

Draft Regulations

Draft Regulation

Act respecting the sharing of certain health information
(chapter P-9.0001)

Application of the Act respecting the sharing of certain health information — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation adds new persons and partnerships that are subject to the specific information management rules defined by the health and social services network information officer and approved by the Conseil du trésor. It also adds new providers that may be assigned an access authorization for a health information bank in a clinical domain or an electronic prescription management system for medication.

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

Further information on the draft Regulation may be obtained by contacting Luc Larivée, legal research agent, Direction de la performance et de la gouvernance des ressources informationnelles, ministère de la Santé et des Services sociaux, 930, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1S 2L4; telephone: 581 814-9100, extension 6104; email: luc.larivee@msss.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister for Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

LIONEL CARMANT
*Minister for Health and
Social Services*

CHRISTIAN DUBÉ
*Minister of Health and
Social Services*

Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information

Act respecting the sharing of certain health information
(chapter P-9.0001, s. 4, par. 20, s. 69,
par. 16, and s. 120, par. 4)

1. The Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1) is amended in section 1

(1) by replacing paragraph 1 by the following:

“(1) a person or a partnership that operates a private health facility;”;

(2) by adding the following at the end:

“(4) a person or a partnership that operates a private seniors’ residence referred to in section 346.0.1 of the Act respecting health services and social services (chapter S-4.2);

(5) a palliative care hospice within the meaning of the Act respecting end-of-life care (chapter S-32.0001);

(6) Corporation d’urgences-santé;

(7) a holder of an ambulance service permit issued in accordance with the Act respecting pre-hospital emergency services (chapter S-6.2).”.

2. Section 2 is replaced by the following:

“**2.** Within the meaning of this Regulation, a private office means a consulting room or office, situated elsewhere than in a facility maintained by an institution, in which one or more of the professionals listed below, individually or as a group, regularly practise their profession, privately and solely on their own account, without directly or indirectly providing their patients with lodging:

(1) a dentist;

(2) a dietitian or a nutritionist;

- (3) a physiotherapist;
- (4) a respiratory therapist;
- (5) an occupational therapist;
- (6) a social worker;
- (7) a nurse;
- (8) a podiatrist;
- (9) a psychologist;
- (10) a psychoeducator;
- (11) a chiropractor;
- (12) an optometrist;
- (13) an audiologist or a speech language pathologist.”.

3. Section 6 is amended

(1) by replacing “private dental office” in paragraph 1 by “private health facility”;

(2) by inserting the following after paragraph 1:

“(1.1) a dental medicine resident practising in a private health facility, in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(1.2) a dental hygienist practising in a private health facility, in a centre operated by an institution, in a private physician’s office or a specialized medical centre;”;

(3) by inserting “in a private health facility,” after “practising” in paragraph 2;

(4) by inserting “in a private health facility,” after “practising” in paragraph 3;

(5) by inserting “in a private health facility,” after “practising” in paragraph 4;

(6) by inserting “in a private health facility,” after “practising” in paragraph 5;

(7) by inserting “in a private health facility,” after “practising” in paragraph 6;

(8) by inserting “in a private health facility,” after “practising” in paragraph 9;

(9) by inserting “in a private health facility, in a private seniors’ residence, in a palliative care hospice,” after “practising” in paragraph 10;

(10) by inserting the following after paragraph 10:

“(10.1) a nursing assistant practising in a private health facility, in a private seniors’ residence or a palliative care hospice;”;

(11) by replacing “or a specialized medical centre” in paragraph 11 by “, in a specialized medical centre or a palliative care hospice”;

(12) by inserting the following after paragraph 12:

“(12.1) the holder of a registration certificate issued by the secretary of the Collège des médecins du Québec practising in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(12.2) the holder of a training card issued by the secretary of the Collège des médecins du Québec practising in a palliative care hospice;”;

(13) by adding the following at the end:

“(14) a podiatrist practising in a private health facility, in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(15) a professional technologist carrying on professional activities in the field of orthotics or prosthetics in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(16) a psychologist practising in a private health facility, in a centre operated by an institution, in a private physician’s office, in a specialized medical centre, in a private seniors’ residence or a palliative care hospice;

(17) a psychoeducator practising in a private health facility, in a centre operated by an institution, in a private physician’s office, in a specialized medical centre or a private seniors’ residence;

(18) an ambulance technician practising at Corporation d’urgences-santé or on behalf of a holder of an ambulance service permit;

(19) a chiropractor practising in a private health facility, in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(20) an optometrist practising in a private health facility, in a centre operated by an institution, in a private physician’s office or a specialized medical centre;

(21) an audiologist or a speech language pathologist practising in a private health facility, in a centre operated by an institution, in a private physician's office or a specialized medical centre.”.

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

105602

Draft Regulation

Education Act
(chapter I-13.3)

Conditions and procedures governing the review of a result

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the conditions and procedures governing the review of a result, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Regulation follows up on the Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1), which was assented to on 8 February 2020, and determines the conditions and procedures governing the review of a student's result pursuant to section 96.15 or 110.12 of the Education Act (chapter I-13.3).

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

Further information on the draft Regulation may be obtained by contacting Christine Di Loreto, Direction des encadrements pédagogiques et scolaires, Ministère de l'Éducation, 600, rue Fullum, 10^e étage, Montréal (Québec) H2K 3L6; email: Christine.DiLoreto@education.gouv.qc.ca.

Any interested person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Marie-Ève Chamberland, Secretary General, Ministère de l'Éducation, 1035, rue De La Chevrotière, 15^e étage, Québec (Québec) G1R 5A5; email: marie-eve.chamberland@education.gouv.qc.ca

JEAN-FRANÇOIS ROBERGE
Minister of Education

Regulation respecting the conditions and procedures governing the review of a result

Education Act
(chapter I-13.3, s. 457.1, 4th par.)

1. This Regulation determines the conditions and procedures governing the review of a student's result pursuant to section 96.15 or 110.12 of the Education Act.

The review of a student's result consists in examining the result again. The student does not retake the examination. The review may lead to the initial result being maintained, increased or reduced.

For the purposes of this Regulation, the review of a result includes the review of the result of an evaluation or part of an evaluation. It also includes the review of a result consisting of several evaluations, in particular the result for a course, a term, a subject, a skill or a component.

2. A student, or the student's parents, may request the review of a result.

3. A request for review must be submitted within 10 working days after taking cognizance of the result. A request for review concerning a result consisting of several evaluations may cover only evaluations for the most recent term completed and only evaluations or parts of evaluations that have not been the subject of a request. A request for the review of a result obtained further to an evaluation held not later than the last day of the school calendar may not be submitted after the following 15 July.

Despite the previous paragraph, in the case of a result obtained as part of vocational training or adult education services, a request for review must be submitted within 30 days after taking cognizance of the result. A request for review concerning a result consisting of several evaluations may cover only evaluations or parts of evaluations that have not been the subject of a request.

4. A request for review must be made in writing and addressed to the principal of the institution. It must contain

- (1) the name of the student;
- (2) the name of the teacher;
- (3) the code or title of the course or subject concerned;
- (4) the identification of the evaluation, part of evaluation or result concerned;