



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 130

**An Act to amend certain provisions
regarding the clinical organization and
management of health and social
services institutions**

Introduction

**Introduced by
Mr. Gaétan Barrette
Minister of Health and Social Services**

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EXPLANATORY NOTES

This bill amends certain rules applicable to the boards of directors and assistant president and executive directors of the integrated health and social services centres and unamalgamated institutions governed by the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies. Under the bill, the assistant president and executive director of such an institution is to be appointed by the Government, on the recommendation of the Minister of Health and Social Services, from a list of names provided by the institution's board of directors.

The governance of joint procurement groups is redefined and certain rules relating to the institutions' internal organization and to the appointment and privileges of physicians and dentists who practise in those institutions are updated.

The bill also provides that a member of an institution's personnel may act under the authority of the local service quality and complaints commissioner or the assistant local service quality and complaints commissioner and enjoys the same protections as they do.

Certain institutions are required to adopt a procedure for the confinement of persons in their facilities and to evaluate its implementation.

The enactment of certain regulations that may be made by the institutions and their various boards, councils and committees is made subject to the Minister's authorization.

Lastly, the bill contains various consequential and transitional provisions.

LEGISLATION AMENDED BY THIS BILL:

- Building Act (chapter B-1.1);
- Act respecting contracting by public bodies (chapter C-65.1);

- Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03);
- Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1);
- Public Infrastructure Act (chapter I-8.3);
- Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2);
- Act respecting the sharing of certain health information (chapter P-9.0001);
- Act respecting health services and social services (chapter S-4.2).

REGULATIONS AMENDED BY THIS BILL:

- Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2);
- Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain (chapter P-9.0001, r. 1);
- Règlement sur le comité d’inspection professionnelle de l’Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec (chapitre T-5, r. 6, French only).

REGULATION REPEALED BY THIS BILL:

- Regulation respecting certain terms of employment applicable to assistant president and executive directors of integrated health and social services centres and unamalgamated institutions (chapter O-7.2, r. 0.1).

Bill 130

AN ACT TO AMEND CERTAIN PROVISIONS REGARDING THE CLINICAL ORGANIZATION AND MANAGEMENT OF HEALTH AND SOCIAL SERVICES INSTITUTIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT TO MODIFY THE ORGANIZATION AND GOVERNANCE OF THE HEALTH AND SOCIAL SERVICES NETWORK, IN PARTICULAR BY ABOLISHING THE REGIONAL AGENCIES

1. Section 11 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2) is amended by adding the following paragraph at the end:

“However, the president and executive director of an institution may also sit on the board of directors of a foundation of that institution.”

2. Section 14 of the Act is amended

(1) by replacing “, the Minister may appoint any person of his or her choice” in the first paragraph by “within a reasonable time, the Minister may appoint any person of his or her choice after notifying the bodies and universities concerned”;

(2) by adding the following sentence at the end of the second paragraph: “If the Minister is unable to obtain such a list within a reasonable time, the Minister may recommend to the Government any person of his or her choice after notifying the members of the board of directors.”

3. Section 33 of the Act is amended

(1) by replacing the first paragraph by the following paragraphs:

“The president and executive director may be assisted by an assistant president and executive director appointed by the Government, on the recommendation of the Minister, from a list of names provided by the members of the board of directors.

The list sent to the Minister must contain a minimum of two names. If the Minister does not receive the list within a reasonable time, the Minister may

recommend any person of his or her choice to the Government after notifying the members of the board of directors.”;

(2) by adding the following sentence at the end of the second paragraph: “In the case of a vacancy in the office of the president and executive director, the assistant president and executive director acts as interim president and executive director until the Government appoints a new president and executive director.”

4. Section 34 of the Act is amended

(1) by inserting “and of the assistant president and executive director” at the end of the first paragraph;

(2) by striking out the second and third paragraphs.

5. Section 35 of the Act is amended by striking out “or by a regulation made under the second paragraph of section 34” at the end of the first paragraph.

6. The Act is amended by inserting the following section after section 55:

“55.0.1. The organization plan of an integrated health and social services centre or of an unamalgamated institution prepared in accordance with section 183 of the Act must be sent to the Minister. The Minister shall approve the institution’s organization plan with or without modification.”

7. The Act is amended by inserting the following section after section 60:

“60.1. To ensure compliance with the primary care family physician distribution plan provided for in the second paragraph of section 91, the Minister may, when giving the approval required under section 240 of the Act, require that certain obligations be added to the privileges the board of directors intends to grant to the physician. The obligations must be intended to meet primary care family medicine needs.”

8. Section 61 of the Act is amended by inserting “and, if applicable, the obligations determined under section 60.1” after “dentist” in the first paragraph.

9. Sections 93 and 110 of the Act are repealed.

10. Section 151 of the Act is amended

(1) by inserting the following paragraph after the first paragraph:

“For the same purpose, the Minister may also require one or more institutions to use an information asset he or she determines.”;

(2) in the second paragraph,

(a) by replacing “authorizes a project only” by “authorizes a project or requires the use of an information asset”;

(b) by inserting “, or that it contributes to improving the quality, efficiency and performance of the Québec health system by allowing the controlled management and use of health and social information” at the end;

(3) in the third paragraph,

(a) by replacing “If such a project” by “If an information resource project”;

(b) by replacing “second” by “third”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

11. Section 30 of the Act respecting health services and social services (chapter S-4.2) is amended by adding the following paragraph at the end:

“A member of the institution’s personnel may act under the authority of the local commissioner or the assistant local commissioner.”

12. Section 75 of the Act is amended by inserting “or a person acting under their authority” after “assistant local commissioner” in paragraph 1.

13. Section 76.2 of the Act is amended by replacing “a person acting under the authority of a regional service quality and complaints commissioner” by “a person acting under the authority of a local or regional service quality and complaints commissioner or an assistant local commissioner”.

14. Sections 76.3 and 76.4 of the Act are amended by replacing “a person acting under the authority of a regional service quality and complaints commissioner” by “a person acting under the authority of a local or regional service quality and complaints commissioner or an assistant local commissioner”.

15. The Act is amended by inserting the following section after section 118.1:

“118.2. Any institution described in section 6 or 9 of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001) must adopt a procedure to regulate the confinement of persons in its facilities. The procedure must be consistent with the ministerial orientations determined under subparagraph 9 of the second paragraph of section 431 and must be made known to the institution’s personnel and the health professionals practising in the institution’s facilities as well as the users concerned and their significant family members.

The procedure must, among other things, require that the following information be entered or filed in the confined user's record:

- (1) the start and end dates of the confinement, as well as the time in the case of preventive or temporary confinement;
- (2) a description of the danger that warrants placing and keeping the user under confinement;
- (3) a copy of the psychiatric examination reports, of the confinement applications presented to the court by the institution, and of any judgment ordering confinement;
- (4) if a psychiatric assessment was carried out without a temporary confinement order, a note attesting that the user's consent to the assessment was obtained; and
- (5) the date on which the information required under section 15 of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others was transmitted to the user.

The executive director of the institution must report to the board of directors at least once every three months on the implementation of the procedure. The report must include, for the period concerned, the number of preventive or temporary confinements, the number of confinements authorized under article 30 of the Civil Code and the number of confinement applications the institution presented to the court. A summary of the reports must be included in a separate section of the institution's annual management report."

16. Section 172 of the Act is amended by inserting the following paragraph after paragraph 3:

"(3.1) ensure the accessibility of the institution's services;".

17. Section 181.0.3 of the Act is amended

- (1) by inserting "3.1," after "paragraphs" in the first paragraph;
- (2) in the second paragraph,
 - (a) by inserting "the accessibility of services," after "on" in subparagraph 1;
 - (b) by inserting "access to services and" after "to improve" in subparagraph 3.

18. Section 183 of the Act is amended by replacing both occurrences of "on the recommendation of" in the second paragraph by "after consultation with".

19. Section 185 of the Act is replaced by the following section:

“**185.** The organization plan of a hospital centre operated by a public institution must include the following departments:

- (1) anesthesia;
- (2) medical biology;
- (3) surgery;
- (4) gynecology-obstetrics;
- (5) medical imaging;
- (6) general medicine;
- (7) specialized medicine;
- (8) emergency medicine;
- (9) pediatrics;
- (10) pharmacy; and
- (11) psychiatry.

The Minister shall determine the public institutions that must include a department of public health in their organization plan.

The medical imaging department must group together the radiology and nuclear medicine services, and the medical biology department must group together the hematology, biochemistry, pathology, microbiology and genetics services. The specialized medicine department must include the radiation oncology service.

The Minister may authorize an institution to derogate from this section.”

20. Section 188 of the Act is amended by replacing “biochemistry” in the first paragraph by “medical biology”.

21. Section 189 of the Act is amended

- (1) in the first paragraph,

(a) by inserting “that take into account such factors as the need to promote access to the institution’s services” after “dentists” in subparagraph 3;

(b) by replacing both occurrences of “of radiology” in subparagraph 4 by “of medical imaging”;

(2) by replacing “neglects to draw up rules governing the use of resources, the executive director may request that the director of professional services” in the fourth paragraph by “refuses to draw up rules or is slow to act, the director of professional services or, failing that, the executive director must”.

22. Section 190 of the Act is amended, in the fifth paragraph,

(1) by replacing “neglects to draw up rules governing medical and dental care and rules governing the use of medicines” by “refuses to draw up rules governing medical and dental care and rules governing the use of medicines or is slow to act”;

(2) by inserting “or the executive director” after “pharmacists”.

23. Section 191 of the Act is replaced by the following section:

“191. No bed may be reserved for a particular physician or dentist for users he treats.

The rules governing the use of resources drawn up under subparagraph 3 of the first paragraph of section 189 must, among other things, provide that in cases of necessity, the director of professional services or, if there is no such director, the chair of the council of physicians, dentists and pharmacists or the physician designated for that purpose by the executive director may designate a department or service in which a bed must be made available to a user.”

24. The Act is amended by inserting the following section after section 192:

“192.0.1. If a public health department is formed in a hospital centre, sections 189 to 192 apply, with the necessary modifications, to the head of the public health department, unless the context indicates otherwise. The responsibilities assigned to the director of professional services by those sections shall therefore be exercised by the public health director appointed in accordance with section 372.

In addition to the responsibilities entrusted to him or her by section 189, the head of the public health department shall carry out any other mandate entrusted to him or her by the public health director under the second paragraph of section 373.”

25. The Act is amended by inserting the following section after section 205:

“205.1. If a public health department is formed in a hospital centre, the responsibilities assigned to the director of professional services under sections 203, 204 and 205 are to be exercised by the public health director appointed in accordance with section 372 with regard to the public health

department and the head of that department, unless the context indicates otherwise.”

26. Section 214 of the Act is amended by replacing “may” in subparagraph 7 of the first paragraph by “must”.

27. Section 237 of the Act is amended

(1) by striking out the second paragraph;

(2) by replacing the fourth paragraph by the following paragraphs:

“Before referring an application for appointment or renewal to the board of directors, the executive director must obtain from the council of physicians, dentists and pharmacists a recommendation concerning the qualifications and competence of the physician or dentist, and the status and privileges that should be granted to the physician or dentist by virtue of the appointment. The council of physicians, dentists and pharmacists and the director of professional services must be consulted on the obligations that must be attached to the enjoyment of the privileges granted by the board of directors.

In the case of an application for renewal and before referring the application to the board of directors, the executive director must also obtain an opinion from the director of professional services concerning the physician’s or dentist’s compliance with the terms set out in the resolution made under section 242.”

28. Section 242 of the Act is amended

(1) by replacing “, and the undertaking of the physician or dentist to fulfil the obligations attached to the enjoyment of the privileges and determined on the recommendation of the council of physicians, dentists and pharmacists” in the first paragraph by “, the obligations attached to the enjoyment of the privileges and the physician’s or dentist’s undertaking to fulfil them”;

(2) by replacing “of three years. They are renewed for a minimum period of two years, unless the application for renewal is for a period of less than two years” in the third paragraph by “of one year. They are renewed for a minimum period of one year and a maximum period of three years”.

29. The Act is amended by inserting the following section after section 242:

“242.0.1. The resolution of the board of directors accepting a physician’s or dentist’s application for appointment or renewal of appointment is absolutely null if it does not comply with section 242.”

30. Section 359 of the Act is amended

(1) by striking out paragraph 1.1;

(2) by replacing “designated under paragraph 1.1” in paragraphs 2, 3 and 4 by “for which an emergency medicine department is set up”.

31. Section 361 of the Act is amended by replacing “designated under paragraph 1.1 of section 359” at the end of subparagraph 1 of the second paragraph by “for which an emergency medicine department is set up”.

32. Section 372 of the Act is amended

(1) by striking out “who shall also act as the head of any clinical department of public health” at the end of the first paragraph;

(2) in the second paragraph,

(a) by replacing “may require that a person representing the Minister participate” by “shall appoint a person to represent the Minister”;

(b) by inserting “de santé publique” at the end of the French text;

(3) in the third paragraph,

(a) by replacing “Ce directeur” in the French text by “Le directeur de santé publique”;

(b) by inserting “or having five years of experience in the practice of community health care” after “trained in community health care”.

33. Section 373 of the Act is amended by inserting the following paragraph after the first paragraph:

“The public health director shall also be responsible for entrusting any mandate to the head of a clinical department of public health.”

34. Section 383 of the Act is repealed.

35. Section 431 of the Act is amended by replacing “the procedure for the application of control measures adopted by an institution under section 118.1” in subparagraph 9 of the second paragraph by “the institution’s procedure referred to in section 118.1 or 118.2”.

36. The Act is amended by inserting the following section after section 433.2:

“433.3. The Minister shall authorize any draft regulation by the board of directors of a public institution or a council of physicians, dentists and pharmacists, council of nurses, nursing assistants committee, council of midwives, multidisciplinary council of a public institution, regional department of general medicine or regional pharmaceutical services committee that may be adopted under section 106, 216, 222, 223, 225.5, 229, 417.6 or 417.9. The

Minister’s authorization may be conditional on certain amendments being made to the draft regulation.”

37. The Act is amended by inserting the following after section 435:

“CHAPTER I.0.1

“JOINT PROCUREMENT

“435.1. For the purposes of this Act, “joint procurement group” means a non-profit legal person constituted under the laws of Québec whose purpose is to manage the joint procurement of goods or services in accordance with the orientations determined by the Minister under section 435.2. A joint procurement group may also, with the Minister’s authorization, pursue additional or complementary purposes.

“435.2. The Minister shall recognize the joint procurement groups required provide efficient and effective joint procurement for the health and social services network. He shall identify the institutions that are to be served by each recognized group and, if applicable, the other types of persons or bodies each group may provide services to. The Minister may also provide that certain procurement services he determines must be provided exclusively by an identified group.

“435.3. All the public institutions served by a joint procurement group are members of that group. The same applies to a private institution under agreement to which a group provides services in accordance with the orientations determined by the Minister.

The composition of a group’s board of directors shall be determined in the group’s constituting act. The board must be composed in the majority of members from the institutions served by the group. The group’s executive director shall be appointed by the Minister following a selection process initiated by the Minister, including an invitation for applications held as determined by the Minister.

Sections 260 to 265, 278 to 280, 282, 289 to 292, 294 to 297, 316, 436, 468, 469, 485, 486, 489, 499 and 500 apply, with the necessary modifications, to a group. The Minister shall exercise the responsibilities assigned to an agency by those sections.

The auditor appointed by the group under section 290 must, for the fiscal year for which he was appointed, audit the group’s financial report and carry out the other components of his mandate that are determined by the group or the Minister.

“435.4. To fulfil its purpose, each joint procurement group shall

- (1) carry out the joint goods and services procurement projects entrusted to it by the institutions it serves or by the Minister;
- (2) provide support with respect to procurement for the institutions;
- (3) establish and update, in cooperation with the institutions it serves and in accordance with ministerial policy directions, a timetable for all calls for tenders under its responsibility;
- (4) deploy the resources necessary to carry out the calls for tenders scheduled in the timetable;
- (5) enlist the participation of the institutions and other partners possessing the knowledge and skills required to carry out procurement projects;
- (6) collaborate and act in concert with other joint procurement groups, if applicable;
- (7) produce management data on its work in accordance with the indicators and method determined by the Minister; and
- (8) carry out any other mandate entrusted to it by the Minister.

“435.5. Each joint procurement group must enter into a management and accountability agreement with the Minister, containing

- (1) the group’s strategic and operational orientations and objectives, the orientations for joint procurement and the main indicators to be used to measure results; and
- (2) the manner in which periodic reports are to be filed.

The group must prepare an annual management report containing the information and documents required under section 182.7 and send it to the Minister. The report must be published on the group’s website.”

38. The Act is amended by inserting the following sections after section 436:

“436.0.1. The Minister must ensure that public institutions use the services of the joint procurement group that serves them.

The Minister may, to the extent he believes such action to be justified by the need to optimize resources, and after consulting the public institution concerned, oblige the institution to participate in a call for tenders held by such a group.

A group must inform the Minister if an institution refuses to participate in a joint procurement process the Minister has required public institutions to participate in.

“436.0.2. To ensure the effective and efficient management of procurement, the Minister may, after consulting the institutions concerned and giving the joint procurement groups concerned the opportunity to submit observations, ask the enterprise registrar to amalgamate the groups.

The enterprise registrar shall then issue letters patent amalgamating the groups, in accordance with the Minister’s request, into a single joint procurement group constituted under Part III of the Companies Act (chapter C-38). Once constituted, the new group enjoys all the rights, acquires all the assets and assumes all the obligations of the amalgamated groups and the proceedings to which the amalgamated groups are a party may be continued without continuance of suit.

The Minister may also, for the same reasons, ask that an existing group be dissolved.

“436.0.3. The Minister may, by regulation, determine the standards and scales to be used by joint procurement groups for

(1) the selection, appointment and hiring, and the remuneration and other conditions of employment, of senior administrators and management personnel; and

(2) the remuneration and other conditions of employment of the other staff members, subject to the collective agreements in force.

The Minister may establish, by regulation and for persons referred to in subparagraphs 1 and 2 of the first paragraph who are not governed by a collective agreement, a procedure of appeal for cases of dismissal, termination of employment or non-renewal of employment, and for cases of suspension without pay or of demotion. The regulation may also prescribe a procedure for the settlement of disagreements over the interpretation and application of the terms of employment established thereby. Lastly, the regulation may prescribe a method for the designation of an arbitrator, to which sections 100.1, 139 and 140 of the Labour Code (chapter C-27) apply, and the measures the arbitrator may take after having heard the parties.

A regulation under this section must be authorized by the Conseil du trésor. The Conseil du trésor may limit the authorization requirement to the matters it considers of governmental import. It may also attach conditions to the authorization.

“436.0.4. The Minister shall determine the general terms governing the financing of joint procurement groups’ activities.”

39. Section 436.3 of the Act is amended by replacing “dean of the faculty of medicine of the university associated with the network are to be designated by the Minister to act” by “executive director of an institution that is part of the network and that operates a centre identified by the Minister and designated as a university institute or an affiliated university centre, act, as the Minister determines,”.

40. Section 442 of the Act is amended by adding the following paragraph at the end:

“All applications for modification of a permit must be received by the Minister at least three months before the projected date of the modification.”

41. Section 444 of the Act is amended by adding the following paragraph at the end:

“Failing that, the Minister may, among other things, require that the permit holder comply with what is indicated in the permit within the time the Minister prescribes.”

42. The Act is amended by inserting the following section after section 444:

“444.1. Every two years, the holder of an institution operating permit must, using the form prescribed by the Minister, provide a statement to the Minister attesting that the institution’s facilities and their capacity are the same as those specified in the permit.”

43. Section 505 of the Act is amended by replacing “designated by the agency pursuant to paragraph 1.1 of section 359” in paragraph 1 by “for which an emergency medicine department is set up”.

44. Section 520.3.1 of the Act is replaced by the following section:

“520.3.1. The Minister may offer the institutions, as well as other bodies or persons in the health and social services network, installation, maintenance and repair services for any technological medium used by the institutions, bodies or persons or user support services as well as information resource management services. The Minister may also offer information asset design, implementation and procurement services.

If those services concern information resource management or a technological medium used for information contained in a user’s record, the institution may communicate, in accordance with section 27.1, information contained in the user’s record to any person designated by the Minister if communication of that information is necessary for the provision of those services.

The Minister may, by agreement, delegate all or part of the powers assigned to the Minister by this section to an institution or to another body or person in

the health and social services network. In such a case, the delegatee is deemed to have the capacity to exercise such powers.”

45. The Act is amended by inserting the following section after section 530.2:

“**530.2.1.** Sections 185 and 433.3 do not apply to the institutions governed by this Part.”

46. Section 530.25 of the Act is amended by adding the following sentence at the end: “That regional board is designated under the name “Nunavik Regional Board of Health and Social Services”.”

47. The Act is amended by inserting the following section after section 530.75:

“**530.75.1.** Section 185 does not apply to the institution.”

48. The Act is amended by inserting the following section after section 530.112:

“**530.112.1.** Section 433.3 does not apply to an institution governed by this Part.”

49. Section 531 of the Act is amended

(1) by replacing “438, 444” in the first paragraph by “or 438, the first paragraph of section 444, sections 444.1”;

(2) by inserting “the second paragraph of section 444 or” after “contravenes” in the second paragraph.

50. Section 619.36 of the Act is amended by replacing “fourth paragraph of section 383” by “third paragraph of section 435.3”.

OTHER AMENDING PROVISIONS

BUILDING ACT

51. Section 65.4 of the Building Act (chapter B-1.1) is amended by replacing “a health and social services agency or a public institution under the Act respecting health services and social services (chapter S-4.2), a legal person or a joint procurement group referred to in section 383 of that Act,” in subparagraph 5 of the first paragraph by “a public institution under the Act respecting health services and social services (chapter S-4.2), a joint procurement group referred to in section 435.1 of that Act, the Nunavik Regional Board of Health and Social Services established under section 530.25 of that Act,”.

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

52. Section 4 of the Act respecting contracting by public bodies (chapter C-65.1) is amended by replacing “health and social services agencies and public institutions referred to in the Act respecting health services and social services (chapter S-4.2), legal persons and joint procurement groups referred to in section 383 of that Act,” in subparagraph 6 of the first paragraph by “public institutions referred to in the Act respecting health services and social services (chapter S-4.2), joint procurement groups referred to in section 435.1 of that Act, the Nunavik Regional Board of Health and Social Services established under section 530.25 of that Act,”.

ACT RESPECTING THE GOVERNANCE AND MANAGEMENT OF THE INFORMATION RESOURCES OF PUBLIC BODIES AND GOVERNMENT ENTERPRISES

53. Section 2 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) is amended, in subparagraph 5 of the first paragraph,

(1) by replacing “health and social services agencies and public institutions governed by the Act respecting health services and social services (chapter S-4.2), legal persons and joint procurement groups referred to in section 383 of that Act,” by “public institutions governed by the Act respecting health services and social services (chapter S-4.2), joint procurement groups referred to in section 435.1 of that Act, the Nunavik Regional Board of Health and Social Services established under section 530.25 of that Act,”;

(2) by striking out “health communication centres within the meaning of the Act respecting pre-hospital emergency services (chapter S-6.2),”.

ACT RESPECTING HÉMA-QUÉBEC AND THE BIOVIGILANCE COMMITTEE

54. Section 3 of the Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1) is amended by replacing “body managing joint supplies to institutions” in subparagraph 8 of the second paragraph by “joint procurement group referred to in section 435.1 of the Act respecting health services and social services (chapter S-4.2)”.

55. Section 38 of the Act is amended by replacing “body to manage joint supplies to institutions” in the first paragraph by “joint procurement group referred to in section 435.1 of the Act respecting health services and social services (chapter S-4.2)”.

PUBLIC INFRASTRUCTURE ACT

56. Section 3 of the Public Infrastructure Act (chapter I-8.3) is amended by replacing “health and social services agencies and public institutions governed

by the Act respecting health services and social services (chapter S-4.2), legal persons and joint procurement groups referred to in section 383 of that Act,” in subparagraph 6 of the first paragraph by “public institutions governed by the Act respecting health services and social services (chapter S-4.2), joint procurement groups referred to in section 435.1 of that Act, the Nunavik Regional Board of Health and Social Services established under section 530.25 of that Act.”.

57. Section 28 of the Act is amended by replacing “agencies” in the fourth paragraph by “the Nunavik Regional Board of Health and Social Services”.

58. Section 36 of the Act is amended by replacing “a health and social services agency” in the first paragraph by “the Nunavik Regional Board of Health and Social Services”.

ACT RESPECTING THE SHARING OF CERTAIN HEALTH INFORMATION

59. Section 31 of the Act respecting the sharing of certain health information (chapter P-9.0001) is amended by replacing “clinical radiology department” by “clinical medical imaging department”.

REGULATION RESPECTING CERTAIN SUPPLY CONTRACTS OF PUBLIC BODIES

60. Section 46.2 of the Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2) is amended by replacing “a legal person or by a joint procurement group referred to in section 383” in the first paragraph by “a joint procurement group referred to in section 435.1”.

REGULATION RESPECTING CERTAIN TERMS OF EMPLOYMENT APPLICABLE TO ASSISTANT PRESIDENT AND EXECUTIVE DIRECTORS OF INTEGRATED HEALTH AND SOCIAL SERVICES CENTRES AND UNAMALGAMATED INSTITUTIONS

61. The Regulation respecting certain terms of employment applicable to assistant president and executive directors of integrated health and social services centres and unamalgamated institutions (chapter O-7.2, r. 0.1) is repealed.

REGULATION RESPECTING ACCESS AUTHORIZATIONS AND THE DURATION OF USE OF INFORMATION HELD IN A HEALTH INFORMATION BANK IN A CLINICAL DOMAIN

62. Section 11 of the Regulation respecting access authorizations and the duration of use of information held in a health information bank in a clinical domain (chapter P-9.0001, r. 1) is amended by replacing “radiology” at the end of subparagraph 3 of the first paragraph by “medical imaging”.

63. Section 16 of the Regulation is amended by replacing “radiology” at the end of paragraph 3 by “medical imaging”.

RÈGLEMENT SUR LE COMITÉ D’INSPECTION PROFESSIONNELLE
DE L’ORDRE DES TECHNOLOGUES EN IMAGERIE MÉDICALE, EN
RADIO-ONCOLOGIE ET EN ÉLECTROPHYSIOLOGIE MÉDICALE DU
QUÉBEC

64. Section 13 of the Règlement sur le comité d’inspection professionnelle de l’Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec (chapter T-5, r. 6, French only) is amended by replacing “de radiologie” in the first paragraph of the French text by “d’imagerie médicale”.

65. Section 14 of the Regulation is amended by replacing “de radiologie” in the first paragraph of the French text by “d’imagerie médicale”.

TRANSITIONAL AND FINAL PROVISIONS

66. Not later than (*insert the date that is six months after the date of coming into force of section 19*), every public institution operating a hospital centre must amend its organization plan as prescribed by section 185 of the Act respecting health services and social services (chapter S-4.2), replaced by section 19, and in the case of an integrated health and social services centre or unamalgamated institution, send it to the Minister for approval, with or without modifications, in accordance with section 55.0.1 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2), enacted by section 6.

67. Every institution must, not later than (*insert the date that is three months after the date of coming into force of section 28*), determine the obligations attached to the enjoyment of the privileges granted to a physician or dentist, in accordance with section 242 of the Act respecting health services and social services, amended by section 28.

68. Every institution must, not later than (*insert the date that is three months after the date of coming into force of section 36*), send all regulations already enacted under any of section 106, 216, 222, 223, 225.5, 229, 417.6 or 417.9 of the Act respecting health services and social services to the Minister for approval, with or without modification.

69. A joint procurement group established under the second paragraph of section 383 of the Act respecting health services and social services, as it read before being repealed by section 34, is deemed to be a joint procurement group recognized by the Minister under section 435.2 of the Act respecting health services and social services, enacted by section 37. It continues to serve the same institutions.

Such a group must, before (*insert the date that is six months after the date of coming into force of section 37*), take the necessary measures to ensure its constituting act and all its activities comply with sections 435.1 to 435.4 of the Act respecting health services and social services, enacted by section 37.

The management and accountability agreement provided for in section 435.5 of the Act respecting health services and social services, enacted by section 37, must be signed with the Minister not later than (*insert the date that is one year after the date of coming into force of section 37*).

If a group fails to comply with this section, the Minister may, without further formality, determine that the institutions served by such a group are to be served by another joint procurement group specified by the Minister. In such a case, the latter group enjoys all the rights, acquires all the assets and assumes all the obligations of the non-compliant group and the proceedings to which the non-compliant group is a party may be continued without continuance of suit by the other group. The Minister subsequently asks the enterprise registrar to revoke the non-compliant group's constituting act.

70. In order to establish a timeline for the examination of the statements sent by an institution under section 444.1 of the Act respecting health services and social services, enacted by section 42, the Minister determines the date by which the first statement must be sent to him or her. The Minister informs the institution of his or her decision at least one year before the determined date.

71. The remuneration, benefits and other conditions of employment applicable to the assistant president and executive director of an institution under the Regulation respecting certain terms of employment applicable to assistant president and executive directors of integrated health and social services centres and unamalgamated institutions (chapter O-7.2, r. 0.1), as it read before being repealed by section 61, continue to apply to that assistant president and executive director until the end of the latter's term of office.

72. This Act comes into force on (*insert the date that is 15 days after the date of assent to this Act*), except section 15, which comes into force on (*insert the date that is six months after the date of assent to this Act*).

