

Ministerial Orders

M.O., 2021

Order number 2021-036 of the Minister of Health and Social Services dated 15 May 2021

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, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020, until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020, until 15 July 2020 by Order in Council 717-2020 dated 8 July 2020, until 22 July 2020 by Order in Council 807-2020 dated 15 July 2020, until 29 July 2020 by Order in Council 811-2020 dated 22 July 2020, until 5 August 2020 by Order in Council 814-2020 dated

29 July 2020, until 12 August 2020 by Order in Council 815-2020 dated 5 August 2020, until 19 August 2020 by Order in Council 818-2020 dated 12 August 2020, until 26 August 2020 by Order in Council 845-2020 dated 19 August 2020, until 2 September 2020 by Order in Council 895-2020 dated 26 August 2020, until 9 September 2020 by Order in Council 917-2020 dated 2 September 2020, until 16 September 2020 by Order in Council 925-2020 dated 9 September 2020, until 23 September 2020 by Order in Council 948-2020 dated 16 September 2020, until 30 September 2020 by Order in Council 965-2020 dated 23 September 2020, until 7 October 2020 by Order in Council 1000-2020 dated 30 September 2020, until 14 October 2020 by Order in Council 1023-2020 dated 7 October 2020, until 21 October 2020 by Order in Council 1051-2020 dated 14 October 2020, until 28 October 2020 by Order in Council 1094-2020 dated 21 October 2020, until 4 November 2020 by Order in Council 1113-2020 dated 28 October 2020, until 11 November 2020 by Order in Council 1150-2020 dated 4 November 2020, until 18 November 2020 by Order in Council 1168-2020 dated 11 November 2020, until 25 November 2020 by Order in Council 1210-2020 dated 18 November 2020, until 2 December 2020 by Order in Council 1242-2020 dated 25 November 2020, until 9 December 2020 by Order in Council 1272-2020 dated 2 December 2020, until 18 December 2020 by Order in Council 1308-2020 dated 9 December 2020, until 25 December 2020 by Order in Council 1351-2020 dated 16 December 2020, until 1 January 2021 by Order in Council 1418-2020 dated 23 December 2020, until 8 January 2021 by Order in Council 1420-2020 dated 30 December 2020, until 15 January 2021 by Order in Council 1-2021 dated 6 January 2021, until 22 January 2021 by Order in Council 3-2021 dated 13 January 2021, until 29 January 2021 by Order in Council 31-2021 dated 20 January 2021, until 5 February 2021 by Order in Council 59-2021 dated 27 January 2021, until 12 February 2021 by Order in Council 89-2021 dated 3 February 2021, until 19 February 2021 by Order in Council 103-2021 dated 10 February 2021, until 26 February 2021 by Order in Council 124-2021 dated 17 February 2021, until 5 March 2021 by Order in Council 141-2021 dated 24 February 2021, until 12 March 2021 by Order in Council 176-2021 dated 3 March 2021, until 19 March 2021 by Order in Council 204-2021 dated 10 March 2021, until 26 March 2021 by Order in Council 243-2021 dated 17 March 2021, until 2 April 2021 by Order in Council 291-2021 dated 24 March 2021, until 9 April 2021 by Order in Council 489-2021 dated 31 March 2021, until 16 April 2021 by Order in Council 525-2021 dated

7 April 2021, until 23 April 2021 by Order in Council 555-2021 dated 14 April 2021, until 30 April 2021 by Order in Council 570-2021 dated 21 April 2021, until 7 May 2021 by Order in Council 596-2021 dated 28 April 2021, until 14 May 2021 by Order in Council 623-2021 dated 5 May 2021 and until 21 May 2021 by Order in Council 660-2021 dated 12 May 2021;

CONSIDERING that Ministerial Order 2020-035 dated 10 May 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020 and 2020-067 dated 19 September 2020, provides for, among other things, an amendment to the national and local provisions of the collective agreements applicable in the health and social services network as well as certain employment conditions applicable to non-unionized salaried personnel in the network;

CONSIDERING that Ministerial Order 2021-017 dated 26 March 2021, amended by Ministerial Order 2021-028 dated 17 April 2021, provides for, among other things, certain measures to apply to certain service providers of a health and social services institution, an intermediary resource, a family-type resource or a private seniors' residence, and to personnel placement agencies;

CONSIDERING that Ministerial Order 2021-020 dated 1 April 2021, amended by Ministerial Orders 2021-026 dated 14 April 2021, 2021-028 dated 17 April 2021, 2021-031 dated 28 April 2021 and 2021-034 dated 8 May 2021, provides for emergency measures to apply in certain territories;

CONSIDERING that Order in Council 660-2021 dated 12 May 2021 empowers the Minister of Health and Social Services to take any of the measures 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 second paragraph of the operative part of Ministerial Order 2020-035 dated 10 May 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020 and 2020-067 dated 19 September 2020, be further amended by inserting "floating holidays," in subparagraph *a* of subparagraph 1 after "public holidays,";

THAT the operative part of Ministerial Order 2021-017 dated 26 March 2021, amended by Ministerial Order 2021-028 dated 17 April 2021, be further amended by replacing the twenty-third paragraph by the following:

“ THAT the sixth, seventh, eighth, ninth, tenth, eleventh, thirteenth, sixteenth, seventeenth and eighteenth paragraphs not apply in respect of the following persons :

(1) a service provider assigned before 17 April 2021 to a body in the health and social services sector situated in one of the health regions listed in the seventh paragraph;

(2) a service provider or a personnel placement agency whose contract was entered into before 13 March 2020 through a joint procurement group and that, as applicable, with the Centre d'acquisitions gouvernementales,

(a) exercises a renewal option under the contract; or

(b) enters into another contract by mutual agreement on the expiry of the contract in accordance with the conditions set out in third dash of the third paragraph of the operative part of Order in Council 177-2020 dated 13 March 2020, amended by Orders in Council 222-2020 dated 20 March 2020, 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 708-2020 dated 30 June 2020, 885-2020 dated 19 August 2020 and 135-2021 dated 17 February and on the following conditions :

i. the new contract entered into must be for a maximum duration not to exceed one year; and

ii. the conditions of the new contract, including any rate schedule, must be identical to the conditions set out in the original contract or, if applicable, in the most recent contract renewal;”;

THAT the second paragraph of the operative part of Ministerial Order 2021-020 dated 1 April 2021, amended by Ministerial Orders 2021-026 dated 14 April 2021, 2021-028 dated 17 April 2021, 2021-031 dated 28 April 2021 and 2021-034 dated 8 May 2021, be further amended

(1) by replacing “the Bas-Saint-Laurent Health Region, except the regional county municipalities of La Matanie, La Matapédia and La Mitis, the Estrie Health Region, but only for the regional county municipality of Granit, the Outaouais Health Region, except the regional county municipalities of La Vallée-de-la-Gatineau and Papineau” in the portion before subparagraph 1 by “the Bas-Saint-Laurent Health Region, but only for the regional county municipalities of Kamouraska, Les Basques, Rivière-du-Loup and Témiscouata, the Estrie Health Region, but only for the regional county municipality of Granit”;

(2) by replacing “or tool rentals” in subparagraph 10 by “, the purchasing of individual life jackets or other boating safety accessories, or tool rentals”;

THAT subparagraph *b* of subparagraph 14 of the second paragraph of the operative part of Ministerial Order 2021-020 dated 1 April 2021 and its subsequent amendments not apply to school service centres, school boards and private educational institutions with respect to their institutions situated in the territory of the regional county municipalities of Granit, Beauce-Sartigan, Les Etchemins and Robert-Cliche.

THAT this Order come into force on 15 May 2021, except for the measures set out in subparagraph 1 of the third paragraph and in the fourth paragraph, which come into force on 17 May 2021.

Québec, 15 May 2021

CHRISTIAN DUBÉ
Minister of Health and Social Services

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