 of the Act, the Government may, by regulation, determine the providers, in addition to those listed in section 69 of the Act, who may act as authorized providers;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the application of the Act respecting the sharing of certain health information was published in Part 2 of the *Gazette officielle du Québec* of 27 June 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT THE REGULATION respecting the application of the Act respecting the sharing of certain health information, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## **Regulation respecting the application of the Act respecting the sharing of certain health information**

An Act respecting the sharing of certain health information  
(chapter P-9.0001, ss. 4, par. 20, 24, 26, par. 18, 44, par. 4, 69, par. 16, and 120, pars. 1, 2 and 4)

**1.** In addition to the persons and partnerships provided for in section 4 of the Act respecting the sharing of certain health information (chapter P-9.0001), the specific information management rules apply to the following persons and partnerships:

- (1) a person or a partnership that operates a private dental office;
- (2) the Institut national de santé publique du Québec;
- (3) Transplant Québec.

**2.** Within the meaning of this Regulation, private dental office means a consulting room or office, situated elsewhere than in a facility maintained by an institution, in which one or more dentists, individually or as a group, regularly practise their profession, privately and solely on their own account, without directly or indirectly providing their patients with lodging.

**3.** For the purposes of section 24 of the Act, the health information that must be released is the information concerning any medication dispensed and administered to a person in a facility maintained by an institution as part of medical oncology services that the person receives.

**4.** In addition to the information provided for in section 26 of the Act, the medication domain is made up of the following health information, if available:

- (1) the date of administration of the medication;
- (2) the name of the department and service where the medication was dispensed and administered;
- (3) the name of the medication in research protocol in the case of such medication;
- (4) the name of the medication in Health Canada's Special Access Programme for Drugs in the case of such medication.

**5.** In addition to the information provided for in section 44 of the Act, the hospitalization domain is made up of the following health information, if available:

- (1) the date on which the person concerned was admitted to the location where services are provided and where the person is hospitalized;
- (2) diagnoses concomitant with the main diagnosis and chronic diseases that have no impact on the taking in charge during hospitalization;
- (3) the indication that a transfusion of blood products or products derived from blood products was performed;
- (4) the date of each of the consultations carried out by a physician during the hospitalization and the specialty of each of those physicians;
- (5) the fact that the hospitalization is part of a research protocol;
- (6) the departure date of the person concerned from the location where services are provided and where the person was hospitalized;

(7) the medications that the person concerned should be taking after the person's departure, their dosage, the duration of the treatment and the medications that the person should cease to take;

(8) a summary comparing the medications prescribed at the time of departure of the person concerned with the medications that the person was taking before being admitted;

(9) the place towards which the person concerned was directed on the departure date, that is, the person's domicile with or without service or another institution;

(10) the various recommendations and follow-ups related to the health problems presented by the patient on the departure date;

(11) the additional notes on the hospitalization, that is, the notes written upon departure of the person concerned and relating the highlights that occurred during the hospitalization;

(12) the name and unique provider number of the health professional responsible for the hospitalization;

(13) the date and cause of death of the person concerned;

(14) the indication that an autopsy was performed;

(15) the registration number of the hospitalization summary sheet.

**6.** In addition to the providers provided for in section 69 of the Act, the following providers may be assigned an access authorization for a health information bank in a clinical domain or an electronic prescription management system for medication:

(1) a dentist practising in a private dental office, in a centre operated by an institution, in a private physician's office or a specialized medical centre;

(2) a dietitian or a nutritionist practising in a centre operated by an institution, in a private physician's office or a specialized medical centre;

(3) a physiotherapist practising in a centre operated by an institution, in a private physician's office or a specialized medical centre;

(4) a physical rehabilitation therapist practising in a centre operated by an institution, in a private physician's office or a specialized medical centre;

(5) a respiratory therapist practising in a centre operated by an institution, in a private physician's office or a specialized medical centre;

(6) an occupational therapist practising in a centre operated by an institution, in a private physician's office or a specialized medical centre;

(7) a medical imaging technologist, a radiation oncology technologist or a medical electrophysiology technologist practising in a centre operated by an institution, in a private physician's office, a specialized medical centre, a medical imaging laboratory or a medical diagnostic radiology laboratory,

(8) a laboratory technologist practising in a centre operated by an institution, in a private physician's office, a specialized medical centre or a medical biology laboratory;

(9) a social worker practising in a centre operated by an institution, in a private physician's office or a specialized medical centre;

(10) a nurse practising at Transplant Québec, in the Laboratoire de santé publique du Québec or the Centre de toxicologie du Québec administered by the Institut national de santé publique du Québec;

(11) a pharmacist practising in a private physician's office or a specialized medical centre;

(12) a physician practising in the Laboratoire de santé publique du Québec or the Centre de toxicologie du Québec administered by the Institut national de santé publique du Québec

(13) a biochemist or a microbiologist practising or working in the Laboratoire de santé publique du Québec or in the Centre de toxicologie du Québec administered by the Institut national de santé publique du Québec.

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

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