

AMENDMENT

Bill 32

**AN ACT TO ESTABLISH THE CULTURAL SAFETY APPROACH WITHIN THE
HEALTH AND SOCIAL SERVICES NETWORK**

PREAMBLE

Amendment 1 has been withdrawn and renamed amendment *f*.

*Retire
B*

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SECTION 4.1

Insert after section 4:

4.1. Until 1 December 2024, section 1 of this Act is to be read as if the fifth paragraph were replaced by the following paragraph:

“For the purposes of this Act, “institution” means any public institution governed by the Act respecting health services and social services (chapter S-4.2), except a public institution governed by Part IV.3 of that Act.”

*Adopte
93*

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SECTION 2.2

Insert after proposed section 2.1:

2.2. In order to improve the cultural safety approach and culturally safe practices, the Minister establishes the priorities, objectives and guidelines of Santé Québec and the institutions in the health and social services network and sees that they are complied with and implemented.

*Adopté
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SECTION 3 (section 39.9.1 of the Professional Code)

Replace “Indigenous persons’ access”, “Indigenous communities”, “Indigenous persons”, and “in a given territory” in the introductory clause of proposed section 39.9.1 by “access by First Nations members and the Inuit”, “First Nations, the Inuit and the professional orders”, “First Nations members and the Inuit” and “on an Indian reserve, in a settlement in which an Indigenous community lives or on Category I or Category I-N lands within the meaning of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1)”, respectively.

Adopté
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**AN ACT TO ESTABLISH THE CULTURAL SAFETY APPROACH WITHIN THE
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SECTION 0.1

Insert before section 1:

0.1. For the purposes of this Act, cultural safety is an approach that consists of implementing a set of practices which aim to ensure that First Nations members and the Inuit have equitable access, without any discrimination, to health care and social services.

This approach aims to enable First Nations members and the Inuit to enjoy the best possible physical, mental, emotional and spiritual health. It implies taking into account their cultural, linguistic and historical realities in the organization of care and services and in all interactions with them. It also implies considering with respect their traditional and contemporary practices and knowledge in the fields of health and social services.

*Adopte
Rz*

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AN ACT TO ESTABLISH THE CULTURAL SAFETY APPROACH WITHIN THE HEALTH AND SOCIAL SERVICES NETWORK

SECTION 1

Replace by:

1. Santé Québec and every institution in the health and social services network must adopt a cultural safety approach toward First Nations members and the Inuit.

To that end, Santé Québec and every institution must develop, with representatives of the First Nations and the Inuit, measures specifying the culturally safe practices they intend to implement, the means to be taken and timetable for implementing them, the desired impact of the implementation and the mechanisms for measuring that impact.

Culturally safe practices must

(1) take into account the values and the cultural, spiritual and historical realities of First Nations members and the Inuit;

(2) promote partnership and effective communication with First Nations members and the Inuit;

(3) be welcoming to and inclusive of First Nations members and the Inuit;

(4) provide for the development of continuing education programs, make such education mandatory for the professionals and personnel in the health and social services network and provide for a mechanism for evaluating learner outcomes; and

(5) adapt the offering of health and social services by means such as

(a) hiring personnel from among First Nations members and the Inuit;

(b) providing access to support resources for First Nations members and the Inuit, including within the framework of any complaint examination process; and

(c) taking into account the realities specific to First Nations women and girls or Inuit women and girls or specific to their families and children.

The implementation of culturally safe practices must take into account the legislative and regulatory provisions relating to the organization and operation of Santé Québec and the institutions as well as the human, material and financial resources at their disposal.

For the purposes of this Act, “institution” means any institution referred to in Schedule II to the Act respecting the governance of the health and social services system (chapter G-1.021) and in Part IV.1 of the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2).

*Adopté
93*

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SECTION 2

Replace by:

2. Every year, every institution in the health and social services network submits to Santé Québec, in the form the latter determines, a report on the culturally safe practices it has implemented.

Every year, Santé Québec must present the culturally safe practices it has itself implemented and those implemented by the institutions in a report it sends to the Minister not later than 31 March.

The Minister sends Santé Québec's report to the President of the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days of resumption. The report is published on the website of the Ministère de la Santé et des Services sociaux and presented to the national committee on cultural safety provided for in section 2.1, the First Nations and the Inuit. The manner in which the report is to be presented to the First Nations and the Inuit is determined by the national committee on cultural safety.

Adopté
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SECTION 2.1

Insert after section 2:

2.1. A national committee on cultural safety is responsible for giving its opinion to the Minister on the following matters:

- (1) the provision of health services and social services to First Nations members and the Inuit; and
- (2) the cultural safety approach toward First Nations members and the Inuit, in particular
 - (a) the deployment of culturally safe practices;
 - (b) the impact of culturally safe practices in the health and social services network; and
 - (c) the continuing education programs developed under subparagraph 4 of the third paragraph of section 1.

The committee is composed of members appointed by the Minister and includes at least

- (1) one person representing the First Nations, who is a First Nations member;
- (2) one person representing the Inuit nation;
- (3) one person with experience relevant to the provision of health services and social services to First Nations members and the Inuit in urban areas;
- (4) one person with knowledge relevant to the realities specific to First Nations women and girls; and

(5) one person with knowledge relevant to the realities specific to Inuit women and girls.

A regulation of the Minister provides for the committee's rules of operation, the terms and conditions for the administration of its affairs, and its other functions, duties and powers.

*Adopte
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PREAMBLE

Replace by:

AS First Nations members and the Inuit must be distinguished from other users when taking into account users' rights to receive appropriate health services and social services, since they form nations with distinct histories and cultures;

AS the Royal Commission on Aboriginal Peoples, the Truth and Reconciliation Commission of Canada, the National Inquiry into Missing and Murdered Indigenous Women and Girls and the Commission d'enquête sur les relations entre les Autochtones et certains services publics have recognized the racism and discrimination in society experienced by First Nations members and the Inuit;

AS the Commission d'enquête sur les relations entre les Autochtones et certains services publics recommends the implementation of the cultural safety approach by institutions in the health and social services network;

AS the implementation of the cultural safety approach in the health and social services sector contributes to the overall improvement of the living conditions of the First Nations and the Inuit;

AS the cultural safety approach is based on the principle of social justice and helps promote trusting relationships with First Nations members and the Inuit;

AS this approach is important to First Nations members and the Inuit and is one of the demands put forward in Joyce's Principle;

