



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 1196

**An Act to facilitate disclosure of medical
information for adoptees and persons
born of assisted procreation**

Introduction

**Introduced by
Mr. Simon Jolin-Barrette
Member for Borduas**

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EXPLANATORY NOTES

The purpose of this bill is to facilitate disclosure of medical information for adoptees and persons born of assisted procreation.

To that end, the Civil Code is amended to allow physicians to obtain, from the medical authorities concerned, the medical information required to assess the health of an adoptee or a person born of assisted procreation.

The Youth Protection Act is also amended to ensure that institutions operating child protection centres forward parent of origin identification information to physicians who request it.

Lastly, the Act respecting health services and social services is amended to add the articles of the Civil Code amended by this bill to the exceptions with regard to the confidentiality of a person's medical record.

LEGISLATION AMENDED BY THIS BILL:

- Civil Code of Québec;
- Youth Protection Act (chapter P-34.1);
- Act respecting health services and social services (chapter S-4.2).

Bill 1196

AN ACT TO FACILITATE DISCLOSURE OF MEDICAL INFORMATION FOR ADOPTEES AND PERSONS BORN OF ASSISTED PROCREATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 542 of the Civil Code of Québec, amended by section 11 of chapter 12 of the statutes of 2017, is again amended by replacing the second paragraph by the following paragraph:

“However, a physician may obtain, from the medical authorities concerned, the medical information required to assess the health of a person born of assisted procreation, of a descendant of that person or of any close relatives genetically linked to them.”

2. Article 584 of the Code, amended by section 36 of chapter 12 of the statutes of 2017, is again amended by replacing the first paragraph by the following paragraph:

“A physician may obtain, from the medical authorities concerned, the medical information required to assess the health of the adoptee or of any close relatives genetically linked to the adoptee.”

YOUTH PROTECTION ACT

3. Section 71.3.13 of the Youth Protection Act (chapter P-34.1), enacted by section 72 of chapter 12 of the statutes of 2017, is amended by replacing the second paragraph by the following paragraph:

“In addition, such an institution must disclose to a physician who so requests under article 584 of the Civil Code information making it possible to identify the parent of origin and establish contact with him or his physician.”

4. Section 71.15.2 of the Act, enacted by section 61 of chapter 12 of the statutes of 2017, is amended by replacing the second paragraph by the following paragraph:

“In addition, the Minister must, if the law of the adoptee’s State of origin does not prohibit it, disclose to a physician who so requests under article 584 of the Civil Code information making it possible to identify the parent of origin and establish contact with him or his physician.”

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

5. Section 19 of the Act respecting health services and social services (chapter S-4.2) is amended by adding the following paragraph at the end:

“(19) in the cases and for the purposes set out in articles 542 and 584 of the Civil Code.”

FINAL PROVISION

6. This Act comes into force on 16 June 2018.