

(3) include protection and security measures to ensure the protection of the information to be communicated;

(4) provide for obligations related to the preservation and destruction of the information;

(5) provide that the Minister is to be immediately notified of any violation of or attempt to violate any of the obligations set out in the agreement by any person and of any event likely to affect the confidentiality of the information.

## DIVISION V MISCELLANEOUS AND FINAL

**11.** Any agreement referred to in section 12.4 of the Act, entered into with any person or body in Canada or abroad before (insert the date of coming into force of this Regulation) and approved by an order in council made under the first paragraph of section 3.8 of the Act respecting the Ministère du Conseil exécutif (chapter M-30), is deemed to fulfil the conditions set out in section 10.

**12.** 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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Gouvernement du Québec

### O.C. 1321-2022, 29 June 2022

Medical Act  
(chapter M-9)

#### **Certain professional activities that may be engaged in by dietitians — Amendment**

Regulation to amend the Regulation respecting certain professional activities that may be engaged in by dietitians

WHEREAS, under subparagraph *b* of the first paragraph of section 19 of the Medical Act (chapter M-9), the board of directors of the Collège des médecins du Québec must by regulation determine among the activities referred to in the second paragraph of section 31 of the Act those which, under certain prescribed conditions, may be engaged in by classes of persons other than physicians;

WHEREAS, in accordance with the second paragraph of section 19 of the Act, the board of directors of the Collège des médecins du Québec consulted the Office

des professions du Québec and the Ordre professionnel des diététistes-nutritionnistes du Québec before making the Regulation to amend the Regulation respecting certain professional activities that may be engaged in by dietitians on 22 October 2021;

WHEREAS, pursuant to section 95 of the Professional Code (chapter C-26), subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting certain professional activities that may be engaged in by dietitians was published in Part 2 of the *Gazette officielle du Québec* of 10 November 2021 with a notice that it could be examined by the Office then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 18 March 2022 and then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting certain professional activities that may be engaged in by dietitians, attached to this Order in Council, be approved.

YVES OUELLET  
*Clerk of the Conseil exécutif*

#### **Regulation to amend the Regulation respecting certain professional activities that may be engaged in by dietitians**

Medical Act  
(chapter M-9, s. 19, 1st par., subpar. *b*)

**1.** The Regulation respecting certain professional activities that may be engaged in by dietitians (chapter M-9, r. 12.0001) is amended in section 2 by replacing the first paragraph by the following:

“As part of the determination of the nutritional treatment plan, provided that a prescription indicates that nutrition is a determining factor in the treatment of an illness, and during the monitoring of the nutritional status of a patient whose nutritional treatment plan has been determined, dietitians may

(1) prescribe

(a) nutritional formulas, macronutrients and micronutrients to ensure the nutritional needs are met;

(b) pancreatic enzyme solutions used to restore the functionality of a feeding tube;

(c) laboratory analyses; and

(2) adjust the patient’s insulin and antidiabetic medication.”

**2.** Section 4 is amended

(1) by replacing “vitamins and minerals” in the part preceding paragraph 1 by “macronutrients and micronutrients, adjusting a patient’s insulin and antidiabetic medication”;

(2) by replacing “to obtain the medical assessment” in paragraph 2 by “to have an up-to-date assessment”;

(3) by adding the following paragraphs at the end:

“In addition, before adjusting the patient’s insulin and antidiabetic medication, dietitians must ensure that the scientifically recognized therapeutic targets have been achieved, except where dietitians obtain specific therapeutic targets from a professional in charge of the patient’s clinical follow-up and, if applicable, special limits or contraindications.

Before prescribing a laboratory analysis, dietitians must ensure that no results from an equivalent analysis are available.”

**3.** Section 5 is amended by replacing “in the patient’s record the nutritional formula, vitamins and minerals, enteral feeding material or pancreatic enzyme solution prescribed” in the first paragraph by “in a patient’s record the nutritional formulas, macronutrients and micronutrients, pancreatic enzyme solutions and laboratory analyses they prescribed, as well as the insulin and antidiabetic medication they adjusted”.

**4.** The first paragraph of section 6 is replaced by the following:

“Dietitians must communicate, to the professional in charge of a patient’s clinical follow-up, the name of the nutritional formulas, macronutrients and micronutrients, and pancreatic enzyme solutions prescribed, the insulin and antidiabetic medication adjusted, as well as the results of the laboratory analyses prescribed.”

**5.** Section 8 is amended

(1) by replacing “vitamins and minerals referred to in section 2” in the part preceding subparagraph *a* of paragraph 1 by “macronutrients, micronutrients and pancreatic enzyme solutions”;

(2) by replacing “vitamins and minerals” in subparagraph *a* of paragraph 1 by “macronutrients and micronutrients”;

(3) by inserting the following after paragraph 1:

“(1.1) for the purposes of prescribing laboratory analyses and adjusting the insulin and antidiabetic medication, hold, in addition to the attestation referred to in paragraph 1, an attestation issued by the Ordre professionnel des diététistes-nutritionnistes du Québec according to which they have successfully completed 3 hours of theoretical training on

(a) indications for adjusting insulin and antihyperglycemic medication;

(b) the judicious use of values and the safe management of laboratory analyses;”

**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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