



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 43
(2020, chapter 6)

**An Act to amend the Nurses Act and
other provisions in order to facilitate
access to health services**

**Introduced 9 October 2019
Passed in principle 27 November 2019
Passed 17 March 2020
Assented to 17 March 2020**

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EXPLANATORY NOTES

This Act amends the Nurses Act to add to the activities that may be engaged in by specialized nurse practitioners, by allowing them to, among other things and according to their class of specialization, diagnose illnesses, determine medical treatments and provide pregnancy care. It also empowers the Ordre des infirmières et des infirmiers du Québec (the Order) to establish, by regulation, the terms and conditions applicable to the activities such nurses engage in as well as the standards relating to the form and content of the prescriptions they make. Before making such a regulation, the Order must consult the Office des professions du Québec and the interested professional orders.

In addition, the Act amends certain Acts governing the field of health, in particular to adjust the functions of nursing care directors of health and social services institutions.

The Act also amends several Acts and regulations to, among other things, extend to specialized nurse practitioners the possibility of performing certain examinations or other procedures formerly reserved for physicians, including with respect to occupational health and safety, assistance to individuals and families, automobile insurance, health and social services and educational childcare services.

Lastly, the Act provides that the Order must file a report on the carrying out of this Act on the expiry of two years after the date of its coming into force; the report must be tabled in the National Assembly.

LEGISLATION AMENDED BY THIS ACT:

- Workers' Compensation Act (chapter A-3);
- Act respecting industrial accidents and occupational diseases (chapter A-3.001);
- Highway Safety Code (chapter C-24.2);
- Nurses Act (chapter I-8);

- Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001);
- Act respecting the Régie de l'assurance maladie du Québec (chapter R-5);
- Act respecting occupational health and safety (chapter S-2.1);
- Public Health Act (chapter S-2.2);
- Act respecting health services and social services (chapter S-4.2);
- Act respecting health services and social services for Cree Native persons (chapter S-5).

REGULATIONS AMENDED BY THIS ACT:

- Regulation respecting financial assistance (chapter A-3, r. 1);
- Regulation respecting the impairment scale (chapter A-3, r. 2);
- Regulation respecting medical aid (chapter A-3.001, r. 1);
- Regulation respecting travel and living expenses (chapter A-3.001, r. 8);
- Regulation respecting the standards and tables of personal home assistance (chapter A-3.001, r. 9);
- Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1);
- Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1);
- Regulation respecting the time limit within which medical reports must be sent for the purposes of automobile insurance (chapter A-25, r. 6);
- Regulation respecting indemnities payable under Title II of the Automobile Insurance Act (chapter A-25, r. 12);
- Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14);

- Regulation respecting the application of the Hospital Insurance Act (chapter A-28, r. 1);
- Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5);
- Regulation respecting the terms and conditions for the issuance of health insurance cards and the transmittal of statements of fees and claims (chapter A-29, r. 7.2);
- Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4);
- Regulation respecting licences (chapter C-24.2, r. 34);
- Regulation respecting the health of drivers (chapter C-24.2, r. 40.1);
- Regulation respecting the application of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2, r. 1);
- Ministerial Order concerning the determining of ambulance service zones and the maximum number of ambulances per area and per zone, the standards for ambulance service subsidies, the standards of transport by ambulance between institutions and rates of transport by ambulance (chapter L-0.2, r. 2);
- Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1);
- By-law to establish the Training Plan Regulation of the École nationale de police du Québec (chapter P-13.1, r. 4);
- Regulation respecting the certificate issued for the preventive withdrawal and re-assignment of a pregnant or breast-feeding worker (chapter S-2.1, r. 3);
- Minister's Regulation under the Public Health Act (chapter S-2.2, r. 2.1);
- By-law to establish the Training Plan Regulation of the École nationale des pompiers du Québec (chapter S-3.4, r. 3);
- Educational Childcare Regulation (chapter S-4.1.1, r. 2);
- Regulation respecting the certification of community or private resources offering addiction lodging (chapter S-4.2, r. 0.1);

- Regulation respecting the contribution by users of health and social services institutions (chapter S-4.2, r. 6);
- Regulation respecting the contribution of users taken in charge by intermediate resources (chapter S-4.2, r. 7);
- Regulation respecting the application of the Act respecting health services and social services for Cree Native persons (chapter S-5, r. 1);
- Regulation under the Act respecting the Québec correctional system (chapter S-40.1, r. 1);
- Regulation respecting the preventive withdrawal of certain home childcare providers (Order in Council 865-2019 (2019, G.O. 2, 2280)).

REGULATION REPEALED BY THIS ACT:

- Regulation respecting specialized nurse practitioners (chapter M-9, r. 23.1).

Bill 43

AN ACT TO AMEND THE NURSES ACT AND OTHER PROVISIONS IN ORDER TO FACILITATE ACCESS TO HEALTH SERVICES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

NURSES ACT

1. Section 1 of the Nurses Act (chapter I-8) is amended by inserting the following paragraph after paragraph *c*:

“(c.1) “specialized nurse practitioner”: a nurse who holds a specialist’s certificate in any of the classes of specialization governed by a regulation enacted under subparagraph *f* of the first paragraph of section 14;”.

2. Section 14 of the Act is amended

(1) by replacing paragraph *f* by the following paragraph:

“(f) regulate the classes of specialization to which specialized nurse practitioners must belong to engage in the activities referred to in section 36.1, and determine the terms and conditions for engaging in those activities as well as the standards relating to the form and content of verbal or written prescriptions made by specialized nurse practitioners; for that purpose, the board of directors may, in the regulation, establish an advisory committee;”;

(2) by adding the following paragraph at the end:

“The board of directors shall, before adopting a regulation under subparagraph *f* of the first paragraph, consult the Office des professions du Québec and the interested professional orders.”

3. Section 36.1 of the Act is replaced by the following section:

“**36.1.** Specialized nurse practitioners may, if so authorized by a regulation made under subparagraph *f* of the first paragraph of section 14, engage in the following activities, according to their class of specialization and on the terms and conditions prescribed in that regulation:

(1) diagnosing illnesses;

(2) prescribing diagnostic examinations;

- (3) using diagnostic techniques that are invasive or entail risks of injury;
- (4) determining medical treatments;
- (5) prescribing medications and other substances;
- (6) prescribing medical treatments;
- (7) using techniques or applying medical treatments that are invasive or entail risks of injury; and
- (8) providing pregnancy care.”

WORKERS’ COMPENSATION ACT

4. Section 2 of the Workers’ Compensation Act (chapter A-3) is amended by inserting the following paragraph after paragraph *m* of subsection 1:

“(m.1) “health professional” means a professional within the meaning of the Health Insurance Act (chapter A-29) and any other professional within the meaning of the Professional Code (chapter C-26) determined by regulation of the Commission;”.

5. Section 22 of the Act is amended by replacing “physician or surgeon” in subparagraph *e* of the first paragraph of subsection 1 by “health professional”.

6. Section 54 of the Act is amended by replacing both occurrences of “physician, surgeon” by “health professional”.

7. Section 55 of the Act is amended

(1) by replacing “a physician, practitioner” in the first paragraph by “a health professional”;

(2) in the second paragraph,

(a) by replacing “to the physician” by “to the health professional”;

(b) by replacing “a physician, practitioner” by “a health professional”;

(3) by replacing “a physician” in the third paragraph by “a health professional”.

8. Section 124 of the Act is amended

(1) by inserting the following paragraph after paragraph *c*:

“(c.1) determining any professional, within the meaning of the Professional Code (chapter C-26), who may act as a health professional for the purposes of this Act;”;

(2) by adding the following paragraph at the end:

“Where the Commission determines a professional under subparagraph *c.1* of the first paragraph, it may adapt the rules and standards set out in this Act concerning the roles and responsibilities of that professional, or exclude some of those rules and standards.”

9. In any other provision of the Act, “physician” and “medical practitioner” are replaced by “health professional”.

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

10. Section 2 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by inserting “and any other professional within the meaning of the Professional Code (chapter C-26) and determined by regulation of the Commission” at the end of the definition of “**health professional**”.

11. Section 454 of the Act is amended

(1) by adding the following subparagraph at the end of the first paragraph:

“(17) determining any professional within the meaning of the Professional Code (chapter C-26) who may act as a health professional for the purposes of this Act.”;

(2) by adding the following paragraph at the end:

“Where the Commission determines a professional under subparagraph 17 of the first paragraph, it may adapt the rules and standards set out in this Act concerning the roles and responsibilities of that professional, or exclude some of those rules and standards.”

12. Section 455 of the Act is amended by replacing “and 14” in the first paragraph by “, 14 and 17”.

13. In any other provision of the Act, except section 207, “physician” is replaced by “health professional”.

HIGHWAY SAFETY CODE

14. Section 73 of the Highway Safety Code (chapter C-24.2) is amended by striking out “medical specialist or other” in the first paragraph.

15. Section 398 of the Code is amended

(1) by inserting “or specialized nurse practitioner” after “physician” in the second paragraph;

(2) by inserting “, specialized nurse practitioner” after “physician” in the third paragraph;

(3) by inserting “, specialized nurse practitioner” after “physician” in the fourth paragraph.

ACT RESPECTING THE PROTECTION OF PERSONS WHOSE MENTAL STATE PRESENTS A DANGER TO THEMSELVES OR TO OTHERS**16.** Section 7 of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001) is amended

(1) by adding the following sentence at the end of the first paragraph: “A specialized nurse practitioner who practises for such an institution may also, if of that opinion, take such action.”;

(2) by inserting “or the specialized nurse practitioner” after “physician” in the second paragraph.

17. Section 8 of the Act is amended by replacing “, who may” in the second paragraph by “or a specialized nurse practitioner. The physician or nurse may then”.

18. Section 12 of the Act is amended by inserting “or a specialized nurse practitioner” at the end of paragraph 1.

19. Section 17 of the Act is amended by inserting “or a specialized nurse practitioner” after “physician” in the first paragraph.

ACT RESPECTING THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC

20. Section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5) is amended, in the sixth paragraph,

(1) by inserting “ in collaboration, if applicable, with other health and social services professionals” after “to the person”;

(2) by replacing “health care or social services professional who practises within a family medicine group and belongs to a class of professionals identified by the Minister” by “health and social services professional who belongs to a class of professionals, and practises in premises belonging to a class, identified by the Minister”.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

21. Section 33 of the Act respecting occupational health and safety (chapter S-2.1) is amended

(1) by replacing “or another physician” in the first paragraph by “by another physician or by a specialized nurse practitioner”;

(2) by inserting “or specialized nurse practitioner” after “notify the physician” in the second paragraph;

(3) in the third paragraph,

(a) by replacing “, he” by “or by a specialized nurse practitioner, that professional”;

(b) by inserting “or specialized nurse practitioner” after “or the physician”.

22. Section 42.1 of the Act is amended by inserting “or specialized nurse practitioner” after “attending physician” in the second paragraph.

PUBLIC HEALTH ACT

23. Section 69 of the Public Health Act (chapter S-2.2) is amended by replacing “health condition” in the first paragraph by “state of health”.

24. Section 82 of the Act is amended by replacing “physician who diagnoses” in paragraph 1 by “health professional with the authority to make a diagnosis or to assess a person’s state of health who observes”.

25. Section 84 of the Act is amended by replacing “physician” by “health professional with the authority to make a medical diagnosis or to assess a person’s state of health”.

26. Section 86 of the Act is amended

(1) by replacing “physician” in the first paragraph by “health professional with the authority to make a medical diagnosis or to assess a person’s state of health”;

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

27. Section 93 of the Act is amended by replacing “physician” in the first paragraph by “health professional with the authority to make a medical diagnosis or to assess a person’s state of health”.

28. Section 95 of the Act is amended by replacing “physician” in the second paragraph by “health professional with the authority to make a medical diagnosis or to assess a person’s state of health”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

29. Section 190 of the Act respecting health services and social services (chapter S-4.2) is amended

(1) by replacing subparagraph 1.1 of the first paragraph by the following subparagraphs:

“(1.1) where applicable, supervising the activities referred to in the second paragraph of section 31 of the Medical Act (chapter M-9) that are engaged in by other professionals of the department who are authorized to engage in those activities by a regulation of the board of directors of the Collège des médecins du Québec;

“(1.2) where applicable, cooperating with the director of nursing care in supervising and monitoring the quality of nursing acts engaged in under section 36.1 of the Nurses Act (chapter I-8);”;

(2) by replacing “and 1.1” in the second paragraph by “to 1.2”.

30. Section 207 of the Act is amended by striking out subparagraph 1.1 of the first paragraph.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES FOR CREE NATIVE PERSONS

31. Section 4 of the Act respecting health services and social services for Cree Native persons (chapter S-5) is amended by striking out “by a physician or dentist” in the second paragraph.

REGULATION RESPECTING THE IMPAIRMENT SCALE

32. Schedule A to the Regulation respecting the impairment scale (chapter A-3, r. 2) is amended by replacing all occurrences of “evaluating physician” by “evaluating health professional”.

INDIVIDUAL AND FAMILY ASSISTANCE REGULATION

33. Sections 86 and 88 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) are amended by inserting “, a specialized nurse practitioner” after “dentist” in the first paragraph.

34. Section 90 of the Regulation is amended by inserting “, specialized nurse practitioner” after “dentist” in the first paragraph.

35. Section 91 of the Regulation is amended by replacing “a midwife, or by” in the first paragraph by “by a midwife, a specialized nurse practitioner or”.

36. Section 103 of the Regulation is amended by inserting “or a specialized nurse practitioner” at the end.

REGULATION RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION EXPENSES

37. Section 42 of the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended by inserting “or a specialized nurse practitioner” after “physician” in the first paragraph.

REGULATION RESPECTING THE TIME LIMIT WITHIN WHICH MEDICAL REPORTS MUST BE SENT FOR THE PURPOSES OF AUTOMOBILE INSURANCE

38. Section 1 of the Regulation respecting the time limit within which medical reports must be sent for the purposes of automobile insurance (chapter A-25, r. 6) is amended, in the first paragraph,

(1) by replacing “or institution” by “, specialized nurse practitioner or institution”;

(2) by inserting “or specialized nurse practitioner” before “consulted by a claimant”.

REGULATION RESPECTING INDEMNITIES PAYABLE UNDER TITLE II OF THE AUTOMOBILE INSURANCE ACT

39. The heading of Chapter IV of the Regulation respecting indemnities payable under Title II of the Automobile Insurance Act (chapter A-25, r. 12) is amended by replacing “A PHYSICIAN” by “THE PHYSICIAN OR SPECIALIZED NURSE PRACTITIONER”.

40. Sections 38 and 39 of the Regulation are amended by replacing all occurrences of “physician” and “physician’s” by “physician or specialized nurse practitioner” and “physician’s or specialized nurse practitioner’s”, respectively.

41. Section 40 of the Regulation is amended

(1) by inserting “or specialized nurse practitioner” after “the physician” in the introductory clause of the first paragraph;

(2) by inserting “or specialized nurse practitioner” after “the physician” in the second paragraph;

(3) by replacing the third paragraph by the following paragraph:

“The physician or specialized nurse practitioner who is unable to definitively establish the claimant’s disability shall nevertheless establish it on a provisional basis.”

42. Section 42 of the Regulation is replaced by the following section:

“**42.** The physician or specialized nurse practitioner who examines a victim for the purpose of establishing the indemnity payable under section 44 of the Act shall indicate in a separate report all the information necessary for implementing regulations made under section 44 of the Act.”

43. Section 43 of the Regulation is amended

(1) by inserting “or specialized nurse practitioner” after “the physician” in the first paragraph;

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

“The physician or specialized nurse practitioner who is unable to determine the percentage of the claimant’s disability shall nevertheless determine a provisional percentage, subject to review.”

REGULATION RESPECTING THE REIMBURSEMENT OF CERTAIN EXPENSES

44. Section 7 of the Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14) is amended by replacing “a dentist or an optometrist, or is prescribed by a physician or other professional” in paragraph 1 by “a specialized nurse practitioner, a dentist or an optometrist or, when prescribed by a physician or a specialized nurse practitioner, by other professionals”.

45. Section 15 of the Regulation is amended by inserting “, a specialized nurse practitioner” after “physician” in paragraph 2.

46. Section 50 of the Regulation is amended by inserting “or a specialized nurse practitioner” after all occurrences of “physician”.

47. Section 54.14 of the Regulation is amended

(1) by inserting “or a specialized nurse practitioner” after “physician” in paragraph 1;

(2) by inserting “or the specialized nurse practitioner” after “physician” in the introductory clause of paragraph 2.

48. Section 54.22 of the Regulation is amended

(1) by inserting “or a specialized nurse practitioner” after “physician” in paragraph 1;

(2) by replacing “a nurse specialized in the field” in paragraph 2 by “a nurse with competency in urology”.

49. Section 57 of the Regulation is amended

(1) by inserting “or specialized nurse practitioner” after “by one physician” in paragraph 1;

(2) by inserting “or specialized nurse practitioner” after “for each physician” in paragraph 2;

(3) by replacing “by more than one physician” in paragraph 2 by “by more than one such professional”.

50. The Regulation is amended by inserting “or a specialized nurse practitioner” after “a physician” in the first paragraph of section 24, sections 36 and 44, paragraph 1 of section 54.1, paragraph 3 of section 54.7, section 54.8, the second paragraph of paragraph 2 of section 54.10, and paragraphs 1 and 2 of section 54.20.

REGULATION RESPECTING THE APPLICATION OF THE HOSPITAL INSURANCE ACT

51. Section 3 of the Regulation respecting the application of the Hospital Insurance Act (chapter A-28, r. 1) is amended by inserting “or specialized nurse practitioner’s” after “physician’s” in subparagraph iv of subparagraph *a* of the first paragraph.

52. Section 13 of the Regulation is amended by inserting “or a specialized nurse practitioner” after “attending physician” in the second paragraph.

REGULATION RESPECTING THE APPLICATION OF THE HEALTH INSURANCE ACT

53. Section 22 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended by inserting “, specialized nurse practitioner” after “physician” in subparagraph ii of paragraph *r*.

54. Section 32 of the Regulation is amended by striking out “by a physician or dentist” in subparagraph *a* of the first paragraph.

55. Section 33 of the Regulation is amended by replacing “physician or dentist who wrote the prescription” by “prescriber” in subparagraph *a* of the first paragraph.

REGULATION RESPECTING THE TERMS AND CONDITIONS FOR
THE ISSUANCE OF HEALTH INSURANCE CARDS AND THE
TRANSMITTAL OF STATEMENTS OF FEES AND CLAIMS

56. Section 8.0.4 of the Regulation respecting the terms and conditions for the issuance of health insurance cards and the transmittal of statements of fees and claims (chapter A-29, r. 7.2) is amended by replacing “the physician must indicate on the certificate” by “it must indicate”.

REGULATION RESPECTING THE BASIC PRESCRIPTION DRUG
INSURANCE PLAN

57. Section 6 of the Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4) is amended by inserting “or a specialized nurse practitioner” at the end of the first paragraph.

58. Section 11.2 of the Regulation is amended by inserting “or a specialized nurse practitioner” at the end of the first and second paragraphs.

REGULATION RESPECTING LICENCES

59. Section 7.9 of the Regulation respecting licences (chapter C-24.2, r. 34) is amended by replacing the second paragraph by the following paragraph:

“The certificate must indicate the estimated duration of the illness or deficiency.”

REGULATION RESPECTING THE HEALTH OF DRIVERS

60. Section 2 of the Regulation respecting the health of drivers (chapter C-24.2, r. 40.1) is amended by inserting “or specialized nurse practitioner’s” after “physician’s”.

61. Sections 32 and 33 of the Regulation are amended by inserting “or a specialized nurse practitioner” after “physician” in paragraph 2.

62. Section 51 of the Regulation is amended by replacing paragraph 4 by the following paragraph:

“(4) the manifestations related to the sleep disorder do not, in the opinion of a physician or of a specialized nurse practitioner, allow the driving of a road vehicle of one of those classes.”

63. Section 52 of the Regulation is amended by replacing paragraph 2 by the following paragraph:

“(2) the manifestations related to the sleep disorder do not, in the opinion of a physician or of a specialized nurse practitioner, allow the driving of a road vehicle of one of those classes.”

REGULATION RESPECTING THE APPLICATION OF THE ACT
RESPECTING MEDICAL LABORATORIES AND ORGAN AND TISSUE
CONSERVATION

64. Section 2 of the Regulation respecting the application of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2, r. 1) is amended by inserting “or a specialized nurse practitioner” after “physician” in paragraph c.

MINISTERIAL ORDER CONCERNING THE DETERMINING OF
AMBULANCE SERVICE ZONES AND THE MAXIMUM NUMBER OF
AMBULANCES PER AREA AND PER ZONE, THE STANDARDS FOR
AMBULANCE SERVICE SUBSIDIES, THE STANDARDS OF
TRANSPORT BY AMBULANCE BETWEEN INSTITUTIONS AND
RATES OF TRANSPORT BY AMBULANCE

65. Section 4 of the Ministerial Order concerning the determining of ambulance service zones and the maximum number of ambulances per area and per zone, the standards for ambulance service subsidies, the standards of transport by ambulance between institutions and rates of transport by ambulance (chapter L-0.2, r. 2) is amended by inserting “or a specialized nurse practitioner” after “the attending physician” in the text following the second dash.

REGULATION RESPECTING SPECIALIZED NURSE PRACTITIONERS

66. The Regulation respecting specialized nurse practitioners (chapter M-9, r. 23.1) is repealed.

REGULATION RESPECTING THE APPLICATION OF THE ACT
RESPECTING THE SHARING OF CERTAIN HEALTH INFORMATION

67. Section 5 of the Regulation respecting the application of the Act respecting the sharing of certain health information (chapter P-9.0001, r. 0.1) is amended, in paragraph 4,

- (1) by inserting “or a specialized nurse practitioner” after “a physician”;
- (2) by replacing “of those physicians” by “of them”.

BY-LAW TO ESTABLISH THE TRAINING PLAN REGULATION OF
THE ÉCOLE NATIONALE DE POLICE DU QUÉBEC

68. Section 4 of the By-law to establish the Training Plan Regulation of the École nationale de police du Québec (chapter P-13.1, r. 4) is amended

- (1) by inserting “or specialized nurse practitioner” after “physician” in the third paragraph;

(2) by inserting “or specialized nurse practitioner” after “physician” in the fourth paragraph;

(3) by inserting “or specialized nurse practitioner” after “physician” in the fifth paragraph.

69. Schedule A to the By-law is amended by replacing “Signature of assessing physician” in the last line of the medical examination report by “Signature of assessing physician or specialized nurse practitioner”.

REGULATION RESPECTING THE CERTIFICATE ISSUED FOR THE PREVENTIVE WITHDRAWAL AND RE-ASSIGNMENT OF A PREGNANT OR BREAST-FEEDING WORKER

70. Schedule I to the Regulation respecting the certificate issued for the preventive withdrawal and re-assignment of a pregnant or breast-feeding worker (chapter S-2.1, r. 3) is amended

(1) in section C,

(a) by replacing “Name of physician consultant” by “Name of physician or specialized nurse practitioner consulted”;

(b) by replacing “Designated physician” by “Designated physician or specialized nurse practitioner”;

(2) in section E,

(a) by inserting “or specialized nurse practitioner” after “Attending physician”;

(b) by replacing “Name of physician” by “Name of physician or specialized nurse practitioner”.

MINISTER’S REGULATION UNDER THE PUBLIC HEALTH ACT

71. Sections 29 and 30 of the Minister’s Regulation under the Public Health Act (chapter S-2.2, r. 2.1) are amended by replacing all occurrences of “physician” by “health professional with the authority to make a diagnosis”.

72. Section 33 of the Regulation is amended

(1) in the first paragraph,

(a) by replacing “physician” in the introductory clause by “health professional with the authority to make a diagnosis or to assess a person’s state of health”;

(b) by replacing “physician’s” and “physician” in subparagraph 5 by “professional’s” and “professional”, respectively;

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

73. The Regulation is amended by replacing “physician” in subparagraph 5 of section 15, the introductory clause of the first paragraph of section 26, the introductory clause and paragraph 2 of the first paragraph of section 27 and the introductory clause of section 28 by “health professional with the authority to make a diagnosis or to assess a person’s state of health”.

BY-LAW TO ESTABLISH THE TRAINING PLAN REGULATION OF THE ÉCOLE NATIONALE DES POMPIERS DU QUÉBEC

74. Section 3 of the By-law to establish the Training Plan Regulation of the École nationale des pompiers du Québec (chapter S-3.4, r. 3) is amended by replacing “doctor’s” in subparagraph 3 of the first paragraph by “physician’s or specialized nurse practitioner’s”.

EDUCATIONAL CHILDCARE REGULATION

75. Section 54.1 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2) is amended by inserting “or specialized nurse practitioner’s” after “physician’s” in subparagraph 3 of the first paragraph.

76. Section 60 of the Regulation is amended by inserting “or specialized nurse practitioner’s” after “physician’s” in paragraph 4.

77. Section 64.1 of the Regulation is amended by replacing “physician’s” by “medical”.

78. Section 79 of the Regulation is amended by replacing “by a physician’s” in the third paragraph by “in the medical”.

79. Section 82.2 of the Regulation is amended by inserting “or specialized nurse practitioner’s” after “physician’s” in subparagraph 3 of the first paragraph.

80. Section 111 of the Regulation is amended by inserting “or by a specialized nurse practitioner” after “member of the Collège des médecins du Québec”.

81. Section 122 of the Regulation is amended by inserting “or specialized nurse practitioner” at the end of subparagraph 5 of the first paragraph.

82. Schedule II to the Regulation is amended

(1) by inserting “or specialized nurse practitioner” after all occurrences of “physician”;

(2) by replacing all occurrences of “member of the Collège des médecins du Québec” in the Protocol for administering acetaminophen to treat fever by “health professional authorized by law to prescribe it”;

(3) by inserting “or a specialized nurse practitioner” after all occurrences of “member of the Collège des médecins du Québec” in the Protocol for applying insect repellent;

(4) by inserting “ou une infirmière praticienne spécialisée” after “un médecin” in the French text;

(5) by replacing “a child under 3 months of age who has a fever should be taken to see a physician”, “a child who is in pain should be taken to see a physician” and “authorizations from a physician and the parent” by “the presence of fever at that age requires a medical consultation”, “the presence of pain requires a medical consultation” and “medical and parental authorizations”, respectively.

REGULATION RESPECTING THE CERTIFICATION OF COMMUNITY OR PRIVATE RESOURCES OFFERING ADDICTION LODGING

83. Section 29 of the Regulation respecting the certification of community or private resources offering addiction lodging (chapter S-4.2, r. 0.1) is amended by replacing “prescribing physician” in the second paragraph by “prescriber”.

REGULATION RESPECTING THE CONTRIBUTION BY USERS OF HEALTH AND SOCIAL SERVICES INSTITUTIONS

84. Section 1 of the Regulation respecting the contribution by users of health and social services institutions (chapter S-4.2, r. 6) is amended by inserting “or a specialized nurse practitioner” after “attending physician” in paragraph 2.

REGULATION RESPECTING THE CONTRIBUTION OF USERS TAKEN IN CHARGE BY INTERMEDIATE RESOURCES

85. Section 7 of the Regulation respecting the contribution of users taken in charge by intermediate resources (chapter S-4.2, r. 7) is amended by inserting “or a specialized nurse practitioner” after “attending physician” in the second paragraph.

REGULATION RESPECTING THE APPLICATION OF THE ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES FOR CREE NATIVE PERSONS

86. Section 358.2 of the Regulation respecting the application of the Act respecting health services and social services for Cree Native persons (chapter S-5, r. 1) is amended by inserting “or a specialized nurse practitioner” after “attending physician” in paragraph *b*.

REGULATION UNDER THE ACT RESPECTING THE QUÉBEC CORRECTIONAL SYSTEM

87. Section 22 of the Regulation under the Act respecting the Québec correctional system (chapter S-40.1, r. 1) is amended by inserting “or a specialized nurse practitioner” after “physician”.

88. Section 29 of the Regulation is amended by inserting “or a specialized nurse practitioner” after both occurrences of “physician” in the third paragraph.

REGULATION RESPECTING THE PREVENTIVE WITHDRAWAL OF CERTAIN HOME CHILDCARE PROVIDERS

89. Section 2 of the Regulation respecting the preventive withdrawal of certain home childcare providers, enacted by Order in Council 865-2019 (2019, G.O. 2, 2280) is amended by inserting “or specialized nurse practitioner” after “physician” in paragraph 3.

90. Section 3 of the Regulation is amended by inserting “or specialized nurse practitioner” after “physician” in the introductory clause of the first paragraph.

91. Section 5 of the Regulation is amended by replacing “physician, who” by “physician or the specialized nurse practitioner, who”.

92. Section 6 of the Regulation is amended by inserting “or specialized nurse practitioner” after all occurrences of “physician”.

93. Section 25 of the Regulation is amended by inserting “or specialized nurse practitioner” after “physician” in the first paragraph.

OTHER AMENDING PROVISIONS

94. The following regulations are amended

(1) by replacing “physician” in the Regulation respecting financial assistance (chapter A-3, r. 1) by “health professional”;

(2) by replacing all occurrences of “physician” and “physician’s” in the Regulation respecting medical aid (chapter A-3.001, r. 1) by “health professional” and “health professional’s”, respectively;

(3) by replacing all occurrences of “attending physician” and “The physician” in the Regulation respecting travel and living expenses (chapter A-3.001, r. 8) by “health professional in charge of the worker” and “The health professional”, respectively;

(4) by replacing “attending physician” in the Regulation respecting the standards and tables of personal home assistance (chapter A-3.001, r. 9) by “health professional in charge of the worker”.

95. For the purposes of sections 60 to 64 of the Automobile Insurance Act (chapter A-25), as they read on 31 December 1989, which continue to apply to persons having suffered bodily injury before 1 January 1990 under section 23 of the Act to amend the Automobile Insurance Act and other legislative provisions (1989, chapter 15), the responsibilities assigned to physicians may also be exercised by specialized nurse practitioners.

FINAL PROVISIONS

96. On the expiry of two years from the date of coming into force of section 3, the Ordre des infirmières et des infirmiers du Québec must file a report with the Office des professions du Québec on the implementation of the provisions of this Act. The report must also contain all the information required by the Office. On receiving the report, the Office sends a copy to the minister responsible for the administration of legislation respecting the professions, who submits it to the Government.

The report is tabled in the National Assembly within 30 days after being received by the Government or, if the Assembly is not sitting, within 30 days of resumption.

97. The provisions of this Act come into force on the date or dates to be set by the Government.