

Regulations and other Acts

Gouvernement du Québec

O.C. 1539-2021, 14 December 2021

COVID-19 Self-test Distribution Program

WHEREAS, under paragraph *h* of section 3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2), the Minister is to promote the development and implementation of programs and services according to the needs of individuals, and families and other groups;

WHEREAS, under the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), the function of the Board (Régie) is to administer and implement the programs of the health insurance plan instituted by the Health Insurance Act (chapter A-29) and any other program entrusted to it by law or by the Government;

WHEREAS, under the fifteenth paragraph of section 3 of the Health Insurance Act, the Board assumes the cost of services and goods provided under the programs it administers by virtue of the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec according to the conditions and methods provided for under those programs;

WHEREAS, under the first paragraph of section 2.1 of the Act respecting the Régie de l'assurance maladie du Québec, the Board is to recover, from the department or body concerned, the cost of services and goods it assumes under a program entrusted to it by law or by the Government, to the extent provided for under that program;

WHEREAS it is expedient to entrust the COVID-19 Self-test Distribution Program to the Board;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the COVID-19 Self-test Distribution Program, attached to this Order in Council, be entrusted to the Régie de l'assurance maladie du Québec.

YVES OUELLET
Clerk of the Conseil exécutif

COVID-19 Self-test Distribution Program

1. To be eligible under this Program, every person must be 14 years of age or older and be a person insured within the meaning of subparagraph g.1 of the first paragraph of section 1 of the Health Insurance Act (chapter A-29), that is, be a resident or temporary resident of Québec who is duly registered with the Régie de l'assurance maladie du Québec, hereafter referred to as the "Board", and produce his or her valid health insurance card, claim booklet or eligibility card to the pharmacist.

Despite the foregoing, insofar as a pharmacist complies with the provisions of the Program and special agreement to be entered into between the Minister of Health and Social Services and the Association québécoise des pharmaciens propriétaires concerning COVID-19 self-test distribution, hereafter referred to as the "special agreement", the pharmacist is entitled to be remunerated by the Board for a service provided to a person, even if the person has not produced his or her health insurance card, claim booklet or eligibility card, in the following circumstances and cases:

- (a) the person is a homeless person;
- (b) the person ordinarily resides in Québec, or settles in Québec, but is ineligible for health insurance.

2. The self-tests covered by this Program are supplied by a pharmacist, with no prescription required.

3. The type, cost, format and quantity of self-tests covered by this Program are listed in Schedule A to the Program, it being understood that the Minister of Health and Social Services may agree at any time, in an agreement with the Board, to add or remove self-tests from the list, in keeping with the rules that apply in the matter. A self-test added to the list is deemed to be a self-test covered by this Program and listed in Schedule A.

4. The Board assumes only the cost of professional services provided for in the special agreement, at the rate and on the conditions set out in that agreement and, for the self-tests listed in Schedule A, according to the type, format and quantity of tests supplied, the wholesaler's profit margin being set at 6.5% of the price per self-test appearing in the Schedule.

5. The Minister of Health and Social Services is to reimburse the Board for the sums paid under this Program, on such terms and conditions as may be agreed on.

6. For services provided, a pharmacist covered by this Program may claim or receive from the Board only the remuneration provided for in the special agreement. In addition, no pharmacist may require any payment whatsoever from an eligible person.

7. No pharmacist or wholesaler who receives self-tests to be distributed pursuant to this Program may sell or distribute them otherwise than in connection with the Program.

8. Beneficiaries under the Program are exempted from the payment of any contribution.

9. Services and goods obtained from outside Québec are not covered by this Program except those provided by a pharmacist with whom the Board has entered into a special agreement for that purpose, if the pharmacy is situated in a region bordering on Québec and no Québec pharmacy within a radius of 32 kilometres of the pharmacy serves the public.

10. The Board is to periodically report to the Minister of Health and Social Services on the costs incurred in connection with this Program, on such terms and conditions as may be agreed on. The reports are not to contain personal information.

11. The Board is to post this Program on its website not later than the day the Program takes effect. Any amendments under section 3 are also to be posted on the website not later than the day they take effect, so as to inform the public.

12. This Program takes effect on 20 December 2021 and ends on 31 March 2022.

SCHEDULE A

Type of supply	Unit format	Unit cost	Maximum quantity of units per service, per 30-day period
Covid self-test	1 kit containing 5 tests	\$25 (\$5 per test)	1 kit

105447

Gouvernement du Québec

O.C. 1596-2021, 15 December 2021

Act to establish a new development regime for the flood zones of lakes and watercourses, to temporarily grant municipalities powers enabling them to respond to certain needs and to amend various provisions (2021, chapter 7)

Pesticides Act
(chapter P-9.3)

Environment Quality Act
(chapter Q-2)

Temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks

Regulation respecting the temporary implementation of the amendments made by chapter 7 of the Statutes of 2021 in connection with the management of flood risks

WHEREAS, under the first paragraph of section 135 of the Act to establish a new development regime for the flood zones of lakes and watercourses, to temporarily grant municipalities powers enabling them to respond to certain needs and to amend various provisions (2021, chapter 7), the Government may, by a regulation made not later than 25 March 2022, enact any transitional measure necessary to implement any amendment made by the Act in particular to the Act respecting land use planning and development (chapter A-19.1) only as regards flood risk management and the Environment Quality Act (chapter Q-2);

WHEREAS, under the first and third paragraphs of section 31.0.6 of the Environment Quality Act, the Government may, by regulation, designate the activities referred to in section 22 or 30 of that Act that, subject to the conditions, restrictions and prohibitions determined in the regulation, are eligible for a declaration of compliance under subdivision 2 of Division II of Chapter IV of Title I of the Act and the regulation may also prescribe any transitional measure applicable to activities in progress that become eligible for such a declaration on the date of its coming into force;

WHEREAS, under section 31.0.7 of that Act, declarations of compliance filed with the Minister of the Environment and the Fight Against Climate Change must include the information and documents determined by regulation of the Government, in the manner and form specified in the