

Bill 127

**An Act to improve the management of  
the health and social services network**

Section 4

**AMENDMENT:**

1. Replace the third paragraph of section 107.1 proposed by paragraph 1. by:  
  
“If an accreditation body refuses to accredit an institution, the institution must, within 12 months after the refusal, submit a new application for accreditation and inform the agency of the fact.”;
2. Strike out “the Minister,” in the paragraph introduced by paragraph 2.

*Adopté  
al*

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Section 9

**AMENDMENT:**

1. Replace "one person designated" in subparagraph 3 of the first paragraph of proposed section 129 by "two persons designated".
2. Replace "one person designated" in subparagraph 5 of the first paragraph of proposed section 129 by "two persons designated".
3. Replace "four" in subparagraph 6 of the first paragraph of proposed section 129 by "four or, if applicable, five".
4. Insert after subparagraph *c* of subparagraph 6 of the first paragraph of proposed section 129:

(c.1) one person designated by and from among the members of the council of midwives of the institution, if applicable;"
5. Replace "*c*" in subparagraph *d* of subparagraph 6 of the first paragraph of proposed section 129 by "*c.1*".
6. Replace "the Minister" in subparagraph 7 of the first paragraph of proposed section 129 by "the agency concerned".
7. Replace "three" in subparagraph 8 of the first paragraph of proposed section 129 by "six".

Adopté  
ae

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Section 9

**AMENDMENT:**

Add after "appointed" in subparagraph 8 of the first paragraph of proposed section 129:

“. At least one of those persons must be chosen from a list provided by the community organizations identified by the agency concerned that serve the people in the region”

*Adopté  
ae*

AM 4  
s. 9 (131)

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Section 9

**AMENDMENT:**

Replace "for example" in the first paragraph of proposed section 131 by "in particular".

*Adopté  
ae*

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Section 11

**AMENDMENT:**

Replace proposed section 132.3 by:

“132.3. A member of the board of directors of an institution elected, appointed or co-opted as an independent director must disclose in writing to the board any situation likely to affect the member’s status.”

*Adopté  
ae*

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Section 14

**AMENDMENT:**

1. Replace "A new member" in the first paragraph of proposed section 133.2 by "New members".
2. Add after subparagraph 3 of the first paragraph of proposed section 133.2:
  - (4) a council of midwives within the meaning of subparagraph c.1 of subparagraph 6 of the first paragraph of section 129 is established for an institution, allowing the addition of a member designated by and from among the members of the new council.

*Adopté*

AM 7  
s. 16 (135)

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Section 16

**AMENDMENT:**

Replace the introductory clause of paragraph 1 by:

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

*Adopté  
ae*

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Section 20

**AMENDMENT:**

Insert after the second paragraph of proposed section 149:

However, if a member serves a term of office of less than two years, the term is not taken into account for the purposes of the second paragraph.

*Adopté  
a*



AM 9  
s. 23 (156)

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Section 23

**AMENDMENT:**

Replace the third paragraph of proposed section 156 by:

A vacancy that is not filled by the board of directors within 120 days may be filled by the agency.

*Adopted*

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Section 9

**AMENDMENT:**

1. Strike out “or to an organization that has a service relationship with the institution” in subparagraph 3 of the second paragraph of proposed section 131.
2. Replace “permanent user of” in subparagraph 5 of the second paragraph of proposed section 131 by “user lodged in”.
3. Replace the third paragraph of proposed section 131 by:

For the purposes of this section, “immediate family member” means a person’s spouse or child, the spouse’s child, the person’s mother or father, the spouse of the person’s mother or father, or the spouse of the person’s child or of the person’s spouse’s child.”

*Adopted*

AM 11  
s. 14 (133.2)

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Section 14-

**AMENDMENT:**

Replace "may be" in the first paragraph of proposed section 133.2 by "must be".

*Adopté*

AM 12  
s. 25 (158.1)

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Section 25

**AMENDMENT:**

Strike out "and to the Minister" in proposed section 158.1.

*Adopted*

AM 13  
s. 26 (159)

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Section 26

**AMENDMENT:**

Strike out paragraph 2.

*Adopted*

AM 14  
s. 32 (177)

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Section 32

**AMENDMENT:**

Withdraw.

*Adopté  
ae*

AM 15  
s. 33 (178)

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Section 33

**AMENDMENT:**

Withdraw.

*Adopté au*

AM 16 (AM b)

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**AMENDMENT:**

Amendment 16 has been withdrawn and renamed Am b.



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Section 31

**AMENDMENT:**

1. Replace the introductory clause of proposed section 172 by  
“172. The board of directors of an institution must also
2. Insert after paragraph 2 of proposed section 172:  
(2.1) approve the financial statements;
3. Add at the end of proposed section 172:  
(8) ensure that the teaching and research mission is complied with if the institution operates a centre designated as a university hospital centre, a university institute or an affiliated university centre.”

*Adopté*

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Section 36

**AMENDMENT:**

Replace by:

**36.** Section 181.0.2 of the Act is amended by replacing “paragraph 2 of any of sections 129, 130, 131 or 133” by “subparagraph 3 of the first paragraph of section 129”.

*Adopté*

AM 19  
s. 37 (181.0.3)

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Section 37

**AMENDMENT:**

Replace "by "2 and 3"" by "by "3 and 4"".

*Adopté  
ae*

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Section 30

**AMENDMENT:**

1. Replace “171. The board of directors shall establish strategic orientations in accordance with province-wide and regional orientations for every public institution under its administration” in the first paragraph of proposed section 171 by “171. The board of directors of an institution shall establish strategic orientations in accordance with province-wide and regional orientations”.
2. Add at the end:
  - (3) by replacing “ces” in the last paragraph in the French text by “les”.

*Adopté*

AM 21  
s. 39 (182.0.3)

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Section 39

**AMENDMENT:**

Replace proposed section 182.0.3 by:

**"182.0.3.** The strategic plan is sent to the agency.

*Adopted*

AM 22  
s. 39 (182.0.4)

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Section 39

**AMENDMENT:**

Strike out proposed section 182.0.4.

*Adopté aa*

AM 23  
s. 40.1 (182.3)

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Section 40.1

**AMENDMENT:**

Insert after section 40:

**40.1.** Section 182.3 of the Act is amended by striking out “which the agency shall transmit to the Minister.”

*Adopté*

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Section 41

**AMENDMENT:**

Replace section 41 by:

41. Section 182.7 of the Act is amended

(1) by replacing subparagraph 1 of the second paragraph by the following subparagraph:

“(1) a presentation of the results obtained measured against the objectives set out in the strategic plan and in the management and accountability agreement entered into with the agency;”;

(2) by striking out “, which shall communicate it to the Minister” in the third paragraph.

*Adopté*



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Section 39

**AMENDMENT:**

Replace proposed section 182.0.5 by:

**“182.0.5.** The agency and the institution meet to discuss the adjustments to the strategic plan, where applicable, and to agree on how to follow up on the plan. The adjustments are then submitted to the board of directors of the institution.”

*Adopté*

AM 26  
s. 42 (182.9)

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Section 42

**AMENDMENT:**

Replace proposed section 182.9 by:

“**182.9.** The institution must publish its annual management report on its website.”

*Adopted*

AM 27  
s. 44 (201.1)

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Section 44

**AMENDMENT:**

Withdraw.

*Adopté*

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Section 44.1

**AMENDMENT:**

Insert after section 44:

**44.1.** Section 209 of the Act is amended by replacing “Each institution must set up a committee for the users of its services and” in the first paragraph by “A users’ committee is established for each institution, and each institution must” and by inserting “allocate to it” after “which is not a party to an agreement,”.

*Adopté*

AM 29  
s. 44.2 (278)

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Section 44.2

**AMENDMENT:**

Insert after section 44:

**44.2.** Section 278 of the Act is amended by striking out “and to the Minister”.

*Adopté*

AM 30  
s. 51 (346.3)

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Section 51

**AMENDMENT:**

Replace "regional management committee consisting" in the first paragraph of proposed section 346.3 by "regional coordination committee composed".

*Adopté*

AM 31  
s. 55 (397)

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Section 55

**AMENDMENT:**

Insert the following paragraph after paragraph 3 of proposed section 397:

(3.1) one person who is a member of a regional pharmaceutical services committee, chosen from a list provided by the committee;

*Adopted*

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Section 55

**AMENDMENT:**

1. Replace paragraph 1 of proposed section 397 by:
  - (1) five independent persons chosen after consultation with various groups, including the regional conference of elected officers, on the basis of the expertise and experience profiles adopted by the board;
2. Strike out "that offer services" in paragraph 8 of proposed section 397.

*Adopté*



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Section 54

**AMENDMENT:**

Replace proposed section 385.10 by:

**“385.10.** Every agency must publish its annual management report  
on its website.”

*Adopté*

AM 34  
s. 56 (397.0.2)

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Section 56

**AMENDMENT:**

Add at the end of proposed section 397.0.2:

In addition, a person who is a member of the board of directors of an institution whose head office is situated in the area of jurisdiction of the agency concerned may not sit on the board of directors of the agency as an independent member.”

*Adopté  
ca*

AM 35  
s. 56.1 (397.2)

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Section 56.1

**AMENDMENT:**

Insert after section 56:

**56.1.** Section 397.2 of the Act is amended by replacing “three” in the first paragraph by “four”.

*Adopté*

AM 36  
s. 56.2 (397.3)

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Section 56.2

**AMENDMENT:**

Insert after section 56:

**56.2.** Section 397.3 of the Act is amended by striking out “most equitable representation possible of men and women and of” .

*Adopté*  
*ae*

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Section 58

**AMENDMENT:**

Replace by:

**58.** Section 399 of the Act is amended

(1) by replacing "three years" in the first paragraph by "four years. Other than the president and executive director, members may not serve more than two consecutive terms.";

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

"However, if a member serves a term of less than two years, the term is not taken into account for the purposes of the first paragraph."

*Adopté*

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Section 61

**AMENDMENT:**

1. Insert before paragraph 1:

(0.1) by adding the following sentence at the end of the first paragraph:  
“It shall define the strategic directions of the agency in accordance with province-  
wide orientations.”;

2. Insert after paragraph 6 of section 405 that it amends:

“(6.1) approving the financial statements; and

*Adopte  
ce*

AM 39  
s. 65 (413.1)

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Section 65

**AMENDMENT:**

Withdraw.

*Adopté*

AM 40  
s. 67 (413.1.1)

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Section 67

**AMENDMENT:**

1. Replace “, the institution and the Minister” in the second paragraph of proposed section 413.1.1 by “and the institution”.
2. Strike out “or the Minister” in the third paragraph of proposed section 413.1.1.

*Adopté*



AM 41  
s. 68 (431.1)

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Section 67

**AMENDMENT:**

Replace "strategic orientations" in paragraph 4 of proposed section 431.1 by "directions".

*Adopté*

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Section 69

**AMENDMENT:**

1. Replace "senior officers" in paragraph 1 of proposed section 433.2 by "president and executive directors, executive directors and assistant executive directors".
2. Replace "senior officers" in paragraph 2 of proposed section 433.2 by "president and executive directors, executive directors and assistant executive directors".

*Adopté  
al*

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Section 69

**AMENDMENT:**

Replace proposed section 433.3 by:

“433.3.If an institution is experiencing difficulties that seriously compromise either the quality of the health services or social services it offers or its administration, organization or operation, the agency may appoint up to two observers for a period it determines.

The observers may attend all meetings of the institution’s board of directors, committees and supervisory committees but are not entitled to vote.

The observers shall submit their observations to the agency, which shall determine the recommendations to be made to the institution. The agency may also require the institution to provide it with an action plan for implementing the recommendations.”

*Adopted*

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Section 70

**AMENDMENT:**

Replace proposed section 434.1 by:

“434.1. In exceptional circumstances and when the quality of care and services depends on it, and after obtaining the opinion of the Collège des médecins du Québec, the Ordre professionnel des dentistes du Québec and the Ordre professionnel des pharmaciens du Québec, the Minister may entrust the responsibilities of a council of physicians, dentists and pharmacists of an institution to one or more persons designated by the Minister.

The persons so designated must be members of one of those professional orders.”

*Adopté  
al*

AM 45  
s. 71 (490)

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Section 71

**AMENDMENT:**

Replace proposed paragraph 6 by:

“(6) where the institution is experiencing difficulties that seriously compromise either the quality of the health services or social services it offers or its administration, organization or operation.”

*Adopté*

AM 46  
s. 83 (530.64)

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Section 83

**AMENDMENT:**

Insert "129," after "sections" in proposed section 530.64.

*Adopté  
ae*

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Section 35

**AMENDMENT:**

Add after paragraph 5 of proposed section 181.0.0.3:

(6) seeing that internal control mechanisms are put in place and making sure that they are appropriate and effective.”

*Adopté*

AM 48  
s. 43 (193)

Bill 127

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Section 43

**AMENDMENT:**

Strike out “, on the basis of the expertise and experience profile adopted by the board and” in the first paragraph of proposed section 193.

*Adopté*



AM 49  
s. 51 (346.4)

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Section 51

**AMENDMENT:**

Strike out proposed section 346.4.

*Adopté*

AM 50  
s. 63 (407)

Bill 127

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Section 63

**AMENDMENT:**

Strike out "177,".

*Adopte<sup>d</sup>  
ee*

AM 51  
s. 71 (490)

Bill 127

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Section 71

**AMENDMENT:**

Replace "one year" in paragraph 1 by "180 days".

*Adopté  
as*

AM 52  
s. 72 (491)

Bill 127

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Section 72

**AMENDMENT:**

Replace by:

72. Section 491 of the Act is amended by replacing "120" by "180".

*Adoptée*

AM 53  
s. 74 (496.1)

Bill 127

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Section 74

**AMENDMENT:**

Withdraw.

*Adopté  
ce*

Bill 127

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Section 75

**AMENDMENT:**

Replace by:

75. Section 498 of the Act is amended

- (1) by striking out “or election” in paragraph 2;
- (2) by adding the following after paragraph 3:

“(4) declare the office of the members of the board of directors of an institution forfeited, and entrust the administration of the institution to the agency concerned for up to four years.

In the case provided for in subparagraph 4 of the first paragraph, the Government must first give the stakeholders in the territory of the institution the opportunity to submit observations.

The agency entrusted with the administration of an institution referred to in subparagraph 4 of the first paragraph must administer the institution as a separate administrative entity and appoint an executive director to manage it.

The Government may terminate the administration at any time, or renew it if necessary; each renewal is for a maximum of four years. If the Government terminates the administration, it provides for the appointment of the new board of directors of the institution.”

*Adopté  
ce*

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Section 43

**AMENDMENT:**

Replace proposed section 193 by:

“**192.1.** The board of directors of a public institution must draw up an expertise and experience profile for the appointment of the executive director.

“**193.** The executive director of a public institution is appointed by the board of directors on the recommendation of a selection committee.

The selection committee is established by the board of directors and is composed of five members, including one person designated by the Minister and one person designated by the agency.

The recommendation of the selection committee to the board of directors must receive the consent of the majority of the committee members.

If the recommendation of the selection committee does not receive either the consent of the person designated by the Minister or the consent of the person designated by the agency, the board of directors must establish a new selection committee.

*Adopté au*

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Section 44.3

**AMENDMENT:**

Insert after section 44:

**44.3.** Section 295 of the Act is amended by replacing the second paragraph by the following paragraph:

“The institution shall publish its annual financial report on its website within 30 days after the report is adopted by the board of directors, subject to the protection of the personal information it contains.”

*Adopté ae*



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Section 49

**AMENDMENT:**

Replace by:

49. Section 343.1 of the Act is amended

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

“343.1. An agency may establish a people’s forum in its area of jurisdiction; the activities of the forum are coordinated by the president and executive director.”;

(2) by replacing “three” in the second paragraph by “four”.

*Adopté  
as*

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Section 50

**AMENDMENT:**

Replace paragraph 2 by:

(2) by inserting “, if applicable” after “people’s forum” in the second paragraph.

*Adopted*  
*ae*

AM 59  
s. 77 (501)

Bill 127

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Section 77

**AMENDMENT:**

Withdraw.

*Adopté  
ae*

AM 60  
s. 79 (530.50.1)

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Section 79

**AMENDMENT:**

Withdraw.

*Adopté  
ce*

AM 61  
s. 80 (530.52)

Bill 127

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Section 80

**AMENDMENT:**

Strike out "346.4,".

*Adopted  
ae*

AM 62  
s. 87

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Section 87

**AMENDMENT:**

Replace both occurrences of "expertise" by "expertise and experience".

*Adopted*

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Section 89

**AMENDMENT:**

1. Replace "55 to 60" in paragraph 2 by "55 to 57, 59, 60".
2. Add at the end:
  - (3) sections 42 and 44.3, which come into force on the date to be set by the Government.

*Adopted*

AM 64  
s. 9 (129)

Bill 127

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Section 9

**AMENDMENT:**

Strike out "hospital" in the second line of subparagraph 5 of the first paragraph of proposed section 129.

*Adopted  
as*



AM 65

s. 66 (Part III, Title I, Chap. I, Div. V, heading)

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Section 66

**AMENDMENT:**

Replace by:

**66.** The heading of Division V of Chapter I of Title I of Part III of the Act is replaced by the following heading:

“POWERS OF INTERVENTION OF THE AGENCY”.

*Adopté*

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Section 67.1

**AMENDMENT:**

Insert after section 67:

**67.1.** The Act is amended by inserting the following section after section 413.1.1:

**“413.1.2.** If an institution is experiencing difficulties that seriously compromise either the quality of the health services or social services it offers or its administration, organization or operation, the agency may appoint up to two observers for a period it determines.

The observers may attend all meetings of the institution’s board of directors, committees and supervisory committees but are not entitled to vote.

The observers shall submit their observations to the agency, which shall determine the recommendations to be made to the institution. The agency may also require the institution to provide it with an action plan for implementing the recommendations.”

*Adopted*

AM 67  
s. 69 (433.3)

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Section 69

**AMENDMENT:**

1. Replace "the following sections" in the introductory clause by "the following section".
2. Strike out proposed section 433.3.

*Adopté au*