



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 102

**An Act to again amend the Act
respecting health services and social
services**

Introduction

**Introduced by
Madam Thérèse Lavoie-Roux
Minister of Health and Social Services**

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EXPLANATORY NOTES

The object of this bill amending the Act respecting health services and social services is to allow clinical biochemists to fill the position of head of a clinical biochemistry department. It also proposes an amendment which would empower the Government to establish a procedure for the settlement of disagreements as to the interpretation and implementation of the conditions of employment determined under the Act and applicable to directors general, senior and intermediate officers and other staff members of health and social service establishments.

Finally, the bill makes a number of concordance amendments to provisions within the same Act.

Bill 102

An Act to again amend the Act respecting health services and social services

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 70 of the Act respecting health services and social services (R.S.Q., chapter S-5) is amended by replacing the words “and dentists” in the third line of the first paragraph by the words “, dentists and, where applicable, clinical biochemists”.

2. Section 70.0.2 of the said Act is amended by replacing the second line of the first paragraph by the following: “regulations, prepare a regional plan setting out the number of physicians, dentists and, where applicable, clinical biochemists in”.

3. Section 71 of the said Act is replaced by the following section:

“71. Every clinical department of a hospital centre shall be directed by a head who shall be a physician or a dentist, except the clinical biochemistry which may be headed by a clinical biochemist. Every head of department shall be appointed for not more than four years by the board of directors of the centre after consultation with the physicians, the dentists or, where applicable, the clinical biochemists practising in the department, with the director of professional services and with the council of physicians, dentists and pharmacists. If the hospital centre is affiliated with a university, appointment of the department heads must be made after consultation with the university under the terms of the contract of affiliation.”

4. Section 71.1 of the said Act is amended by replacing the words “and dentists” in the second line of subparagraph 1 of the first

paragraph by the words “, dentists and, where applicable, clinical biochemists”.

5. Section 71.2 of the said Act is amended by inserting, after the second paragraph, the following paragraph:

“A physician practising in a clinical department headed by a clinical biochemist comes under the responsibility of the council of physicians, dentists and pharmacists as regards the care he provides to the beneficiaries.”

6. Section 154 of the said Act is amended

(1) by inserting, after the word “paragraph” in the fourth line of the second paragraph the words “who are not governed by a collective agreement”;

(2) by replacing the last sentence of the second paragraph by the following sentences: “The regulation may also establish a procedure for the settlement of disagreements arising from the interpretation and implementation of the conditions of employment it determines. Finally, the regulation may prescribe the designation of an arbitrator and the measures that the arbitrator may take following the hearing of the parties.”

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