

Draft Regulation

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

Access authorizations and duration of use of information held in a health information bank in a clinical domain — 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 access authorizations and the duration of use of information held in a health information bank in a clinical domain, appearing below, may be made by the Minister of Health on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to determine the access authorizations for a health information bank in a clinical domain or the electronic prescription management system for medication that may be assigned to providers referred to in section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1). In addition, the draft Regulation identifies persons that may be access authorization managers.

Further information on the draft Regulation may be obtained by contacting Josiane Perreault, Director, Direction des affaires autochtones, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 3^e étage, Québec (Québec) G1S 2M1; email: josiane.perreault@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 of Health, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1; email: ministre@msss.gouv.qc.ca.

CHRISTIAN DUBÉ
Minister of Health

Regulation to amend the Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain

Act respecting the sharing of certain health information (chapter P-9.0001, s. 65, par. 7, s. 70 and s. 121, par. 2).

1. The Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain (chapter P-9.0001, r. 1) is amended in section 0.1 by adding the following subparagraphs at the end of the first paragraph:

“(6) a person designated by the officer exercising the highest authority within an Indigenous health and social services centre or residential centre referred to in subparagraph 8 of the third paragraph of section 559 of the Act respecting the governance of the health and social services system (chapter G-1.021);

(7) a person designated by the officer exercising the highest authority within an Indigenous addiction lodging centre referred to in subparagraph 2 of the second paragraph of section 1 of the Regulation respecting the certification of community or private resources offering addiction lodging (chapter S-4.2, r. 0.1), amended by section 1 of the Regulation to amend the Regulation respecting the certification of community or private resources offering addiction lodging, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024.”

2. Section 1 is amended by inserting “or in paragraph 12.3 of section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information, amended by section 2 of the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024” at the end of subparagraph 3 of the third paragraph.

3. Section 3 is amended by replacing the third paragraph by the following:

“The same access authorizations may be assigned to a nurse practising in

(1) a private health facility referred to in section 2 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1);

- (2) a community pharmacy;
- (3) a private seniors' residence;
- (4) a palliative care hospice;
- (5) an Indigenous health and social services centre, Indigenous residential and long-term care centre or Indigenous addiction lodging centre.”

4. Section 5 is amended by inserting “or in paragraph 22 of section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1), amended by section 2 of the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024,” in the portion before subparagraph 1 of the first paragraph and after “section 69 of the Act”.

5. Section 7 is amended by inserting “or in paragraph 23 of section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1), amended by section 2 of the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024,” in the portion before paragraph 1 and after “section 69 of the Act”.

6. Section 9 is amended by inserting “or in paragraph 24 of section 6 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1), amended by section 2 of the Regulation to amend the Regulation respecting the application of the Act respecting the sharing of certain health information, a draft of which was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024,” in the portion before paragraph 1 and after “section 69 of the Act”.

7. This Regulation comes into force on 1 December 2024.

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