

Regulation to amend the Regulation respecting hazardous materials

Environment Quality Act

(chapter Q-2, s. 70.19, 1st par., subpars. 2 and 16, s. 95.1, 1st par., subpars. 1 and 3, and ss. 115.27 and 115.34)

- 1.** The Regulation respecting hazardous materials (chapter Q-2, r. 32) is amended in section 1 by replacing “in paragraph 21 of” by “in”.
- 2.** Section 4 is amended by replacing the portion before paragraph 1 by the following:

“4. In addition to a halocarbon that is also considered to be a hazardous material to the extent provided for in section 4 of the Regulation respecting halocarbons (chapter Q-2, r. 29), the following materials or objects are considered to be hazardous materials:”.
- 3.** Section 6 is amended by striking out “of paragraph 21” in the portion before subparagraph 1 of the first paragraph.
- 4.** Section 7.1 is revoked.
- 5.** Section 9 is amended by striking out the second paragraph.
- 6.** Section 138.5 is amended by replacing “subparagraph 2 of the first paragraph” in subparagraph *a* of paragraph 1 by “paragraph 2”.
- 7.** Section 138.7 is amended by replacing “subparagraph 1 or 3 of the first paragraph” in paragraph 2 by “paragraph 1 or 3”.
- 8.** Section 143 is amended by replacing “subparagraph 2 of the first paragraph” in paragraph 1 by “paragraph 2”.
- 9.** Section 143.2 is amended by replacing “subparagraph 3 of the first paragraph” by “paragraph 3”.
- 10.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

104033

Draft regulation

Health Insurance Act
(chapter A-29)

Application regulation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Health Insurance Act, the text of which appears hereafter, may be made by the government on the expiry of the 45-day period following this publication.

This draft regulation is intended to replace sections 31 and 35 to 36.1 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) so that new oral surgery and dental services be considered insured services. It also aims to improve the wording of these provisions, which contain numerous repetitions.

This draft regulation has positive effects on insured persons who will be able to benefit from new oral surgery and dental services, whose cost will be assumed by the Régie de l'assurance maladie du Québec. It has no impact on enterprises, including small and medium-sized businesses.

Additional information concerning this draft regulation may be obtained by contacting Marie-Eve Nadeau, Direction des conditions d'exercice des professionnels de la santé et du personnel hors établissement, Ministère de la Santé et des Services sociaux, 1005, chemin Sainte-Foy, 4^e étage, Québec (Québec) G1S 4N4, by telephone at 418 266-8424, or by email at marie-eve.nadeau.cpnsss@sss.gouv.qc.ca.

Anyone wishing to comment on this draft regulation may write, before the expiry of the 45-day period mentioned above, to the Minister of Health and Social Services, at 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

DANIELLE MCCANN,
Minister of Health and Social Services

Regulation to amend the Regulation respecting the application of the Health Insurance Act

Health Insurance Act
(chapter A-29, s. 69, 1st para., subparas. *c*, *d*, *e* and *i*)

1. Section 22 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended by deleting subparagraph *k.1*.

2. Section 31 of the Regulation is replaced with the following section:

“**31.** The services referred to hereafter are considered insured services where they are rendered by a dentist to an insured person in an institution which operates a hospital centre:

- (a) examination, consultation or visit;
- (b) radiography, whether intraoral, extraoral or by injection of a contrast substance;
- (c) local or regional anesthesia;
- (d) emergency opening of the pulp chamber;
- (e) the following surgery services:
 - i. package for complex surgery (cases of traumatism, reconstruction or oncology) where the duration of the anesthesia is 4 hours or more;
 - ii. removal of a foreign body from the oral cavity or maxilla, excluding a dental implant;
 - iii. removal by antrostomy of a tooth, dental fragment or foreign body;
 - iv. surgical exposure, for orthodontic purposes, of a tooth whose crown is covered with bony tissue;
 - v. incision or drainage of abscess;
 - vi. osteitis treatment including alveolitis and osteomyelitis;
 - vii. excision and curettage of an intraosteal cyst or granuloma;
 - viii. marsupialization of an intraosseous cyst;
 - ix. evacuation of a cervicofacial hematoma or seroma;
 - x. biopsy;

- xi. excision of a tumor;
- xii. mandibulectomy or maxillectomy;
- xiii. complete lowering of the floor of the mouth or extension of mucous folds;
- xiv. excision of genial apophyses, of mylohyoid ridge or torus;
- xv. reinsertion of the mylohyoid muscle;
- xvi. alveolectomy, tubero-plasty or alveoplasty;
- xvii. excision of hyperplastic tissue or excision of excess mucous membrane;
- xviii. treatment of the salivary glands;
- xix. closure of the buccosinus opening;
- xx. frenectomy;
- xxi. gingivectomy in the case of hyperplastic gingivitis resulting from the absorption of a medicinal substance;
- xxii. operculectomy;
- xxiii. hemorrhage control;
- xxiv. repair of a soft tissue laceration;
- xxv. neural transposition and decompression;
- xxvi. avulsion or alcoholization of a branch of the trigeminal nerve;
- xxvii. infiltration of a branch of the trigeminal nerve for diagnostic purposes;
- xxviii. anastomosis of a peripheral nerve under a microscope;
- xxix. additional exploration under a microscope of a vascular anastomosis of a micro-anastomosed free flap performed in less than 14 days of the initial procedure;
- xxx. complete avulsion of the inferior dental nerve;
- xxxi. implantation of an alloplastic craniomaxillofacial prosthesis to correct congenital, developmental or post-traumatic defects;
- xxxii. placement or removal of craniomaxillofacial distractors;

- xxxiii. stitching of a cut nerve;
- xxxiv. tracheotomy;
- xxxv. submandibular percutaneous intubation;
- xxxvi. the following services related to the correction of a cleft palate:
 - (A) closing of the soft palate;
 - (B) closing of the hard palate;
 - (C) additional lengthening of the palate with intravelar myoplasty;
 - (D) pharyngeal flap to cure a velopharyngeal insufficiency;
 - (E) cure of a residual palatal fistula;
 - (F) reconstruction of the alveolar ridge;
 - (G) primary rhinoplasty in the presence of cleft lip or secondary by open or endonasal approach;
- xxxvii. cheiloplasty or reconstruction of the lip;
- xxxviii. glossectomy;
- xxxix. bone graft;
- xl. taking of the graft;
- xli. reduction of fractures:
 - (A) frontal bone, zygomatic arch, malar bone, orbit, nose, maxilla, mandible, condyle or alveolar bone;
 - (B) opened reduction of a bucket handle mandibular fracture;
 - (C) bicornal flap;
 - (D) occlusion of the frontal sinus;
- xlii. immobilization of a tooth loosened by traumatism;
- xliii. reimplantation of a completely exfoliated tooth;
- xliv. placement of a mandibular reconstruction plate or removal of bone fixation (pins, plate or screws) by surgical approach;
- xl. placement or removal of an intermaxillary fixation or a preprosthetic splint;
- xlvi. the following services rendered for the treatment of the temporomandibular articulation:
 - (A) luxation reduction;
 - (B) meniscectomy;
 - (C) condylectomy or high condylectomy, including condyloplasty;
 - (D) temporomandibular arthroplasty;
 - (E) coronoidectomy;
 - (F) intra-articular infiltration including medication;
 - (G) arthrocentesis;
 - (H) arthroscopy;
 - (I) injection of botulinum toxin for functional purposes;
 - (J) implantation of a glenoid fossa or condylar prosthesis;
 - (K) cure of ankylosis;
- xlvii. mandible, maxilla and interdental osteotomy;
- xlviii. corticotomy;
- xlix. repositioning or lessening of the symphysis menti;
 - l. the following oncology and reconstruction services:
 - (A) neck dissection;
 - (B) lip repair with Abbé flap or cross lip flap;
 - (C) correction of post-traumatic or surgical scars;
 - (D) transfer of fat to correct scar disorders;
 - (E) isolated debridement of skin wounds or mucous membranes, including the excision of necrotic tissue and foreign bodies;
 - (F) post-traumatic or cleft lip dermabrasion;
 - (G) graft by transfer of a local pedicled myocutaneous flap, by transfer of a regional pedicled flap, free cutaneous graft of head and neck region or by free microanastomosed flap;

(H) reduction and rearrangement of the soft tissue of a flap done during a subsequent session, including section of the pedicle if necessary by direct closure;

(I) intralesional injection of pharmaceutical agent for non-cosmetic purposes.”.

3. Sections 35 to 36.1 of the Regulation are replaced with the following sections:

“**35.** The services referred to in section 31 and the services referred to hereafter are considered insured services where they are rendered by a dentist to an insured person under 10 years of age:

- (a) extraction of a tooth or root;
- (b) the following restoration services:
 - i. obturation:
 - (A) amalgam;
 - (B) with aesthetic material (on an anterior tooth or on a buccal or mesial surface of an upper premolar);
 - (C) reconstitution of the incisal third or complete of an anterior tooth in aesthetic material;
 - ii. pivots;
 - iii. prefabricated metallic crown;
 - iv. prefabricated crown (porcelain-fused-to-metal or aesthetic material) on a deciduous anterior tooth;
 - iv. recementation of a prefabricated crown;
- (c) the following endodontic services:
 - i. sedative dressing;
 - ii. pulpotomy on a permanent tooth under general anaesthesia;
 - iii. pulpotomy or pulpectomy on a deciduous tooth;
 - iv. apexification on a permanent tooth (insertion of dentinogenic medium in order to close the apex);
 - v. root canal treatment on a permanent tooth with a guttapercha point.

“**36.** The services referred to in sections 31 and 35 are considered insured services where they are rendered by a dentist to an insured person 10 years of age or over who

has held, for at least 12 consecutive months, a valid claim booklet issued in accordance with section 71.1 of the Act, excluding apexification on a permanent tooth by insertion of dentinogenic medium in order to close the apex and root canal treatment on a permanent tooth with guttapercha point, for which in both cases the insured person must be under 13 years of age.

Notwithstanding the foregoing, the period of 12 consecutive months referred to in the first paragraph is not required where the following services, are rendered as emergencies:

- (a) examination;
- (b) extraction of a tooth or root;
- (c) opening of the pulp cavity;
- (d) incision or drainage of an abscess;
- (e) alveolitis;
- (f) hemorrhage control;
- (g) repair of soft tissue laceration;
- (h) reduction of an alveolar bone fracture;
- (i) immobilization of a tooth loosened by traumatism;
- (j) re-implantation of an entirely exfoliated tooth.

Furthermore, once only per 12-month period with respect to an insured person referred to in the first paragraph, the following services are considered insured services where they are rendered by a dentist and where the person is the following age, depending on the service:

- (a) 12 years of age or over for teaching and demonstration of oral hygiene procedures and cleaning of teeth;
- (b) 16 years of age or over for scaling;
- (c) at least 12 years of age and less than 16 years of age for topical fluoride application.

Additionally, the fabrication, replacement, repair or relining of an acrylic prosthesis, or the addition of a device to such a prosthesis, when inserted, are considered insured services with respect to a person referred to in the first paragraph insofar as the person has held, for at least 24 consecutive months, a valid claim booklet. However, an insured person is entitled to only one complete or partial prosthesis with or without hooks or supports per maxilla, per 8-year period. Furthermore, the person is entitled to

the replacement of a complete or partial prosthesis only where it has become necessary following oral surgery and on the written prescription of a dentist. As for relining, the person is entitled to this service three months after the date the prosthesis was initially inserted and, thereafter, every 5 years.

“**36.1.** For the purposes of sections 35 and 36, an insured person referred to in these sections is entitled to only one examination per 12-month period, except in case of an emergency or where the person is followed for oncological purposes by a dentist practicing in an institution which operates a hospital centre listed in Schedule E, and this is a second examination.”

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

104030

Draft Regulation

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6)

Amusement machines —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting amusement machines, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting amusement machines (chapter L-6, r. 1) to streamline and lighten the administrative burden on enterprises subject to the Regulation.

Most importantly, the draft Regulation proposes eliminating the classes of amusement machines and removing from the application of the Regulation those machines used exclusively for entertainment purposes with no possibility of gain. Accordingly, bowling alleys, billiard tables, inflatable games, rides and carousels and other machines of a like nature will no longer require a licence. The draft Regulation also proposes eliminating the merchant licence.

Current study of the matter has shown no negative impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Andrée-Anne Garceau, Secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3, telephone: 418 528-7225, extension 23251; fax: 418 646-5204; email: andree-anne.garceau@racj.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Andrée-Anne Garceau, Secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3.

GENEVIÈVE GUILBAULT,
Minister of Public Security

Regulation to amend the Regulation respecting amusement machines

An Act respecting lotteries, publicity contests and amusement machines
(chapter L-6, s. 119, 1st par., subpars. *a*, *b*, *c* and *e*)

1. The Regulation respecting amusement machines (chapter L-6, r. 1) is amended in section 1

(1) by replacing paragraph *b* by the following:

“(b) “operator” means a person who possesses, leases or borrows an amusement machine described in section 1.1 and who places at the disposal of the public such an amusement machine for the purposes of deriving income therefrom;”;

(2) by striking out paragraph *c*.

2. The following is inserted after section 1:

“**1.1** This Regulation applies to all amusement machines offering the possibility of accumulating free games, additional game time or winning a prize of any kind.”.

3. Section 2 is revoked.

4. Section 2.2 is amended by inserting “maximum” before “period”.

5. Section 2.3 is replaced by the following:

“**2.3** When applying for a licence, an operator wishing to place at the disposal of the public an amusement machine described in section 1.1 must obtain a registration marker from the Régie des alcools, des courses et des jeux.”.