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# NATIONAL ASSEMBLY

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FIRST SESSION

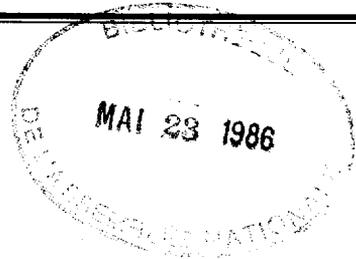
THIRTY-THIRD LEGISLATURE

Bill 75

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

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**Introduction**



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

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**Québec Official Publisher  
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## EXPLANATORY NOTES

*This bill amends the Act respecting health services and social services to add to it a requirement that every local community service centre or reception centre provide, in its organization plan, the number of physicians and dentists who may practise there.*

*The bill sets out the role of the regional council, which may approve the plan, with or without amendments, whether it be submitted by a local community service centre, a reception centre or a hospital centre.*

*In addition, it requires the regional council to prepare a regional medical and dental staffing plan according to the needs of the population of the region.*

*It empowers the Minister to modify the plans, and gives the modalities and time limits he must observe.*

*It also provides authority to make regulations regarding organization plans.*

*Further, the bill adds grounds of disqualification for office as member of the board of directors of an establishment.*

*It provides, as well, that, unless specially authorized, no physician may, without notice or before the time given in the notice, cease to work at an establishment where he practises, and that if he fails to observe the required notice he will become a non-participating professional for the purposes of the Health Insurance Act for a period calculated on the basis of the time between his departure and the time remaining according to his required notice.*

*The bill also gives the date from which hospital centres, local community service centres, reception centres and regional councils must submit an organization plan or a regional medical and dental staffing plan.*

*Lastly, the bill replaces certain terminology in the English version of the Act by more current expressions.*

# Bill 75

## **An Act to 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 “for approval” in the last line of the second paragraph by the words “which shall approve it with or without amendments”.

**2.** The said Act is amended by inserting, after section 70, the following sections:

**“70.0.1** The organization plan of a local community service centre or of a reception centre must also provide, as the case may be, for the number of physicians and dentists who may practise their professions in the establishment according to its permit and the financial resources at its disposal.

The board of directors of a local community service centre or of a reception centre must send such part of the organization plan to the regional council, which shall approve it with or without amendments.

That part of the organization plan must be reviewed at least every three years.

At the request of the Minister, a regional council must postpone its approval until authorized by the Minister.

**“70.0.2** The regional council shall, in accordance with the regulations, prepare a regional medical and dental staffing plan according to the needs of the population of the region, taking into account, in particular, all the organization plans it has approved under sections

70 and 70.0.1 and all the professional activities of the physicians and dentists in the region.

For the purposes of preparation of the regional plan, where a physician or a dentist practises his profession in several establishments, he is considered, in the computation of the staff, as practising only in the establishment in which he carries on most of his activities.

The regional plan must be reviewed at least every three years.

The regional plan is approved by the Minister, who may amend it.

Where the Minister amends the regional plan, he shall inform any hospital centre, local community service centre or reception centre of the amendments affecting its organization plan, where such is the case.”

**3.** Section 86 of the said Act is amended by inserting, after subparagraph *c* of the first paragraph, the following subparagraphs:

“(d) he was declared forfeited of office as a member of the board of directors of an establishment in the preceding three years pursuant to paragraph *a* of section 170;

“(e) he was found guilty of an offence in the preceding three years pursuant to section 179 or 180.”

**4.** The said Act is amended by inserting, after section 132, the following sections:

**132.1** No physician or dentist may cease to practise his profession in an establishment before giving at least sixty days’ notice in writing to the board of directors.

The board of directors may authorize a physician or a dentist to cease to practise his profession in an establishment without notice or upon notice of less than 60 days if it considers that his termination of employment does not affect the quality or the sufficiency of the medical or dental services provided to the population served by the establishment.

**132.2** Where a physician or a dentist ceases to practise his profession in an establishment without the authorization of the board of directors and without notice or before the time stated in the notice, he shall become, from the date fixed by the Régie de l’assurance-maladie du Québec, a non-participating professional, for the purposes of the Health Insurance Act (R.S.Q., chapter A-29), for a period equal to twice the number of days remaining of the time given in the notice.

The board of directors shall forthwith inform the Régie de l'assurance-maladie of the termination of employment and indicate the period for which the professional becomes a non-participating professional.

Where the board of directors believes that the termination of employment may affect the quality or sufficiency of the medical or dental services provided to the population served by an establishment, it shall, in writing, inform the Corporation professionnelle des médecins du Québec or the Corporation professionnelle des dentistes du Québec, as the case may be."

**5.** Section 173 of the said Act is amended

(1) by adding, at the end of subparagraph *i* of the first paragraph, the words "and the form and content of the organization plan and the methods or rules according to which it must be prepared;";

(2) by inserting, after subparagraph *i* of the first paragraph, the following subparagraph:

"(i.01) determine, in the case of a regional council, the form and content of the regional medical and dental staffing plan and the methods and rules according to which it must be prepared;".

**6.** The English version of the said Act is amended by replacing the word "recipient" by the word "beneficiary", the words "general manager" by the words "director general" and the words "long-stay care" by the words "long-term care", wherever they appear.

**7.** Every hospital centre which, on or before (*insert here the date of assent to this Act*), has not submitted to the health and social services regional council that part of the organization plan that is referred to in section 70 of the Act respecting health services and social services shall, before 1 January 1987, submit to the regional council that part of the plan, prepared in accordance with sections 69 and 70 of the said Act.

Every other hospital centre shall, before 1 January 1987, submit to the regional council that part of the organization plan that has been reviewed in accordance with sections 69 and 70 of the said Act.

**8.** Every local community service centre or reception centre shall, before 1 January 1987, submit to the health and social services regional council that part of the organization plan that is referred to in section 70.0.1 of the Act respecting health services and social services, prepared in accordance with sections 69 and 70.0.1 of the said Act.

**9.** No board of directors of a hospital centre, of a local community service centre or of a reception centre which, on or before 1 January 1987, has not submitted that part of the organization plan or the reviewed part of the organization plan that is provided for in section 7 or 8 of this Act may, from that date, appoint any physician or dentist unless that part of the organization plan is submitted to and approved by the health and social services regional council in accordance with section 70 or 70.0.1, as the case may be, of the Act respecting health services and social services.

**10.** Every health and social services regional council shall, before 1 July 1987, submit to the Minister of Health and Social Services a regional medical and dental staffing plan prepared in accordance with section 70.0.2 of the Act respecting health services and social services.

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