

THAT the seventh paragraph of the operative part of that Ministerial Order be amended by replacing “of the freeze effect under section 114 or 117 of” by “of a freeze effect arising from a notice of motion under”;

THAT for medical purposes, the director of a correctional facility authorize, on the conditions the director determines, the temporary absence of an inmate serving a prison term of less than two years, in order to protect the inmate’s health and that of the other inmates and members of the personnel, if the following conditions are met:

- (1) the inmate is in any of the following situations:
 - (a) the inmate is 65 years of age or older;
 - (b) the inmate is pregnant;
 - (c) a physician confirms the inmate has factors making him or her vulnerable to COVID-19; or
 - (d) 30 or fewer days remain to be served before the inmate is to be released;
- (2) the inmate has adequate living quarters to go to;
- (3) the inmate is not a member of a criminal group;
- (4) the inmate is not detained for another reason, including a remand warrant or transfer pursuant to an intergovernmental agreement;
- (5) the inmate is not the subject of an order made under the Immigration and Refugee Protection Act (S.C. 2001, c. 27) or a long-term supervision order made under the Criminal Code (R.S.C. 1985, c. 46);
- (6) the inmate is not serving a sentence for an offence involving violence against a person or an offence of a sexual nature, including child pornography;
- (7) in the last year, the inmate has not been convicted of an offence under section 117.01, subsections 1 to 3 of section 145 or section 733.1 of the Criminal Code or has not had a conditional sentence, release on parole or unescorted temporary absence revoked;
- (8) the inmate has not committed, while being imprisoned, any disciplinary offence involving the use of physical violence, abusive or threatening language or behaviour towards another inmate, members of the personnel or any other person; and
- (9) the inmate has been isolated for not fewer than 14 days or has received a negative COVID-19 test result before the facility director authorizes the temporary

absence for medical purposes, in a case where an inmate or a member of the personnel has received a COVID-19 diagnosis and there is a risk the person is still contagious.

Québec, 7 May 2020

DANIELLE McCANN,
Minister of Health and Social Services

104424

M.O., 2020

Order number 2020-034 of the Minister of Health and Social Services dated 9 May 2020

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2), which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020 and until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020;

CONSIDERING that Order in Council 501-2020 dated 6 May 2020 empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that Order in Council 505-2020 dated 8 May 2020 empowers the Minister of Health and Social Services to order any modification or clarification of the measures provided for in that Order in Council;

CONSIDERING that the current situation of the COVID-19 pandemic allows for the easing of certain measures set in place to protect the health of the population, while maintaining some of the measures necessary to continue that protection;

ORDERS AS FOLLOWS:

THAT, for users lodged in a facility in an institution where a residential and long-term care centre is operated, for users taken in charge by an intermediate resource or by a family-type resource under the Support for Elderly Autonomy Program or for residents of a private seniors' residence, only the following visits be authorized:

(1) visits necessary for humanitarian purposes or to obtain care or services required by their state of health; and

(2) visits by a family caregiver who provides significant aid to the user or resident, if the caregiver understands the risks inherent in the visits and undertakes to respect the guidelines recommended by the public health authorities and those imposed by the persons responsible for the living environment;

THAT, for users lodged in a facility in an institution where a residential and long-term care centre is operated or for users taken in charge by an intermediate resource or by a family-type resource under the Support for Elderly Autonomy Program, only the following outings be authorized:

(1) outings necessary for humanitarian purposes or to obtain care or services required by their state of health; and

(2) supervised outings;

THAT, in a private seniors' residence, only maintenance and emergency repair work and work required for safety purposes may be performed;

THAT the operator of a private seniors' residence be required to implement a mechanism allowing delivery of products or goods to the residents, irrespective of the origin of the products or goods, and without the residents receiving the products or goods directly;

THAT the first four paragraphs of the operative part of Ministerial Order 2020-009 dated 23 March 2020 and the first paragraph of the operative part of Ministerial Order 2020-022 dated 15 April 2020 be revoked;

THAT the fourth subparagraph of the second paragraph of the operative part of Ministerial Order 2020-022 dated 15 April 2020 be replaced by the following:

“(4) the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec;”;

THAT the operative part of that Ministerial Order be amended by inserting the following after the third paragraph:

“THAT the president, the executive director or the secretary of a professional order may, when issuing a special public health emergency student authorization, restrict the professional activities that may be performed by the person to whom the special authorization is granted and determine the conditions on which the person may perform the activities;”;

THAT the following professionals practising within a health and social services institution be authorized to take the samples necessary for the COVID-19 screening test, on the condition the professional has undergone the training for the purpose provided under the authority of the director of nursing care of the institution:

- (1) audiologists;
- (2) dentists;
- (3) dietitian-nutritionists;
- (4) dental hygienists;
- (5) speech therapists;
- (6) physiotherapists;

THAT, for the purposes of the measures provided for by Order in Council 505-2020 dated 6 May 2020, the exceptions made for the territory of the Communauté métropolitaine de Montréal also apply for the territory of the regional county municipality of Joliette;

THAT the measures set out in Ministerial Order 2020-013 dated 1 April 2020 concerning the restriction on access to the territory of the urban agglomeration of La Tuque for the Mauricie et Centre-du-Québec health region and to the Saguenay – Lac-Saint-Jean, Abitibi-Témiscamingue and Outaouais health regions no longer be applicable;

THAT the measure set out in Ministerial Order 2020-015 dated 4 April 2020 concerning the restriction on access by the residents of Ville de Gatineau and of the regional county municipality of Les Collines-de-L'Outaouais to the other Outaouais regional county municipalities be revoked;

THAT the Schedule to Order in Council 505-2020 dated 6 May 2020 be amended

(1) by inserting the following after section 1:

“1.1. The number of qualified childcare staff members a childcare centre or day care centre permit holder must ensure are present each day with the children while childcare is being provided is at least one staff member out of three.”;

(2) by inserting the following after section 2:

“2.1. A person recognized as a home childcare provider who wishes to interrupt activities may apply to the home childcare coordinating office that granted the recognition to have the recognition suspended if the person or a person residing in the residence where the childcare services are being provided is in either of the following situations:

(1) the person is 70 years of age or older; or

(2) a physician or a specialized nurse practitioner confirms the person has factors making him or her vulnerable to COVID-19;

The application for suspension of recognition must be made by the recognized person as soon as possible. The person must also, within that same time, inform the parents of the children normally cared for. The coordinating office is to suspend the recognition as of the date specified in the application.”;

THAT this Order have effect as of 11 May 2020.

Québec, 9 May 2020

DANIELLE MCCANN,
Minister of Health and Social Services

104426

M.O., 2020

Order number 2020-035 of the Minister of Health and Social Services dated 10 May 2020

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2), which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council provides that the Minister of Health and Social Services may order any other measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020 and until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020;

CONSIDERING that Order in Council 501-2020 dated 6 May 2020 empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is expedient to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT the national and local provisions of the collective agreements applicable in the health and social services network, and the employment conditions applicable