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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 415

## **An Act respecting the Conseil de la santé et du bien-être**

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**Introduction**

**Introduced by  
Mr Marc-Yvan Côté  
Minister of Health and Social Services**



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**Québec Official Publisher  
1992**

## EXPLANATORY NOTES

*This bill establishes a council known as the Conseil de la santé et du bien-être.*

*The council is composed of twenty-three members, of whom nineteen are voting members, appointed by the Government on the recommendation of the Minister of Health and Social Services.*

*The council will advise the Minister of Health and Social Services on the most appropriate ways of improving the health and well-being of the population.*

*The council will replace the council known as the Conseil des affaires sociales.*

# Bill 415

## An Act respecting the Conseil de la santé et du bien-être

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

### DIVISION I

#### ESTABLISHMENT AND ORGANIZATION

**1.** A medical council, called the “Conseil de la santé et du bien-être”, is hereby established.

**2.** The council shall be composed of twenty-three members, including nineteen voting members.

**3.** The voting members of the council are appointed by the Government, on the recommendation of the Minister of Health and Social Services and following consultation with representative bodies in the health and social services community, in the following manner:

(1) a chairman;

(2) three persons chosen from among the users of health services and social services or their representatives;

(3) three persons from community organizations involved in the defense of users’ rights, the dispensation of services or volunteer work;

(4) six persons chosen from among practitioners, research workers or administrators, of whom three shall be from the health sector and three from the social services sector;

(5) six persons from sectors concerned by health and social services policies, such as the municipal, education, economics and labour, income security, environment and justice sectors.

**4.** The non-voting members of the council are appointed by the Government on the recommendation of the Minister. One non-voting member shall be chosen from among the public servants of the Ministère de la Santé et des Services sociaux, another from a regional board established under the Act respecting health services and social services and amending various legislation (1991, chapter 42) and the remaining two from government departments concerned by health and social services policies.

**5.** Upon the Minister's recommendation, the Government shall designate the vice-chairman from among the voting members of the council.

**6.** The chairman of the council is appointed for a term not exceeding five years.

The other voting members of the council are appointed for a term of four years. However, nine of the first members of the council are appointed for a term of two years.

The members remain in office at the expiry of their terms until reappointed or replaced.

**7.** The term of a voting member of the council, including that of the chairman, cannot be renewed consecutively more than once.

**8.** Any vacancy occurring during a term of appointment is filled in accordance with the mode of appointment prescribed for the appointment of the member to be replaced, for the unexpired portion of that person's term.

Absence without valid reason from the number of meetings of the council determined in its internal management by-laws, in the cases and circumstances prescribed therein, constitutes a vacancy.

**9.** The chairman of the council shall conduct the meetings of the council and be responsible for the management of its activities. He shall also act as liaison between the council and the Minister.

Where the chairman is unable to act, he is replaced by the vice-chairman.

**10.** The Government fixes the remuneration, social benefits and other terms of employment of the chairman and of the vice-chairman when he replaces the chairman.

**11.** The voting members of the council, other than the chairman and, as provided, the vice-chairman, are not remunerated. They are, however, entitled to the reimbursement of expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

**12.** The council may hold its meetings at any place in Québec.

The quorum at meetings of the council is the majority of its voting members, including the chairman or the vice-chairman.

**13.** Decisions of the council are made by a majority vote of the voting members present.

In the case of a tie-vote, the chairman of the council or, in his absence, the vice-chairman, has the casting vote.

**14.** The secretary and other members of the personnel of the council are appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

**15.** The secretariat of the council shall be located in the territory of the Communauté urbaine de Québec, at the place determined by the Government.

Notice of that location and of any change of location of the secretariat shall be published in the *Gazette officielle du Québec*.

## DIVISION II

### FUNCTIONS AND POWERS

**16.** The function of the council is to advise the Minister on the most appropriate ways of improving the health and well-being of the population.

**17.** Matters on which the council may advise the Minister include the evolution of problems of health or well-being in the population, the extent of causes related to such problems, and the groups which are most vulnerable to those problems.

**18.** The council shall advise the Minister on the objectives of health and social services policies developed by the Minister and on appropriate means for achieving those objectives, taking into account the capacity of the community to mobilize the necessary resources.

**19.** The council shall advise the Minister on any other matter he submits to it.

**20.** In pursuing its objectives, the council may in addition

(1) initiate consultation, seek advice, accept and hear requests and suggestions from persons, bodies or associations and submit to the Minister any recommendation it considers relevant;

(2) set up committees;

(3) in accordance with an authorization from the Minister, conduct or commission a study or a survey;

(4) inform the public.

**21.** The council may make public any advice, opinion or recommendation it formulates pursuant to sections 16 to 20, sixty days after forwarding it to the Minister.

**22.** The council shall adopt by-laws for its internal management.

### DIVISION III

#### MISCELLANEOUS AND FINAL PROVISIONS

**23.** The fiscal year of the council ends on 31 March.

**24.** The council shall forward to the Minister, not later than 30 June each year, a report on its activities for the preceding fiscal year.

**25.** The Minister shall table the report of the council before the National Assembly within thirty days of receiving it or, if the National Assembly is not sitting, within thirty days of resumption.

**26.** This Act replaces the Act respecting the Conseil des affaires sociales (R.S.Q., chapter C-57).

**27.** The Conseil de la santé et du bien-être replaces the Conseil des affaires sociales established under the Act respecting the Conseil des affaires sociales.

The term of office of the members of the Conseil des affaires sociales shall end on the coming into force of this Act.

**28.** The Conseil de la santé et du bien-être acquires the rights and shall assume the obligations of the Conseil des affaires sociales.

**29.** The personnel of the Conseil des affaires sociales, appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), shall become the personnel of the Conseil de la santé et du bien-être.

**30.** The records and documents of the Conseil des affaires sociales shall become the records and documents of the Conseil de la santé et du bien-être, without further formality.

**31.** In any Act, regulation, order in council, order, contract or other document, unless the context requires otherwise, the expression "Conseil des affaires sociales" is replaced by the expression "Conseil de la santé et du bien-être" and any reference to the Conseil des affaires sociales becomes a reference to the Conseil de la santé et du bien-être.

**32.** Until regional boards are established under the Act respecting health services and social services and amending various legislation (1991, chapter 42), the member of the council who, pursuant to section 4 of this Act, must be a person serving on such a board, shall be chosen from among the persons serving on the health and social services councils established under the Act respecting health services and social services (R.S.Q., chapter S-5).

**33.** The Minister of Health and Social Services is responsible for the administration of this Act.

**34.** This Act comes into force on *(insert here the date of assent to this Act)*.