

THAT the Regulation to amend the Regulation respecting the application of the Act respecting health services and social services for Cree Native persons, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting health services and social services for Cree Native persons

An Act respecting health services and social services for Cree Native persons
(chapter S-5, s. 161)

An Act respecting health services and social services
(chapter S-4.2, s. 512, 2nd par.)

1. On 1 January 2021 and 2022, the personal expense allowance provided for in subparagraph *b* of the first paragraph of section 375 of the Regulation respecting the application of the Act respecting health services and social services for Cree Native persons (chapter S-5, r. 1) is increased by \$10 in addition to the increase resulting from the indexation and the rounding off provided for in the second paragraph of that section.

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

104749

Gouvernement du Québec

O.C. 1293-2020, 2 December 2020

Québec Immigration Act
(chapter I-0.2.1)

Special program for asylum seekers during COVID-19

Special program for asylum seekers during COVID-19

WHEREAS, under paragraph 3 of section 7 of the Québec Immigration Act (chapter I-0.2.1), the humanitarian class is a class of foreign nationals wishing to settle permanently in Québec;

WHEREAS, under section 9 of the Act, for each class, the Government may, by regulation, determine immigration programs and, for each program, the selection conditions and any selection criteria applicable to foreign nationals;

WHEREAS, under section 34 of the Act, a foreign national who is in a special hardship situation may be selected by the Minister in the cases and on the conditions determined by government regulation;

WHEREAS, under the second paragraph of section 58 of the Act, the Government determines, by regulation, in particular the cases in which a decision made by the Minister lapses;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published in the *Gazette officielle du Québec* as set out in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and the date applicable under section 17 of that Act where the authority that has made it is of the opinion that the urgency of the situation requires it and the reason for such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force of the Special program for asylum seekers during COVID-19:

— the Government of Canada has established a temporary public policy to grant permanent resident status to certain foreign nationals in Québec, which will be implemented on 14 December 2020;

— the granting of the status requires their selection by the Minister of Immigration, Francization and Integration under the Special program for asylum seekers during COVID-19;

WHEREAS it is expedient to make the Special program for asylum seekers during COVID-19;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration, Francization and Integration:

THAT the Special program for asylum seekers during COVID-19, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Special program for asylum seekers during COVID-19

Québec Immigration Act
(chapter I-0.2.1, ss. 9, 34 and 58)

1. A foreign national may be selected by the Minister under the Special program for asylum seekers during COVID-19 if the foreign national meets the following conditions:

(1) the foreign national's application for permanent residence is processed in Canada under section 25.2 of the Immigration and Refugee Protection Act (S.C. 2001, c. 27);

(2) the foreign national has held eligible employment in Canada for a period of at least 750 hours before 1 September 2021, including 120 hours of actual work between 13 March 2020 and 14 August 2020.

2. For the purposes of this program, eligible employment means any of the following professions according to the National Occupational Classification, practiced in the health sector, with any related conditions:

(1) home support workers, housekeepers and related occupations (code 4412), but only when mainly performing one or more of the following duties:

(a) providing care to individuals during periods of incapacitation, convalescence or family disruption;

(b) administering bedside and personal care to clients such as aiding in ambulating, bathing, personal hygiene, dressing and undressing;

(c) performing routine health-related duties such as changing non-sterile dressing, assisting in the administration of medications and collecting specimens under the general direction of home care agency supervisors or nurses;

(2) nurse aides, orderlies and patient service associates (code 3413);

(3) nursing co-ordinators and supervisors (code 3011);

(4) registered nurses and registered psychiatric nurses (code 3012);

(5) licensed practical nurses (code 3233);

(6) allied primary health practitioners (code 3124).

A training period in the health sector under a program of studies leading to eligible employment or to meet requirements related to the performance of eligible employment, where the employment is governed by a professional order in Canada, is considered to be eligible employment.

3. A foreign national who has held eligible employment in Canada between 13 March 2020 and 14 August 2020 may be selected by the Minister if the foreign national meets the condition set out in paragraph 1 of section 1, but is unable to meet the other conditions of the program because the foreign national has contracted COVID-19 or is subject to a measure for preventing COVID-19.

4. A foreign national who is the widow or widower of an asylum seeker who has held eligible employment in Canada between 13 March 2020 and 14 August 2020, may be selected by the Minister if the condition set out in paragraph 1 of section 1 is met and if the asylum seeker has died from COVID-19.

5. Despite paragraph 1 of section 111 of the Québec Immigration Regulation (chapter I-0.2.1, r. 3), a selection decision rendered under this program has not lapsed where the foreign national is subject to a removal order for which there is no stay, within the meaning of the Immigration and Refugee Protection Act (S.C. 2001, c. 27).

AMENDING

6. Section 61 of the Québec Immigration Regulation (chapter I-0.2.1, r. 3) is replaced by the following:

“**61.** A foreign national belongs to the humanitarian class if the foreign national is in a special hardship situation. The foreign national must, to settle in Québec, be selected by the Minister under

(1) the program for refugees abroad;

(2) the program for persons selected on the basis of humanitarian considerations; or

(3) the Special program for asylum seekers during COVID-19, made by Order in Council 1293-2020 dated 2 December 2020.”

FINAL

7. This program comes into force on 14 December 2020.

104748

Gouvernement du Québec

O.C. 1300-2020, 2 December 2020

An Act respecting prescription drug insurance (chapter A-29.01)

**Basic prescription drug insurance plan
— Amendment**

CONCERNING the Regulation to amend the Regulation respecting the basic prescription drug insurance plan

WHEREAS, under subparagraph (7) of the first paragraph of section 78 of the Act respecting prescription drug insurance (chapter A-29.01) the Government may, in addition to the regulatory powers conferred on it by that Act and after consultation with the Régie de l'assurance maladie du Québec, make a regulation to determine, for the purposes of sections 13.1 and 28.1 of that Act, the rules pursuant to which the rates of adjustment are to be fixed annually and specify the categories of persons to which they apply;

WHEREAS, the Government made the Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4);

WHEREAS it is expedient to amend that Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation amending the Regulation respecting the basic prescription drug insurance plan was published in Part 2 of the *Gazette officielle du Québec* of 16 September 2020 with notice that it may be made by the Government upon expiry of the 45-day period following that publication;

WHEREAS the Régie de l'assurance maladie du Québec has been consulted with respect to this draft regulation;

WHEREAS it is expedient to make that Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the basic prescription drug insurance plan, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the basic prescription drug insurance plan

An Act respecting prescription drug insurance (chapter A-29.01, s. 78, first para., subpara. (7))

1. The Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4) is amended by replacing sections 6.1 and 6.2 with the following:

“**6.1.** The rate of adjustment of the maximum amount of the annual premium will be established on the basis of the experience of the months of April to March of the preceding fiscal year, while taking into account the following factors:

(1) the increase in the costs of the plan to the persons referred to in paragraph 4 of section 15 of the Act respecting prescription drug insurance (chapter A-29.01);

(2) the costs anticipated from changes to coverage under the plan, particularly by the introduction of new medications to the list of medications;

(3) the insufficiency of contributions to the plan where, in the application of the provisions of section 6.2 and 6.2.1, the rates of adjustment fixed do not allow for maintaining the proportion of the gross costs assumed by the persons referred to in the first and second paragraphs of section 28 of the Act respecting prescription drug insurance;

(4) any other factor having a direct effect on the costs of the plan.

6.2. The rates of adjustment of the maximum contribution, coinsurance and deductible to be assumed by the persons referred to in the first and second paragraphs of section 28 of the Act respecting prescription drug insurance (chapter A-29.01) will be determined on the basis of the experience of the months of April to March of the preceding fiscal year and by taking into account the increase in the costs of the plan to those categories of persons so as to maintain the proportion of the gross costs assumed by those persons.