

(g) to ensure that, after the child's birth, the consent of the woman or person who gave birth to the child is given in express terms, in writing or by a judicial declaration in the course of proceedings relating to the filiation of the child;

(h) to notify the Minister of the birth of a child as the result of a parental project authorized by the Minister;

(2) if applicable and if possible, a letter, declaration or attestation from the establishment or centre for assisted procreation that will be responsible for the procreation containing the following information:

(a) the name of and contact information for the establishment or centre;

(b) the date on which the assisted procreation treatment is scheduled to begin;

(c) the number of treatment cycles provided for in the agreement;

(d) the source of the reproductive material;

(3) if not mentioned in the surrogacy agreement, an affidavit stating the nature of the expenses that the person alone has or the spouses have agreed to pay or reimburse to the woman or the person who agrees to give birth to the child and, if applicable, the amount of each expense and the amount of the compensation for loss of work income that the person alone has or the spouses have agreed to pay.

3. If drawn up in a language other than French, the documents transmitted to the Minister of Health and Social Services or filed with the Minister in accordance with article 541.32 of the Civil Code, including the surrogacy agreement prior to its signature or the copy of the signed agreement, must be accompanied by a translation authenticated in Québec.

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

106694

Draft Regulation

Act respecting end-of-life care
(chapter S-32.0001)

Procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose —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 procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes consequential amendments to the Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose (chapter S-32.0001, r. 1) in view of the amendments made to the Act respecting end-of-life care (chapter S-32.0001) by the Act to amend the Act respecting end-of-life care and other legislative provisions (2023, chapter 15). To that end, the draft Regulation replaces references to the term “physician” by references to the notion of “competent professional” and integrates provisions relating to persons considered to be insured persons within the meaning of the Health Insurance Act (chapter A-29).

Further information on the draft Regulation may be obtained by contacting Geneviève Landry, Assistant Director General, Direction générale adjointe de la coordination interne, de la qualité et des affaires autochtones, Direction générale de la coordination réseau et ministérielle et des affaires institutionnelles, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 3^e étage, Québec (Québec) G1S 2M1; email: genevieve.landry@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 Responsible for Seniors and Minister for Health, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1; email: ministre.deleguee@msss.gouv.qc.ca.

SONIA BÉLANGER
Minister Responsible for Seniors
Minister for Health

CHRISTIAN DUBÉ
Minister of Health

Regulation to amend the Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose

Act respecting end-of-life care
(chapter S-32.0001, s. 46, 1st par., and s. 47, 1st par.)

1. The Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose (chapter S-32.0001, r. 1) is amended in the heading of Division I of Chapter I by replacing “physician” by “competent professional”.

2. Sections 1 and 2 are amended by replacing “physician” wherever it appears by “competent professional”.

3. Section 3 is amended

(1) in the first paragraph

(a) by replacing subparagraph *c* of subparagraph 1 by the following:

“(c) an indication that the competent professional verified that the person was insured within the meaning of the Health Insurance Act (chapter A-29) and that there is proof in the record, as well as the date of expiry of the person’s health insurance card or, failing that, an indication that the competent professional verified that the person is considered an insured person within the meaning of the second paragraph of section 26 of the Act respecting end-of-life care (chapter S-32.0001), and that there is proof in the record;”;

(b) by replacing “constant” in subparagraph *f* of subparagraph 1 by “persistent”;

(c) by replacing “physician” in subparagraphs *h* and *i* of subparagraph 1 by “competent professional”;

(d) in subparagraph *j* of subparagraph 1

i. by replacing “physician” by “competent professional”;

ii. by inserting “or any other person the person has identified” after “relations”;

(e) by replacing “physician” and “second” in subparagraph *b* of subparagraph 2 by “competent professional” and “fourth”, respectively;

(f) by replacing “physician” wherever it appears in subparagraphs *c* to *h* and *j* of subparagraph 2 and in subparagraph 3 by “competent professional”;

(2) by replacing “physician” in the second paragraph by “competent professional”.

4. Sections 4 to 6 are amended by replacing “physician” wherever it appears by “competent professional”.

5. Section 7 is amended by replacing “the physicians” and “and the Collège des médecins du Québec” in the second paragraph by “the competent professionals” and “, the Collège des médecins du Québec and the Ordre des infirmières et infirmiers du Québec”, respectively.

6. Section 9 is amended by replacing “the physician” and “the second physician” in the second paragraph by “the competent professional” and “the second competent professional”, respectively.

7. Section 13 is amended

(1) by replacing “physician” in the first paragraph by “competent professional”;

(2) by replacing the second paragraph by the following:

“Where this is the case, the Commission must inform the Collège des médecins du Québec or, as the case may be, the Ordre des infirmières et infirmiers du Québec and, when the competent professional provided the medical aid in dying as a physician or specialized nurse practitioner practising in a centre operated by an institution, the institution concerned so that they can take appropriate measures. The Commission sends a summary of its conclusions to the Collège or, as the case may be, to the Ordre and the institution, if applicable. The summary describes the irregularities identified by the Commission and, if applicable, the steps taken to obtain additional information or particulars as well as the result of the steps.”.

8. Section 15 is amended by replacing “physician” by “competent professional”.

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

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