

Regulations and other Acts

Gouvernement du Québec

O.C. 39-2021, 20 January 2021

Education Act
(chapter I-13.3)

Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year — Amendment

Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year

WHEREAS, under the first paragraph of section 447 of the Education Act (chapter I-13.3), the Government may make regulations to be known as the “basic school regulation”;

WHEREAS the Government made the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8);

WHEREAS, for the purposes of the 2020-2021 school year, the Government made the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year by Order in Council 1028-2020 dated 7 October 2020;

WHEREAS the Amended Basic school regulation was amended by Orders in Council 1128-2020 dated 28 October 2020 and 1251-2020 dated 25 November 2020;

WHEREAS, under subparagraph 4 of the third paragraph of section 447 of the Act, the basic school regulation made by the Government may establish rules on the evaluation of learning achievement and the certification of studies;

WHEREAS, pursuant to section 458 of the Act, a draft copy of the regulation was submitted to the Conseil supérieur de l'éducation for examination;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the health of the population;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published 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* where the authority that has made it is of the opinion that the urgency of the situation requires it, and the reason justifying 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 warrants the absence of prior publication and such coming into force of the Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year:

— the requirement to provide the first report card no later than 22 January set out in section 29.1 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) as it reads for the 2020-2021 school year places excessive pressure on the education network and could be compromised as a consequence of the current situation;

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

THAT the Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year

Education Act
(chapter I-13.3, s. 447)

1. The Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year, made by Order in Council 1028-2020 dated 7 October 2020 and amended by Orders in Council 1128-2020 dated 28 October 2020 and 1251-2020 dated 25 November 2020, is amended in section 1 by replacing “22 January” in the second paragraph of section 29.1 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) as it reads for the 2020-2021 school year by “5 February”.

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

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Gouvernement du Québec

O.C. 50-2021, 20 January 2021

Health Insurance Act
(chapter A-29)

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

Application of the Health Insurance Act Basic prescription drug insurance plan — Amendment

CONCERNING the Regulation to amend the Regulation respecting the application of the Health Insurance Act and the Regulation respecting the basic prescription drug insurance plan and the revocation of décret 983-2003 dated 17 September 2003

WHEREAS, under the third paragraph of section 3 of the Health Insurance Act (chapter A-29), the Régie de l'assurance maladie du Québec (the Board) assumes, in accordance with this Act and the regulations and subject to the Act respecting prescription drug insurance (chapter A-29.01), the cost of the services determined by regulation that are required for pharmaceutical reasons and furnished by pharmacists, the cost of medications furnished by pharmacists on the prescription of a physician, a resident in medicine, a dentist, a midwife or another professional authorized by law or a regulation

under subparagraph *b* of the first paragraph of section 19 of the Medical Act (chapter M-9) and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance, on behalf of every insured person who is an eligible person within the meaning of that Act and who:

(1) is 65 years of age or over and is not a member of a group insurance contract or employee benefit plan applicable to a group with private coverage within the meaning of section 15.1 of the Act respecting prescription drug insurance that includes basic plan coverage, and is not a beneficiary under such a plan;

(2) holds a valid claim booklet issued under section 70 or 71 of the Health Insurance Act, or

(3) is not required to become a member of a group insurance contract or employee benefit plan referred to in paragraph *a* and in whose respect no person is required, in accordance with section 18 of the said Act, to ensure coverage as a beneficiary under such a contract or plan;

WHEREAS, under the fourth paragraph of section 3 of the Health Insurance Act, the Board also assumes, in accordance with the provisions of this Act and the regulations, the cost of the services determined by regulation that are required for pharmaceutical reasons and furnished by pharmacists and the cost of medications and supplies, as well as the cost of the related profit margin of a wholesaler accredited in accordance with the Act respecting prescription drug insurance, in the cases determined by regulation, on behalf of every insured person;

WHEREAS, under subparagraphs *e.1* to *e.3* of the first paragraph of section 69 of this Act, the Government may, after consultation with the Board or upon its recommendation, in addition to the other regulatory powers conferred upon it by this Act, make regulations to:

(1) determine which services rendered by pharmacists must be considered insured services for the purposes of the third and fourth paragraphs of section 3 of this Act and prescribe the intervals at which certain of those services must be rendered to remain insured services. The intervals may vary according to the cases, conditions and circumstances it indicates;

(2) determine, among the services provided by pharmacists that are to be considered insured services for the purposes of the third and fourth paragraphs of section 3 of this Act, those that must relate to a medication on the list of medications drawn up by the Minister of Health and Social Services under section 60 of the Act respecting prescription drug insurance;