

Bill 10

**An Act to modify the organization and
governance of the health and social services
network, in particular by abolishing the
regional agencies**

Section 14

AMENDMENT:

1. Replace "one" in the second paragraph by "two".
2. Replace "Except in cases in which an equal number is presumed under the second paragraph, the" in the third paragraph by "The".

*adopté
CJ*

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Section 16

AMENDMENT:

Replace “replaced or reappointed” in the second paragraph by “redesignated, reappointed or replaced”.

adopté
CF

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Section 17

AMENDMENT:

Replace by:

17. Any vacancy occurring during the term of office of a member of the board of directors must be filled for the remainder of that member's term.

In the case of a designated member, the vacancy is filled by resolution of the board provided the person who is the subject of the resolution is qualified to sit on the board in the same capacity as the member being replaced. A vacancy that is not filled by the board within 120 days may be filled by the Minister.

In the case of an appointed member, the vacancy is filled by the Minister, who is not required in such a case to follow the appointment rules set out in sections 11 and 12. The Minister may, however, request the institution's president and executive director to propose candidates.

Absence from the number of board meetings determined in the institution's by-laws, in the cases and circumstances specified, constitutes a vacancy.

*adopté
CR*

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Section 20

AMENDMENT:

Replace the first and second paragraphs by:

20. Every two years, the board of directors elects one of its members as secretary and one of its independent members as vice-chair.

*adopté
ck*

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Section 23.1

AMENDMENT:

Insert after section 23:

23.1. If the board of directors administers more than one institution, the board's minutes must specify which of those institutions are bound by a decision it makes. Otherwise, all the institutions are bound by the decision.

The minutes of the board of directors of an integrated health and social services centre, its correspondence and any other document binding the institution and, if applicable, a grouped institution, are to be kept at the head office of the integrated centre.

*adopted
CF*

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Section 24

AMENDMENT:

Replace by:

24. The board of directors of an integrated health and social services centre or of an unamalgamated institution administers the affairs of such an institution and, if applicable, the affairs of a grouped institution and exercises all their powers except those granted to members of a legal person referred to in section 139 of the Act respecting health services and social services for the purposes of sections 180, 181.1, 262.1, 322.1 and 327 of that Act.

In addition, the board of directors of an integrated centre must obtain consent, by at least a two-thirds majority of the votes cast by the members of a grouped institution it administers, with regard to any decision relating to access to cultural or linguistic services provided in the facilities of that institution. .

adopté
ck

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Section 27

AMENDMENT:

1. Replace “, 178 and 181” by “and 178”.
2. Replace “a regional or supraregional institution” by “an integrated health and social services centre or of an unamalgamated institution”.

*adopté
CS*

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Section 29

AMENDMENT:

Replace “by the Minister” in the first paragraph by “by the board of directors”.

adopted
of

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Section 30

AMENDMENT:

Replace the first paragraph by:

30. The Government determines the remuneration, employee benefits and other conditions of employment of the president and executive director.

The Minister determines, by regulation, the standards and scales governing the selection, appointment, hiring, remuneration, employee benefits and other conditions of employment of the assistant president and executive director.

*adopté
CT*

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Section 31

AMENDMENT:

1. Strike out the first paragraph.
2. Replace "other than that set under the first paragraph, or grant them a benefit other than those provided for by a regulation made under section 30" in the second paragraph by "or grant them a benefit other than those provided for by this Act or by a regulation made under the second paragraph of section 30".

*adopte
Ct*

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Section 33

AMENDMENT:

1. Replace “a regional or supraregional institution” in the first paragraph by “an integrated health and social services centre or an unamalgamated institution”.

2. Replace the first sentence of the second paragraph by:

However, with the Minister’s consent, they may engage in other professional activities, whether remunerated or not.

3. Replace the third paragraph by:

If an assistant president and executive director contravenes this section, the board of directors may impose sanctions, including dismissal.

On ascertaining that the president and executive director or assistant president and executive director is contravening this section, the board must inform the Minister of the situation.

*adoption
CT*

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Section 34

AMENDMENT:

1. Replace "A regional institution" in the first paragraph by "An integrated health and social services centre".
2. Replace "99.8" in the first paragraph by "99.7".
3. Add "for the local health and social services networks in its territorial health and social services network" at the end of the first paragraph. *SAM*
4. Strike out the second paragraph.

*Adopté
tel amendé
Ct*

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Section 34

AMENDMENT:

Add to the text added by paragraph 3 of the amendment:

The integrated health and social services centre is responsible for ensuring the development and smooth operation of those local health and social services networks.

adopted
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Section 35

AMENDMENT:

Replace by:

35. An integrated health and social services centre must establish, in collaboration with any other public institution concerned, all the regional or inter-regional service corridors required to meet the needs of the population in its territory.

Once established, the corridors apply to the institutions concerned. The integrated centre sees to the implementation of the corridors.

The Centre intégré universitaire de santé et de services sociaux de l'Estrie—Centre hospitalier universitaire de Sherbrooke and the Centre intégré de santé et de services sociaux de la Montérégie—Centre must ensure the coordination of the services offered to users in the territories of the Réseau local de services de la Haute-Yamaska and the Réseau local de services de la Pommeraie.

adopté
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Section 36

AMENDMENT:

1. Insert “regional or” before “inter-regional”.
2. Replace “a regional institution” by “an integrated health and social services centre”.
3. Replace “the public institutions in other regions” by “any other public institution concerned”.

*adopté
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Section 38

AMENDMENT:

Insert "after noting" after "reasonable time, or" in the first paragraph.

*advised
Ct*

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Section 39

AMENDMENT:

Replace “service corridors applicable to it” by “applicable service corridors”.

*adopted
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Section 40

AMENDMENT:

Replace by:

40. In each region having more than one integrated health and social services centre, the integrated centres that operate a child and youth protection centre and those that operate a rehabilitation centre serve, for each of those missions, the region's entire population.

In such regions, any integrated centre that does not operate a child and youth protection centre must enter into an agreement with any integrated centre that operates such a centre. The agreement sets out the terms governing patient management by the first integrated centre with regard to users in its territory who require care or services to supplement those provided by the second integrated centre.

In the regions concerned, similar agreements must be entered into between any integrated centre that does not operate a rehabilitation centre and any integrated centre that does, and between all integrated centres that operate rehabilitation centres belonging to different classes.

adopté
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Section 42

AMENDMENT:

In the third paragraph, insert “, notice, opinion” after “designation”.

*adopte
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Section 42.1

AMENDMENT:

Insert after section 42:

42.1. Subject to the special provisions that it specifies, any provision of this Act that concerns or applies to an unamalgamated institution also concerns or applies to a grouped institution.

*Adopted
Ct*

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Section 45

AMENDMENT:

1. Replace "In" by "Subject to the special provisions of this Act, in".
2. Replace "a regional or supraregional institution" by "an integrated health and social services centre or of an unamalgamated institution".
3. Add after the first paragraph:

However, for the purposes of any of sections 203, 204, 207, 208, 208.2 and 208.3 of the Act respecting health services and social services or section 31 of the Youth Protection Act (chapter P-34.1), the board of directors of an institution may provide that the responsibilities referred to in those sections are to be exercised by the institution's director of professional services, director of nursing care, midwifery services coordinator or director of youth protection, under the authority of the president and executive director, or of an assistant president and executive director determined by the board.

*adopté
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Section 46

AMENDMENT:

1. Replace "a regional institution" by "an integrated health and social services centre".
2. Add the following paragraph at the end:

However, in regions having more than one integrated centre, complaints concerning a community organization referred to in section 334 of the Act are examined by the integrated centre resulting from the amalgamation of the agency and other institutions.

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Section 50

AMENDMENT:

Replace the first paragraph by:

50. Public institutions must enter into a management and accountability agreement with the Minister.

The agreement must contain a definition of the institution's mission, the objectives it wishes to achieve while the agreement is in force and the main indicators to be used to measure results.

The institution must establish an action plan describing the means for implementing the agreement and the resources available to do so.

*adopté
et*

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Section 50.1

AMENDMENT:

Insert after section 50:

50.1. Sections 192.1 to 201 of the Act do not apply to the president and executive director of an integrated health and social services centre or of an unamalgamated institution.

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Section 51

AMENDMENT:

Replace by

51. The assistant president and executive director, senior administrators and senior management officers of an integrated health and social services centre or an unamalgamated institution may not, on pain of sanctions which may include dismissal, have a direct or indirect interest in an undertaking that causes their personal interest to conflict with that of the institution. However, such sanctions do not apply if the interest devolves to them by succession or gift, provided they renounce it or, after informing the board, dispose of it within the time determined by the board.

A dismissed assistant president and executive director, senior administrator or senior management officer becomes, for a period of three years, inapt to occupy any of those positions in any public institution.

On ascertaining that an assistant president and executive director, senior administrator or senior management officer is in conflict of interest, the board of directors must impose the necessary sanctions. It must also, within the next ten days, inform the Minister of the situation in writing, including the sanctions that have been imposed.

The second paragraph of section 154 of the Act applies, with the necessary modifications, to the assistant president and executive director, senior administrator or senior management officer.

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Section 51.1

AMENDMENT:

Insert after section 51:

51.1. Within 60 days after being appointed, the president and executive director, senior administrators and senior management officers must file with the board of directors a written statement of any pecuniary interests they have in legal persons, partnerships or enterprises that could enter into a contract with any health and social services institution. The statement must be updated within 60 days of the acquisition of such an interest by those persons and, each year, within 60 days from the anniversary of their appointment.

They must also file with the board of directors a written statement concerning the existence of any professional services contract between an institution and a legal person, partnership or enterprise in which they have an interest, within 30 days after the contract is entered into.

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Section 52.1

AMENDMENT:

Insert after section 52:

52.1. The users' committee of an integrated health and social services centre is composed of at least six members elected by all the chairs of the users' committees of all the amalgamated or grouped institutions that continue to exist under section 153.1, and of five representatives of the in-patients' committees designated by all the in-patients' committees set up under the third paragraph of section 209 of the Act.

An integrated health and social services centre must allocate to the users' committee the special budget provided for that purpose in its operating budget.

*adopté
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Section 52.2

AMENDMENT:

Insert after section 52.1:

52.2. In addition to the requirements set out in section 242 of the Act, the resolution of the board of directors of an integrated health and social services centre must specify the facilities of the institution or grouped institution with regard to which privileges are granted to a physician or dentist. The resolution by which the board appoints a pharmacist under section 247 of the Act must also specify the facilities with regard to which the appointment applies.

In addition, the resolution must provide that, in the event that urgent or semi-urgent problems arise with regard to access to services at another facility of the integrated centre or of a grouped institution, a physician, dentist or pharmacist must, at the request of the director of professional services, the chair of the council of physicians, dentists and pharmacists, the head of a clinical department or, if these persons are absent or unable to act, the president and executive director of the integrated centre, provide temporary support at the facility indicated to him or her, collectively with the other members of his or her service or department.

In such cases, the professional qualifications of the physician, dentist or pharmacist concerned are taken into account, as are the staffing requirements of their facilities and the necessity of avoiding significant access problems with regard to the services in those facilities. The provision of temporary support may not have the effect of calling into question the person's primary practice in the facility where he or she works, does not apply with regard to a facility located 70 or more kilometres from that facility, and may not exceed a period of three months, which may be renewed after the situation has been re-evaluated.

*adopté
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Section 55

AMENDMENT:

1. Replace “a regional or supraregional institution” by “an integrated health and social services centre or an unamalgamated institution”.
2. Add “, which can be given only in exceptional circumstances” at the end.

*Adopté
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Section 56

AMENDMENT:

Replace by:

56. An integrated health and social services centre or an unamalgamated institution may use the services of an intermediate resource to carry out the mission of a centre it operates. It may also use the services of a family-type resource for the placement of adults or elderly persons and, if it operates a centre referred to in the second or third paragraph of section 310 of the Act, for the placement of children.

The institution itself recruits resources on the basis of its users' needs, in compliance with the general criteria determined by the Minister. It also sees to their assessment.

*adopté
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Section 56.1

AMENDMENT:

Insert after section 56:

56.1. Sections 301, 304, 305, 305.1 to 305.3 and 307 of the Act do not apply.

For the purposes of section 302 of the Act, the reference to a resource recognized by an agency is a reference to a resource that has entered into an agreement with an institution.

An integrated health and social services centre or, in regions having more than one such centre, the one resulting from the amalgamation of the agency and other institutions, must maintain a register of resources that have entered into an agreement with an institution in the region, classified by type of clientele.

*adopté
Ct*

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Section 56.2

AMENDMENT:

Insert after section 56.1:

56.2. Two or more institutions may use the services of the same intermediate resource. The institutions concerned jointly decide on the professional follow-up of users and the payments to be made to the resource.

*adopté
Ct*

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Section 56.3

AMENDMENT:

Insert after section 56.2:

56.3. One or two persons who fit the descriptions given in the first and second paragraphs, as applicable, of section 312 of the Act, except with regard to the reference to their recognition, are a foster family or a foster home.

*Adopted
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Section 57

AMENDMENT:

Replace by:

57. In regions having more than one integrated health and social services centre, the one resulting from the amalgamation of the agency and other institutions exercises the powers of the agency set out in section 336 of the Act.

*adopté
CF*

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Section 58

AMENDMENT:

Add the following sentence at the end:

However, the Government may, by order, modify the territory of a health region.

*adopté
Cf*

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Section 59

AMENDMENT:

1. Replace “The” in the introductory clause by “Subject to the special provisions of this Act, the”
2. Replace paragraph 4 by:

 (4) the integrated health and social services centre is responsible for granting subsidies to community organizations and financial allowances to private resources referred to in the first paragraph of section 454;”
3. Replace “must” in paragraph 15 by “may”.
4. Replace “the regional institution” wherever it appears by “the integrated health and social services centre”.

adopté
Ct

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Section 62

AMENDMENT:

Replace the first paragraph by:

62. In regions having more than one integrated health and social services centre, the function assigned to an agency by subparagraph 1 of the first paragraph of section 346 of the Act is exercised by the integrated centre resulting from the amalgamation of the agency and other institutions.

2. Replace “a regional institution” in the second paragraph by “an integrated centre”.

adopted
OK

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Section 63

AMENDMENT:

Strike out.

*adopted
CH*

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Section 65

AMENDMENT:

Replace by:

65. Each public institution must, in the centres it specifies, develop a program of access to English-language health services and social services for the English-speaking population it serves or, if applicable, develop such a program jointly with other public institutions in the centres it specifies that are operated by those institutions.

The program must identify the English-language services that are available in the specified facilities. It must also set out the language requirements for the recruitment or assignment of the personnel needed to provide such services.

A public institution may, with the consent of a private institution under agreement, specify in its access program any services that may be provided by the private institution.

The program must take into account the institution's human, physical and financial resources; it must also be approved by the Government and revised at least once every five years.

*adopte-
et*

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Section 68

AMENDMENT:

Insert “, after consulting with the region’s institutions” after “determines”.

*adopte
cf*

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Section 70

AMENDMENT:

70. An integrated health and social services centre must take the measures necessary to coordinate its activities with those of other institutions, community organizations, and physicians subject to an agreement referred to in section 360 of the Act in order to rationalize the use of resources, ensure that they are equitably distributed, take into account the complementary character of institutions, specialized medical centres, community organizations and private health facilities, eliminate duplication of services and allow joint services to be set up.

*adopté
CH*

Bill 10

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Section 72

AMENDMENT:

Strike out.

adopted
ct