

Regulations and other Acts

Gouvernement du Québec

O.C. 461-2019, 1 May 2019

Functions, powers or responsibilities assumed by associations representing institutions for the purposes of the Act respecting the Health and Welfare Commissioner

WHEREAS, under subparagraph *d* of paragraph 2 of section 4 of the Act respecting the Health and Welfare Commissioner (chapter C-32.1.1), the nominating committee is composed in particular of a person appointed from among the members of boards of directors of institutions who are elected by the population under paragraph 1 of any of sections 129 to 131 and 133 of the Act respecting health services and social services (chapter S-4.2), after consultation with associations representing these institutions;

WHEREAS, under subparagraph *g* of paragraph 2 of section 4 of the Act respecting the Health and Welfare Commissioner, the nominating committee is composed in particular of a person with ethics expertise, appointed after consultation with universities offering philosophy or ethics programs and with associations of institutions whose membership includes one or more institutions that have a research ethics committee or a clinical ethics committee;

WHEREAS section 218 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2) provides that if an employers' association in the health and social services network or a group of institutions ceases its activities, the Government may, after consulting with the public institutions concerned, determine, with regard to any text, who is to assume the functions, powers or responsibilities that such a text entrusts to the association or group;

WHEREAS the associations representing the health and social services institutions have ceased their activities and no other association representing those institutions has been constituted to date;

WHEREAS it is expedient to determine, for the purposes of subparagraph *d* of paragraph 2 of section 4 of the Act respecting the Health and Welfare Commissioner, that the person referred to in that subparagraph be appointed after consultation with the presidents and executive directors, and the executive directors of public institutions;

WHEREAS it is expedient to determine, for the purposes of subparagraph *g* of paragraph 2 of section 4 of the Act, that the person referred to in that subparagraph be appointed after consultation with universities offering philosophy or ethics programs and with the presidents and executive directors, and the executive directors of public institutions that have a research ethics committee or a clinical ethics committee;

WHEREAS the consultation required by the Act has been carried out;

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

THAT, for the purposes of section 4 of the Act respecting the Health and Welfare Commissioner (chapter C-32.1.1), the person referred to in subparagraph *d* of paragraph 2 of section 4 be appointed after consultation with the presidents and executive directors, and the executive directors of public institutions;

THAT, for the purposes of section 4 of the Act respecting the Health and Welfare Commissioner, the person referred to in subparagraph *g* of paragraph 2 of section 4 be appointed after consultation with universities offering philosophy or ethics programs and with the presidents and executive directors, and the executive directors of public institutions that have a research ethics committee or a clinical ethics committee.

YVES OUELLET,
Clerk of the Conseil exécutif

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