

Regulation respecting the compensation procedure of the Ordre des podiatres du Québec

Professional Code
(chapter C-26, s. 89.1)

1. A claimant may be compensated in accordance with this procedure following the use by a podiatrist of funds or property for purposes other than those for which they were entrusted to the podiatrist under a regulation of the Ordre des podiatres du Québec made under section 89 of the Professional Code (chapter C-26).

2. The board of directors forms a committee charged with examining and deciding claims.

The committee is composed of at least 3 members, including 1 elected director and 1 director appointed to the board of directors.

3. To be admissible, a claim must

(1) be sent in writing to the Order within 12 months of the claimant becoming aware that the funds or property have been used by a podiatrist for purposes other than those for which they were entrusted to the podiatrist;

(2) be accompanied by proof of the steps taken with the podiatrist to recover the funds or property;

(3) state the facts in support of the claim and be accompanied by all relevant documents; and

(4) indicate the amount claimed.

The period referred to in subparagraph 1 of the first paragraph may be extended by the committee if the claimant shows that, for a reason beyond the claimant's control, the claimant was unable to file the claim within that period.

4. A request made to the Order with regard to facts likely to give rise to a claim is deemed to be a claim if the request is filed within the period referred to in subparagraph 1 of the first paragraph of section 3.

The claim becomes admissible where the conditions set out in subparagraphs 2 to 4 of the first paragraph of section 3 are met.

5. The secretary of the Order sends every admissible claim to the committee and the podiatrist within 15 days following the date on which the claim becomes admissible.

6. The secretary of the Order informs the podiatrist and the claimant of the date of the meeting during which the claim will be examined and of their right to make representations.

7. The committee decides whether it is expedient to accept a claim in whole or in part. Where applicable, it fixes the compensation.

The substantiated decision is final.

8. The maximum amount that may be paid for the period covering the fiscal year of the Order is

(1) \$2,000 for a claimant in respect of a podiatrist;

(2) \$6,000 for all the claimants in respect of a podiatrist; and

(3) \$20,000 for all the claimants.

Where all the claims filed for the period covering the fiscal year of the Order exceeds \$20,000, the amount paid to each claimant is paid in proportion of each claim.

9. Where the claimant is in a vulnerable situation, in particular because of age, physical or psychological state or social condition, the committee may, exceptionally and after having obtained the approval of the board of directors, pay an amount greater than those provided for in section 8.

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

105478

Draft Regulation

Professional Code
(chapter C-26)

Pharmacists —Professional activities of pharmacists that may be engaged in by a technical assistant, a technician or a person in the process of obtaining a permit for the practice of pharmacy

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the professional activities of pharmacists that may be engaged in by a technical assistant, a technician or a person in the process of obtaining a permit for the practice of pharmacy, made by the board

of directors of the Ordre des pharmaciens du Québec and appearing below, is published as a draft and may be examined by the Office des professions du Québec then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation specifies the professional activities reserved for pharmacists that may be engaged in by pharmacy technical assistants, pharmacy technicians and persons in the process of obtaining a permit for the practice of pharmacy, taking into account the new activities authorized under the Act to amend mainly the Pharmacy Act to facilitate access to certain services (2020, chapter 4).

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Vincent Généreux-De Guise, attorney, Ordre des pharmaciens du Québec, 266, rue Notre-Dame Ouest, bureau 301, Montréal (Québec) H2Y 1T6; telephone: 514 284-9588, extension 317, or 1 800 363-0324, extension 317; email: vgenereux@opq.org.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Roxanne Guévin, Secretary, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Higher Education and may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

ROXANNE GUÉVIN
Secretary
Office des professions du Québec

Regulation respecting the professional activities of pharmacists that may be engaged in by a technical assistant, a technician or a person in the process of obtaining a permit for the practice of pharmacy

Pharmacy Act
(chapter P-10, s. 10, 1st par., subpar. a)

DIVISION I COMMON PROVISIONS

1. Every person who engages in professional activities under this Regulation must

(1) act under the continuous supervision of a pharmacist who is responsible for that person and who is available to intervene on short notice; and

(2) comply, with the necessary modifications, with the regulatory standards applicable to the activities engaged in and those related to professional conduct and keeping records.

DIVISION II PROVISIONS APPLICABLE TO PHARMACY TECHNICAL ASSISTANTS AND PHARMACY TECHNICIANS

2. A pharmacy technical assistant or a pharmacy technician may engage in the professional activities referred to in subparagraphs 5 and 9 of the second paragraph of section 17 of the Pharmacy Act (chapter P-10).

For the purposes of this Regulation, “pharmacy technical assistant” means every person who holds a vocational training diploma awarded by the Ministère de l'Éducation after completing studies in pharmacy technical assistance and successfully followed the training provided for in the Règlement sur l'activité de formation des pharmaciens pour l'administration d'un médicament (chapter P-10, r. 1.1) during their program of study or complementary training.

Similarly, “pharmacy technician” means every person who holds a diploma of college studies awarded by the Ministère de l'Enseignement supérieur after completing studies in pharmacy techniques.

DIVISION III PROVISIONS APPLICABLE TO PERSONS IN THE PROCESS OF OBTAINING A PERMIT FOR THE PRACTICE OF PHARMACY

3. A person in the process of obtaining a permit for the practice of pharmacy who is duly entered in the register kept for that purpose by the Ordre des pharmaciens du Québec may engage in the professional activities listed in section 17 of the Pharmacy Act (chapter P-10).

For the purposes of this Regulation, “person in the process of obtaining a permit for the practice of pharmacy” means

(1) a person registered in a program of study in pharmacy leading to a diploma giving access to the permit issued by the Order;

(2) a person registered in a program of study leading to a diploma giving access to a legal authorization to practise pharmacy issued in another Canadian province and who undergoes a training period in Québec within the scope of that program of study;

(3) a person registered in a program of study leading to a diploma in pharmacy issued by an educational institution located outside Canada and who is undergoing a training period in Québec within the scope of that program of study;

(4) a person who must undergo a training period under the Règlement sur la délivrance d'un permis de l'Ordre des pharmaciens du Québec pour donner effet à l'arrangement conclu par l'Ordre en vertu de l'Entente entre le Québec et la France en matière de reconnaissance mutuelle des qualifications professionnelles (chapter P-10, r. 13.1);

(5) a person whose training equivalence is granted in part under the Règlement sur les normes d'équivalence de diplôme et de la formation aux fins de la délivrance d'un permis de pharmacien (chapter P-10, r. 18) and who must successfully complete courses or training periods to obtain full equivalence.

4. The person referred to in subparagraph 1, 4 or 5 of the second paragraph of section 3 may continue to engage, in accordance with this Regulation, in the activities that are provided for therein during the 30 days following the date on which the person completed the program of study, training period or training, as the case may be.

5. This Regulation replaces the Regulation defining the acts described in section 17 of the Pharmacy Act which may be performed by classes of persons other than pharmacists (chapter P-10, r. 1) and the Regulation respecting the professional activities that may be engaged in by persons other than pharmacists (chapter P-10, r. 3).

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

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