

Gouvernement du Québec

**O.C. 1457-2022, 3 August 2022**

Professional Code  
(chapter C-26)

**Respiratory therapists**

— **Professional activities that may be engaged in by persons other than respiratory therapists**  
— **Amendment**

Regulation to amend the Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists

WHEREAS, under subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, in accordance with subparagraph *h* of the first paragraph of section 94 of the Professional Code, the board of directors of the Ordre professionnel des inhalothérapeutes du Québec consulted the Collège des médecins du Québec, the Ordre des infirmières et infirmiers auxiliaires du Québec, the Ordre des infirmières et infirmiers du Québec, the Ordre des pharmaciens du Québec and the Ordre professionnel de la physiothérapie du Québec before adopting the Regulation to amend the Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists on 14 January 2022;

WHEREAS, pursuant to section 95 of the Professional Code, 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 des professions du Québec 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 the professional activities that may be engaged in by persons other than respiratory therapists was published in Part 2 of the *Gazette officielle du Québec* of 16 March 2022 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 17 June 2022 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 the professional activities that may be engaged in by persons other than respiratory therapists, attached to this Order in Council, be approved.

YVES OUELLET  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists**

Professional Code  
(chapter C-26, s. 94, 1st par., subpar. *h*)

**1.** The Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists (chapter C-26, r. 164.1) is amended in section 1

(1) by replacing “a person” in paragraph 2 by “a respiratory therapy student”;

(2) by inserting “a person eligible by equivalence” after “permit issued by the Order or” in paragraph 2.

**2.** Section 5 is amended by replacing paragraphs 1 to 3 by the following:

“(1) setting up and monitoring equipment used to administer oxygen, and administering oxygen via the respiratory tract with the help of non-invasive apparatus, except devices that generate positive pressure;

(2) administering aerosol therapy medications without positive pressure.”.

**3.** Section 6 is amended

(1) by replacing subparagraph 5 of the first paragraph by the following:

“(5) engage in those activities

(a) according to an individual prescription;

(b) under the supervision of a respiratory therapist who, in order to intervene rapidly, is present in the centre or, when the respiratory therapy extern engages in those activities in the emergency service or department, is present in the emergency service or department; and

(c) with a patient whose state of health is not in a critical phase or does not require frequent adjustments.”;

(2) by striking out “an emergency service or department,” in the second paragraph.

**4.** 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. 1458-2022, 3 August 2022

Environment Quality Act  
(chapter Q-2)

Act respecting certain measures enabling  
the enforcement of environmental  
and dam safety legislation  
(2022, chapter 8)

### Charges payable for the disposal of residual materials — Amendment

Regulation to amend the Regulation respecting the  
charges payable for the disposal of residual materials

WHEREAS, under paragraphs 1 and 5 of section 70 of the Environment Quality Act (chapter Q-2), the Government may make regulations to regulate the elimination of residual materials in all or part of the territory of Québec, in particular to classify residual materials elimination facilities and residual materials, and exempt certain classes from the application of all or certain of the provisions of the Act and the regulations, as well as to determine the conditions or prohibitions applicable to the establishment, operation and closure of any residual materials elimination facility, in particular incinerators, landfills and treatment, storage and transfer facilities;

WHEREAS, under subparagraph 11 of the first paragraph of section 95.1 of the Act, the Government may make regulations to establish measures providing for the use of economic instruments, including tradeable permits, emission, effluent and waste-disposal fees or charges, advance elimination fees or charges, and fees or charges related to the production of hazardous residual materials or the use, management or purification of water, with a view to protecting the environment and achieving environmental quality objectives for all or part of the territory of Québec;

WHEREAS, under subparagraph 12 of the first paragraph of section 95.1 of the Act, as amended by section 108 of the Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles (2022, chapter 8), the Government may make regulations to establish any rule that is necessary for or relevant to carrying out measures referred to in subparagraph 11 of the first paragraph of the section and that pertains, in particular, to the determination of persons required to pay the fees or charges referred to in that subparagraph, the conditions applicable to their collection and the interest and penalties payable if the fees or charges are not paid;

WHEREAS, under subparagraphs 20 and 21 of the first paragraph of section 95.1 of the Act, as amended by section 108 of the Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles, the Government may make regulations to prescribe the records, reports, documents and information to be kept and preserved by any person carrying on an activity governed by the Environment Quality Act or the regulations, prescribe the conditions governing their keeping, and determine their form and content and the conditions governing their preservation, in particular the period, and prescribe the reports, documents and information that must be provided to the Minister of the Environment and the Fight Against Climate Change by any person carrying on an activity governed by the Environment Quality Act or the regulations, and determine the terms and conditions governing their sending;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, made by section 1 of the Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the