

AMENDMENT

Bill 83

**AN ACT TO FOSTER THE PRACTICE
OF MEDICINE IN THE PUBLIC HEALTH AND SOCIAL SERVICES NETWORK**

SECTION 1 (section 27 of the Health Insurance Act)

Strike out the second paragraph of proposed section 27.

Adopte all

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 2 (section 77 of the Health Insurance Act)

Replace "non-participating physician" in paragraph 1 by "non-participating professional".

Adopte all

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SECTION 3.1 (section 77.1.1 of the Health Insurance Act)

Insert after section 3:

3.1. Section 77.1.1 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: "In the case of a physician who is not entitled to become a non-participating professional because of the application of section 27, the order issued by the Board shall instead prohibit that physician from being remunerated for any insured service.";

(2) by inserting "or may not be remunerated for any insured service, as the case may be," after "non-participating professional" in the second paragraph;

(3) by inserting "or of the prohibition period during which such physicians may not be remunerated for any insured service, as the case may be," after "such physicians or dentists" in the third paragraph.

Adopted

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SECTION 6 (section 465 of the Act respecting the governance of the
health and social services system)

In the proposed second paragraph of section 465:

- (1) Insert “for a period not exceeding five years” after “Québec”.
- (2) Replace the last sentence by: “In such a case, the Government determines the terms and conditions of the undertaking.”

Sans!

Adopté amendé alle

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 6 (section 465 of the Act respecting the governance of the
health and social services system)

Replace "not exceeding" in paragraph 1 of the amendment to section 6 by "of".

Adopted

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 5 (section 464 of the Act respecting the governance of the
health and social services system)

In the proposed second paragraph of section 464

- (1) Insert "for a period not exceeding five years" after "Québec".
- (2) Replace the last sentence by the following sentence: "In such a case, the Government determines the terms and conditions of the undertaking."

Adopté

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 5 (section 464 of the Act respecting the governance of the
health and social services system)

Replace "after the end of their residency" by "after the end of their post-doctoral
medical training".

Adopted all

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Bill 83

**AN ACT TO FOSTER THE PRACTICE
OF MEDICINE IN THE PUBLIC HEALTH AND SOCIAL SERVICES NETWORK**

CHAPTER I AND SECTION 0.1

Insert before section 1:

CHAPTER I

**AUTHORIZATION TO PRACTICE MEDICINE OUTSIDE THE SCOPE OF THE
PUBLIC HEALTH INSURANCE PLAN**

0.1. The provisions of this chapter apply, despite any provision to the contrary in the Health Insurance Act (chapter A-29), to any physician who is a professional subject to the application of an agreement or a professional who has withdrawn within the meaning of that Act and wishes to become a non-participating professional within the meaning of that Act.

Adopte Ae

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 0.2

Insert after section 0.1, introduced by amendment:

0.2. A physician who wishes to become a non-participating professional must be authorized by Santé Québec to become so.

The physician provides the following information in the application for authorization transmitted to Santé Québec:

- (1) the physician's name, membership number at the Collège des médecins du Québec, field of practice and contact information;
- (2) the physician's current status with regard to the public health insurance plan;
- (3) the place where the physician intends to practise as a non-participating professional; and
- (4) the reasons supporting the application.

Adopté

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SECTION 0.3

Insert after section 0.2, introduced by amendment:

0.3. It is up to Santé Québec to determine whether an authorization should be granted. In exercising its discretion, Santé Québec takes into account the orientations established by the Minister and any other factor it considers relevant.

It also assesses

(1) the number of physicians who are non-participating professionals in the health region where the physician intends to practise as a non-participating professional, and whether that number is too large to allow the insured medical services to continue to be rendered under uniform conditions;

(2) the impacts that the authorization could have on the quality or accessibility of the insured medical services offered in the health region where the physician intends to practise as a non-participating professional; and

(3) the ability to enlist the physician's participation in increasing the quality and accessibility of the insured medical services offered in the health region where the physician intends to practise as a non-participating professional.

If the physician intends to practise as a non-participating professional in a health region other than that in which the physician practises at the time the application for authorization is submitted, Santé Québec also assesses the elements provided for in the second paragraph for that other region.

Santé Québec must refuse to grant an authorization if the physician who submitted the application is the only physician to offer an insured medical service in the health region where the physician practises at the time the application is submitted.

Adopté

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 0.4

Insert after section 0.3, introduced by amendment:

0.4. Santé Québec may require the physician who submits an application to provide any information or document it considers necessary to assess the application.

Adopté

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 0.5

Insert after section 0.4, introduced by amendment:

0.5. Where Santé Québec grants an authorization, it issues a document to the physician concerned attesting its decision.

A reproduction of the decision is sent without delay to the Régie de l'assurance maladie du Québec, to the Minister and to the organization with which the Minister has entered into an agreement under section 19 of the Health Insurance Act (chapter A-29) and of which the physician is a member.

The physician becomes a non-participating professional on the date indicated in Santé Québec's decision. The physician is then no longer bound by an agreement entered into under section 19 of the Health Insurance Act.

Adopté

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SECTION 0.6

Insert after section 0.5, introduced by amendment:

0.6. Where Santé Québec refuses to grant an authorization, it notifies the physician concerned in writing of its decision.

Before making the decision referred to in the first paragraph, Santé Québec must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the physician in writing and grant the latter at least 10 days to submit observations.

A reproduction of the decision is sent without delay to the Régie de l'assurance maladie du Québec, to the Minister and to the organization with which the Minister has entered into an agreement under section 19 of the Health Insurance Act (chapter A-29) and of which the physician is a member.

Adopté

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SECTION 0.7

Insert after section 0.6, introduced by amendment:

0.7. Section 28 of the Health Insurance Act (chapter A-29) applies, with the necessary modifications, to a physician who wishes to become again a professional subject to the application of an agreement or a professional who has withdrawn within the meaning of that Act.

The Régie de l'assurance maladie du Québec informs Santé Québec of any notice it receives from such a physician under that section.

The authorization ends on the date on which the re-engagement of the physician takes effect.

Adopté

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SECTION 0.8

Insert after section 0.7, introduced by amendment:

0.8. The authorization granted under section 0.5 ends on (*insert the date that is two years after the date of assent to this Act*). However, Santé Québec may, if it considers it advisable, provide that the authorization is to end on an earlier date that it indicates in the document attesting its decision.

The physician whose authorization ends becomes again, without further formality, a professional subject to the application of an agreement or a professional who has withdrawn within the meaning of the Health Insurance Act (chapter A-29), depending on which of those two statuses was the physician's status at the time Santé Québec granted its authorization.

**CHAPTER II
AMENDING PROVISIONS**

HEALTH INSURANCE ACT

Adopté

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Bill 83

**AN ACT TO FOSTER THE PRACTICE
OF MEDICINE IN THE PUBLIC HEALTH AND SOCIAL SERVICES NETWORK**

CHAPTER III AND SECTION 8.1

Insert after section 8:

**CHAPTER III
TRANSITIONAL AND FINAL PROVISIONS**

8.1. The provisions of Chapter I of this Act do not apply to a physician who informed the Régie de l'assurance maladie du Québec, before 1 April 2025, that they wish to become a non-participating physician within the meaning of the Health Insurance Act (chapter A-29) in accordance with section 26 of that Act.

Adopté

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 8.2

Insert after section 8.1, introduced by amendment:

8.2. A physician who informed the Régie de l'assurance maladie du Québec on or after 1 April 2025 that they wish to become a non-participating professional within the meaning of the Health Insurance Act (chapter A-29) in accordance with section 26 of that Act remains, on *(insert the date of assent to this Act)*, a professional subject to the application of an agreement or a professional who has withdrawn, as the case may be, or, if the physician's notice of non-participation took effect before *(insert the date of assent to this Act)*, becomes again, on that date, a professional subject to the application of an agreement or a professional who has withdrawn within the meaning of that Act, depending on which of the two statuses was the physician's status at the time they transmitted their notice of non-participation to the Régie.

Adopté All

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 9

Replace "who began practising in Québec" by "who have already been professionals subject to the application of an agreement entered into under section 19 of the Health Insurance Act (chapter A-29)".

Adopté Alle

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Bill 83

**AN ACT TO FOSTER THE PRACTICE
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SECTION 9.1

Insert after section 9:

9.1. The provisions of Chapter I of this Act cease to have effect on *(insert the date that is two years after the date of assent to this Act)*.

Adopted

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 9.2

Insert after section 9.1, introduced by amendment:

9.2. Until (*insert the date that is two years after the date of assent to this Act*), section 27 of the Health Insurance Act (chapter A-29), enacted by section 1 of this Act, is to be read as if “avail himself of section 26 to become a non-participating professional” were replaced by “apply for an authorization under section 0.2 of the Act to foster the practice of medicine in the public health and social services network (*insert the year and chapter number of that Act*)”.

Adopted

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 9.3

Insert after section 9.2, introduced by amendment:

9.3. Until (*insert the date that is two years after the date of assent to this Act*), the provisions of a regulation made under section 29 of the Health Insurance Act (chapter A-29) apply, with the necessary modifications, to the changes made in accordance with the provisions of Chapter I of the Act to foster the practice of medicine in the public health and social services network (*insert the year and chapter number of that Act*).

Adopte Alle

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Bill 83

**AN ACT TO FOSTER THE PRACTICE
OF MEDICINE IN THE PUBLIC HEALTH AND SOCIAL SERVICES NETWORK**

SECTION 9.3.1

Insert after section 9.3, introduced by amendment:

9.3.1. Until (*insert the date that is two years after the date of assent to this Act*), sections 77, 77.0.1 and 77.1.1 of the Health Insurance Act (chapter A-29), amended respectively by sections 2, 3 and 3.1 of this Act, section 259 of the Act respecting the governance of the health and social services system (chapter G-1.021), amended by section 4 of this Act, section 257 of the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2), amended by section 7 of this Act, and section 132.2 of the Act respecting health services and social services for Cree Native persons (chapter S-5), amended by section 8 of this Act, apply as if every physician were a physician not entitled to become a non-participating professional because of the application of section 27 of the Health Insurance Act, as enacted by section 1 of this Act.

Adopte all

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**AN ACT TO FOSTER THE PRACTICE
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SECTION 9.4

Insert after section 9.3, introduced by amendment:

9.4. The Minister of Health and Social Services is responsible for the application of this Act.

Adopte-ee