



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 395

**An Act to govern the accessibility and
universality of health services in Québec**

Introduction

**Introduced by
Mr. Amir Khadir
Member for Mercier**

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EXPLANATORY NOTES

The object of this bill is to reaffirm and reinforce the accessibility and universality of health services in Québec.

Every person is recognized as having the right to have access to and receive satisfactory health services on uniform terms and conditions, without any billing or user fees in the form of a financial or fiscal contribution.

Lastly, a provision is added to the Charter of human rights and freedoms to recognize every person's right to health.

LEGISLATION AMENDED BY THIS BILL:

- Charter of human rights and freedoms (R.S.Q., chapter C-12).

Bill 395

AN ACT TO GOVERN THE ACCESSIBILITY AND UNIVERSALITY OF HEALTH SERVICES IN QUÉBEC

AS, since 1970, Québec has had a health system founded on equitable care and solidarity, whose objective is to protect, promote and improve the physical and mental well-being of the population of Québec;

AS, to attain this objective, Québec has opted for a health system based on the principles of universality and free access, excluding any direct or indirect charges that would hinder accessibility;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. This Act applies to the Québec health system established and governed by the Acts listed in the schedule.

This Act is public policy.

2. Every person insured under the Health Insurance Act (R.S.Q., chapter A-29) has a right to receive insured services on uniform terms and conditions.

3. Insured services are offered in such a manner that every insured person may have satisfactory access to them, according to the person's needs and not to the person's ability to pay.

4. Insured services are provided to the insured person without any billing by the State or, particularly, by the Régie de l'assurance maladie du Québec.

Furthermore, no user fees in the form of a financial or fiscal contribution may be claimed from a taxpayer for the use of health services.

5. The Charter of human rights and freedoms (R.S.Q., chapter C-12) is amended by inserting the following section after section 45:

“45.1. Every person has a full and unqualified right to health. No financial contribution may be required for the use of public hospital or medical services.”

6. This Act comes into force on *(insert the date of assent to this Act)*.

SCHEDULE

(Section 1)

Hospital Insurance Act (R.S.Q., chapter A-28)

Health Insurance Act (R.S.Q., chapter A-29)

Act respecting the Régie de l'assurance maladie du Québec (R.S.Q., chapter R-5)

Act respecting health services and social services (R.S.Q., chapter S-4.2)

Act respecting health services and social services for Cree Native persons (R.S.Q., chapter S-5)