

1986, chapter 57

## AN ACT TO AMEND THE ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

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### **Bill 75**

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

Introduced 15 May 1986

Passage in principle 13 June 1986

Passage 19 June 1986

**Assented to 19 June 1986**

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### **Coming into force: on the date fixed by order of the Government**

- 9 August 1986: ss. 1 to 3, 5 to 11  
G.O., 1986, Part 2, p. 1975
- 12 November 1986: s. 4  
G.O., 1986, Part 2, p. 2679

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### **Act amended:**

Act respecting health services and social services (R.S.Q., chapter S-5)



## CHAPTER 57

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

[Assented to 19 June 1986]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. S-5, s.  
70, am.

**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”.

c. S-5, ss.  
70.0.1,  
70.0.2,  
added

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

Physicians  
and dentists

**“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.

Transmis-  
sion to  
regional  
council

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.

Review

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

Minister's  
authoriza-  
tion

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

Staffing  
plan

**“70.0.2** The regional council shall, in accordance with the regulations, prepare a regional medical and dental staffing plan for the establishments in the region, on the basis, particularly, of each and all of the organization plans it has approved under sections 70 and 70.0.1.

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

Minister's  
approval       The regional plan, accompanied with the organization plans used in preparing it, must be submitted to the Minister, who shall approve it with or without amendments.

Amend-  
ments          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."

c. S-5, s.  
86, am.       **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.”

c. S-5, ss.  
132.1,  
132.2, added **4.** The said Act is amended by inserting, after section 132, the following sections:

Notice        **“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.

Exception     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.

Penalty       **“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.

Information  
to R.A.M.Q.   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.

Information  
to  
corporations

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."

c. S-5,  
s. 173, am.

**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 subparagraphs:

"(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;

"(i.02) determine, for the purposes of the preparation of a regional medical and dental staffing plan or of an organization plan of an establishment, the methods or rules relating to the computation of the medical and dental staff, which may vary according to regions, to the categories, classes or kinds of establishments, and to the activities of an establishment;".

c. S-5,  
English  
version, am.

**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.**

Organization  
plan

**7. Every hospital centre which, on or before 9 August 1986, 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 April 1987, submit to the regional council that part of the plan, prepared in accordance with sections 69 and 70 of the said Act.**

Reviewed  
plan

Every other hospital centre shall, before 1 April 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.

Organization  
plan

**8. Every local community service centre or reception centre shall, before 1 April 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.

Appointment  
of physician  
or dentist

**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 April 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.

Exception

Notwithstanding the foregoing, the board of directors of a centre which, before 1 April 1987, 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, before that part of its plan is approved, appoint a physician or a dentist with the prior approval of the health and social services regional council.

Staffing  
plan

**10.** Every health and social services regional council shall, before 1 September 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.

Coming into  
force

**11.** This Act comes into force on the date fixed by order of the Government, except the provisions excluded by the order, which will come into force on any later dates fixed by order of the Government.