

AM 1
s. 1 (50.1)

Bill 52

**An Act to strengthen the complaint
examination process of the health and
social services network, in particular for
users receiving services from private
institutions**

Section 1

AMENDMENT:

Insert "governed by that Act" after "private institutions" in the first paragraph of proposed section 50.1.

Adopte SM

AM 2
s. 3 (53)

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Section 3

AMENDMENT:

Replace "Only the" in the first paragraph of proposed section 53 by "The".

Adopté sur

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Section 4

AMENDMENT:

Replace the second paragraph of proposed section 53.2 by:

In addition, despite the second paragraph of that section, the president and executive director of such an integrated centre chooses a member of its personnel to be part of the private institution's watchdog committee."

Adopte SM

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Section 5

AMENDMENT:

Replace section 5 by:

5. The Act is amended by inserting the following section after section 151:

“151.1. The Minister provides public institutions with the information asset that they must use to establish a register of their activities related to the application of the complaint examination process and the handling of reports of maltreatment.

The local service quality and complaints commissioner, the medical examiner and the review committee established under section 51 of the Act respecting health services and social services (chapter S-4.2) must enter in the asset the information prescribed by regulation of the Minister.

The Minister assumes the operations management of the asset and puts in place the measures necessary to ensure the confidentiality and security of the information contained in it.

The Minister may, in particular to assess and evaluate the effectiveness and quality of the institutions' application of the complaint examination process and handling of reports of maltreatment, retrieve from the asset information other than information that concerns a person and allows that person to be identified.”

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Section 8.1

AMENDMENT:

Insert after section 8:

**ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES SERVICES
SOCIAUX**

8.1. The Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) is amended by inserting the following section after section 5.4:

“5.5. The Minister shall designate, within the department, a person acting as advisory commissioner who is responsible for seeing to the adequate and optimal application of the provisions relating to the complaint examination process that are provided for in the Act respecting health services and social services (chapter S-4.2) and the handling of reports of maltreatment made within the scope of the anti-maltreatment policy adopted under the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (chapter L-6.3).

For that purpose, the designated person shall foster concerted action between local service quality and complaints commissioners and medical examiners governed by the Act respecting health services and social services as well as the sharing of good practices applicable in the exercise of their functions. The designated person shall also see to it that local commissioners and medical examiners receive training relevant to the exercise of their functions.

In addition, the designated person shall provide support to any local commissioner or medical examiner who requires it, with due regard to their respective functions and the confidentiality of the records. The designated person may thus give them an opinion on the means to be favoured and the solutions to be considered in dealing with a problem related to the exercise of their functions.

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The designated person may recommend to the Minister any measure that may improve the application of the provisions referred to in the first paragraph and enhance the exercise of the local commissioners' and medical examiners' functions."

Adepté SH

2/2

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Section 9

AMENDMENT:

In proposed section 30.1:

1. Insert “or as an assistant local service quality and complaints commissioner” after “local service quality and complaints commissioner” in the first paragraph.
2. Insert “or as an assistant local commissioner” after “as a local commissioner” in subparagraphs 1 and 2 of the third paragraph.
3. Replace the fourth paragraph by:

Local commissioners and assistant local commissioners must remain independent throughout their mandate.

Adopté SM

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Section 9.1

AMENDMENT:

Insert after section 9:

9.1. Section 33 of the Act is amended by inserting “as well as to the Minister if the local commissioner considers it necessary,” after “concerned,” in subparagraph 7 of the second paragraph.

Adopté 57

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Section 9.2

AMENDMENT:

Insert after section 9.1:

9.2. Section 66 of the Act is amended by inserting “as well as to the Minister if the regional commissioner considers it necessary,” after “concerned,” in subparagraph 7 of the second paragraph.

Adopté 571

AM 9
s. 11

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Section 11

AMENDMENT:

Replace “from the date of coming into force of section 1” in the third paragraph by
“from the date on which the integrated centre’s competent local commissioner or
competent medical examiner receives a record referred to him or her in accordance
with section 12”.

Adopte 591

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Section 12.1

AMENDMENT:

Insert after section 12:

12.1. In a manner consistent with the applicable rules concerning the confidentiality of complaint records, the integrated health and social services centre's competent local service quality and complaints commissioner or competent medical examiner must, as soon as possible, inform the person who filed a complaint of the date on which the complaint record was received. The competent local commissioner or the competent medical examiner must also inform the person of the new time limit for examining the complaint that applies under the third paragraph of section 11.

Adopté 577

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Section 14

AMENDMENT:

Insert “or, in the case of an unincorporated private institution, the holder of such an institution’s operating permit” after “the board of directors of a private institution”.

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Section 14.1

AMENDMENT:

Insert after section 14:

14.1. The Minister must, not later than (*insert the date that is four years after the date of coming into force of section 1*), report to the Government on the implementation of this Act.

The report is tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption.

Adopté 59