

Further information on the draft Regulation may be obtained by contacting Daniel Lavigne, coordinator, Direction de l'encadrement du réseau, Ministère de la Famille, 600, rue Fullum, 6^e étage, Montréal (Québec) H2K 4S7; telephone: 514 873-7200, extension 86111; email: encadrement@mfa.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Patrick Thierry Grenier, Assistant Deputy Minister, Sous-ministériat des politiques et programmes, Ministère de la Famille, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1.

SUZANNE ROY
Minister of Families

Regulation to amend the Educational Childcare Regulation

Educational Childcare Act
(chapter S-4.1.1, s. 106, 1st par., subpars. 13.1 and 31)

1. The Educational Childcare Regulation (chapter S-4.1.1, r. 2) is amended in section 23

(1) by replacing the first paragraph by the following:

“A permit holder must ensure that at least 2 childcare staff members out of 3 are qualified and present each day with the children while childcare is being provided, subject to section 23.1.”;

(2) by replacing “If” in the second paragraph by “In all circumstances, if”.

2. Sections 23.1 and 23.2 are replaced by the following:

“**23.1.** Under the conditions and in the circumstances provided for herein, a permit holder is exempted from ensuring compliance with the ratio referred to in the first paragraph of section 23 and must ensure that the minimum number of qualified childcare staff members present each day with the children while childcare is being provided respects the ratio of

(1) at least 1 childcare staff member out of 2, until 31 March 2027;

(2) at least 1 childcare staff member out of 3,

(a) until 5 years have elapsed since the initial issuance of the permit;

(b) until 5 years have elapsed since the permit was modified to increase, by 8 or more, the maximum number of children that may be provided with childcare in the permit holder’s facility;

(c) until 5 years have elapsed since a first subsidy agreement was entered into by the Minister and the holder of a day care centre permit, provided that the agreement was entered into after 31 October 2023;

(d) while childcare is being provided during the first and last business hour of the permit holder’s core hours.”.

3. Section 123.1 is amended by replacing “23 to 23.2” in the first paragraph by “23, 23.1”.

4. This Regulation comes into force on 1 March 2024.

106515

Draft regulation

Health Insurance Act
(chapter A-29)

Regulation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft regulation to amend the Regulation respecting the application of the Health Insurance Act, the text of which appears hereafter, may be made by the Government on the expiry of 45 days following this publication.

This draft regulation aims mainly to allow, under certain conditions, services provided as part of an assisted procreation project involving a surrogate pregnancy or a person at high risk of conceiving a child with a serious, severely debilitating, or fatal disease for which there is no known treatment be considered insured services for the purposes of the Health Insurance Act (chapter A-29).

This draft regulation would not entail any additional costs for enterprises, in particular, on small or medium-sized enterprises, and would not affect the level of employment in Québec.

Additional information concerning this draft regulation is available by contacting Sabrina Fortin, director, Direction santé mère-enfant, ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1S 2M1, 581 814-9100 extension 62688, or sabrina.fortin@msss.gouv.qc.ca.

Anyone wishing to comment on this draft regulation may write, before the expiry of the 45-day period mentioned above, to Sabrina Fortin at the above contact information.

CHRISTIAN DUBÉ
Minister of Health

Regulation to amend the Regulation respecting the application of the Health Insurance Act

Health Insurance Act
(chapter A-29, s. 69, 1st para., subpara. c.2)

1. The definition of “assisted procreation project” set out in section 34.3 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended by replacing “using, if needed,” by “resorting to, if needed, a woman or person who is not party to the project to give birth to these children, or”.

2. Section 34.4 of the Regulation is amended:

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

“(c) in the case of spouses, either is in one of the following situations:

- i. infertile;
- ii. unable to reproduce;
- iii. at high risk of conceiving a child with a monogenic hereditary disease or an inherited chromosomal disorder resulting in a serious, severely debilitating or fatal disease for which there is no known treatment;”;

2° by inserting, after the first paragraph, the following:

“For the purposes of subparagraph (a) of the first paragraph, a person with respect to whom the cost of the insured health services they receive or may receive is assumed otherwise than under the Health Insurance Act due to the fact that they are resident in Québec and in active service in the Canadian Armed Forces is considered an insured person.”;

3° by replacing, in the second paragraph, “Every person party to the assisted procreation project must declare, using the form provided by the Board, that he or she meets” by “The person alone or spouses party to the assisted procreation project must declare, using the form provided by the Board, that they meet”.

3. Section 34.5 of the Regulation is amended:

1° by replacing “by providing reproductive material free of charge” by “by agreeing to give birth to a child or by providing reproductive material free of charge if that person has not undergone voluntary surgical sterilization or had reanastomosis of the uterine tubes or the vas deferens, as the case may be, within the meaning of paragraphs b and c of section 34.2”;

2° by adding, at the end, the following paragraph:

“In addition, when a woman or person contributes to the assisted procreation project by agreeing to give birth to a child, services are provided only if no other woman or person simultaneously contributes to the project by agreeing to give birth to a child resulting from the project.”.

4. Section 34.6 of the Regulation is amended:

1° by replacing, in subparagraph (a), “18 years of age or over and” by “or the person is”;

2° by inserting after “woman” in subparagraph (b), “or the person”;

3° by replacing subparagraph (c) by the following:

“(c) the person alone or spouses party to the assisted procreation project must be 18 years of age or over at the time the first service is provided in the course of the assisted procreation project;

(d) the person who contributes to the assisted procreation project by providing reproductive material free of charge is 18 years of age or over at the time the first service is provided in relation to its contribution.”;

4° by adding, at the end, the following paragraph:

“In the case of a woman or person who contributes to the assisted procreation project without being a party to it by agreeing to give birth to the child, the services are considered insured only if she is at least 21 years of age and meets the conditions relating to the maximum age set out in subparagraphs (a) and (b) of the first paragraph.”.

5. Section 34.8 of the Regulation is amended:

1° by replacing “to retrieve eggs;” by “for a single egg retrieval procedure;” in subparagraph (c) of the first paragraph;

2° by adding, at the end of the first paragraph, the following subparagraph:

“(h) embryo biopsy and preimplantation genetic testing for all embryos obtained from an IVF cycle.”;

3° by replacing in the second paragraph “two ovulatory cycles if no egg is obtained at the end of the first ovulatory cycle” by “a second ovulatory cycle if, during the first cycle, the number of follicles is insufficient and egg retrieval has not taken place”;

4° by adding, at the end, the following paragraph:

“The services referred to in subparagraph (h) of the first paragraph are considered to be insured only if the embryos were created using the genetic material of a member of the assisted procreation project who is at high risk of conceiving a child with a monogenic hereditary disease or an inherited chromosomal disorder resulting in a serious, severely debilitating or fatal disease for which there is no known treatment. They are not considered insured services if they are intended to:

- a) detect embryos that are heterozygous carriers of recessive diseases when only one parent is a heterozygous carrier of the disease;
- b) detect an embryo with susceptibility genes for multifactorial diseases;
- c) select an embryo in order to make it a donor of tissues or stem cells only;
- d) select the sex of a child, except in the case of an x-linked disease;
- e) voluntarily produce a child with disabilities.”.

6. The Regulation is amended by inserting, after section 34.9, the following:

“**34.9.1.** Assisted procreation services required for ovarian stimulation by injectable agent other than artificial insemination or IVF are considered insured services.”.

7. Section 34.10 is amended by replacing “34.9” by “34.9.1”.

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

106519

Draft Regulation

Civil Code of Québec
(Civil Code; 2023, chapter 13)

Code of Civil Procedure
(chapter C-25.01)

Information on the profile of a person who has contributed to the procreation of a child in the context of a parental project

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting information on the profile of a person who has contributed to the procreation of a child in the context of a parental project, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the information on the profile of the person who has provided their reproductive material in the context of a parental project involving the use of the reproductive material and, in the context of a parental project involving surrogacy, of the woman who has agreed to give birth to the child and of the other party to the surrogacy agreement who provided their reproductive material. It consists of information that a person born of such procreation has the right to obtain when researching their origins.

Further information on the draft Regulation may be obtained by contacting Nancy Allaire, Direction du soutien aux orientations, des affaires législatives et de la refonte, Ministère de la Justice, 1200, route de l'Église, 4^e étage, Québec (Québec) G1V 4M1; telephone: 418 643-0424, extension 21688; email: nancy.allaire@justice.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 of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE
Minister of Justice
