

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 2

**AMENDMENT:**

Insert the following paragraph after paragraph 1:

(1.1) “private physician’s office” means a consulting room or office, situated elsewhere than in a facility maintained by an institution, in which one or more physicians, individually or as a group, regularly practise their profession, privately and solely on their own account, without directly or indirectly providing their patients with lodging;

*adapte-  
RC*

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Section 3

**AMENDMENT:**

Replace by:

3. The specific information management rules defined by the health and social services network information officer and approved by the Conseil du trésor in accordance with section 10 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (R.S.Q., chapter G-1.03) apply to the following persons and partnerships in the performance of any act under this Act:

- (1) the operations manager of a health information bank in a clinical domain;
- (2) the operations manager of a clinical domain register;
- (3) the operations manager of the register of refusals;
- (4) the operations manager of the electronic prescription management system for medication;
- (5) access authorization managers;
- (6) source system managers;
- (7) the operations manager of the register of bodies;
- (8) health and social service providers entered in the register of providers;
- (9) persons or partnerships who host, operate or use an information asset referred to in this Act;
- (10) persons or partnerships who operate a medical biology laboratory, a medical imaging laboratory or a medical diagnostic radiology laboratory within

the meaning of the Act respecting medical laboratories, organ and tissue conservation and the disposal of human bodies (R.S.Q., chapter L-0.2) or a regulation under that Act;

(11) the Régie de l'assurance maladie du Québec;

(12) institutions governed by the Act respecting health services and social services;

(13) health and social services agencies governed by the Act respecting health services and social services;

(14) the Cree Board of Health and Social Services of James Bay established under the Act respecting health services and social services for Cree Native persons;

(15) persons or partnerships operating a private physician's office;

(16) persons or partnerships operating a community pharmacy; and

(17) persons or partnerships operating a specialized medical centre defined in section 333.1 of the Act respecting health services and social services.

A handwritten signature in black ink, appearing to read "adapte" above a stylized monogram or initials.

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Section 4

**AMENDMENT:**

Withdraw.

*Adopte  
PA*

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Section 5

**AMENDMENT:**

- (1) Replace “persons listed” by “persons and partnerships listed”.
- (2) Replace “those persons” by “those persons and partnerships”.

*Adopté*  
*RE*

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Section 2

**AMENDMENT:**

Insert the following paragraph after paragraph 2:

(2.1) “Québec Health Record” means an information asset that makes it possible to release to authorized providers and bodies, in a timely fashion, health information concerning a person receiving health services or social services that is held in the health information banks in the clinical domains; and

*Adopté -  
AA*

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Section 7

**AMENDMENT:**

Strike out the second and third paragraphs.

*adopte-*  
*Re*

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Section 7.1

**AMENDMENT:**

Insert after section 7:

7.1. Every person receiving health services or social services is presumed to have consented to the release of his or her health information through the Québec Health Record, unless the person has expressed refusal under section 43.

*Adopter  
AA*



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Section 8

**AMENDMENT:**

- (1) Replace “a health information bank in a clinical domain” in paragraph 3 by “the health information banks in the clinical domains”.
- (2) Replace “in a clinical domain” in paragraph 4 by “in the clinical domains”.

*adopté*  
*AL*

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Section 9

**AMENDMENT:**

Replace “soustrait” in the French text by “dispense”.

*adopté -  
RC*

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Section 10

**AMENDMENT:**

Replace the second paragraph by:

A clinical domain is made up of one or more health information banks.

*Adopté*  
*PP*

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Sections 10.1 and 10.2

**AMENDMENT:**

Insert after section 10:

**10.1.** Health information concerning a person who receives health services for which information must be released to a health information bank in a clinical domain is released in accordance with this Act and the specific information management rules defined by the health and social services network information officer.

**10.2.** Health information that must be released to a health information bank in a clinical domain under this chapter may be released by a health and social services agency to the extent that the agency hosts the information for an institution in accordance with an agreement entered into under section 520.3.1 of the Act respecting health services and social services.

*Adopter  
AC*

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Section 11

**AMENDMENT:**

- (1) Strike out the first paragraph.
- (2) Insert “in a clinical domain” after “information bank” in the second paragraph.

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*AK*

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Section 12

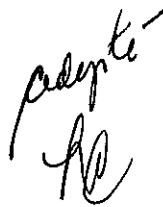
**AMENDMENT:**

(1) Replace the first paragraph by:

12. When the Minister entrusts the operations management of a health information bank in a clinical domain to an operations manager, the Minister enters into a written agreement with that manager.

(2) Add after subparagraph 3 of the second paragraph:

(4) to notify the Minister without delay of any violation or attempted violation of an obligation concerning the confidentiality of the information released.

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Section 13

**AMENDMENT:**

Replace "A person or body" by "A third person".

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*AR*

Bill 59

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health information**

Section 14

**AMENDMENT:**

Replace “in the second paragraph of” in the second paragraph by “in”.

*Adopte*  
*AP*



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Section 15

**AMENDMENT:**

Replace the first paragraph by:

**15.** When the Minister entrusts the operations management of a clinical domain register to an operations manager, the Minister enters into a written agreement with that manager.

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*AP*

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Section 17

**AMENDMENT:**

Withdraw.

*Adopte -  
SR*

Bill 59

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Section 19

**AMENDMENT:**

Replace the second sentence by: "The operations manager also logs the name and unique identification number of a body that releases or receives health information and the date and time it is released or received."

*adopted  
AC*

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Section 16

**AMENDMENT:**

- (1) Insert “, if applicable,” after “clinical domain register” in the introductory clause.
- (2) Insert “clinique” after “registre de ce domaine” in the introductory clause in the French text.
- (3) Strike out paragraph 3.

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RL*

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Section 20

**AMENDMENT:**

Insert “, in addition to the elements listed in section 19,” after “logs”.

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AR*

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Section 21

**AMENDMENT:**

- (1) Replace “an institution operating a centre where a pharmacist practises, or a person or partnership operating a community pharmacy,” by “a person or partnership operating a community pharmacy”.
- (2) Replace “that is related to an act in connection with a prescription for” by “concerning any”.

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*AR*

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Section 21.1

**AMENDMENT:**

Insert after section 21:

**21.1.** As soon as possible, an institution operating a centre where a pharmacist practises must release to the operations manager of a health information bank in the medication domain, in the cases determined by regulation of the Government, the health information listed in section 23 concerning any medication.

*Adopté  
AC*

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Section 22

**AMENDMENT:**

- (1) Strike out paragraph 1.
- (2) Insert “or sold under pharmaceutical control” after “prescribed” in subparagraph *a* of paragraph 2.

*adapte*  
*AC*



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Section 23

**AMENDMENT:**

- (1) Strike out “, for each act in connection with a prescription for medication” in the introductory clause.
- (2) Replace “supplied or administered” in paragraphs 2, 3 and 5 by “dispensed or to be dispensed”.
- (3) Add “and, in the case of a collective prescription, the date it was filled” at the end of paragraph 4.
- (4) Replace “supplied or administered” in paragraph 6 by “dispensed”.
- (5) Replace “supplied or administered” in paragraph 7 by “dispensed”.
- (6) Insert “and, in the case of a collective prescription, of the health professional who filled it” after “prescription” in paragraph 13.
- (7) Add “and, in the case of a collective prescription, where it was filled” at the end of paragraph 14.
- (8) Replace “performed an act in connection with the prescription” in paragraph 15 by “provided the service to the person concerned”.
- (9) Strike out “and where an act was performed in connection with the prescription” in paragraph 16.
- (10) Replace “for any act in connection with the prescription” in paragraph 17 by “the service was provided by the pharmacist”.

*Adopte*  
*RC*

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Section 25

**AMENDMENT:**

- (1) Replace “ou société” in the French text by “ou une société”.
- (2) Replace “the results of medical biology analyses they produce for a person’s file or that are produced” by “any results of a medical biology analysis they produce for a person’s file or that are produced”.

*Adopté  
RC*

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Section 26

**AMENDMENT:**

- (1) Strike out “, for each medical biology analysis”.
- (2) Replace paragraph 25 by:
  - (25) the information shown in the report;

*Adeski*  
*AK*

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Section 28

**AMENDMENT:**

- (1) Replace “que toute personne ou société” in the French text by “qu’une personne ou une société”.
- (2) Replace “the results of medical imaging examinations” by “any medical imaging examination result”.

*adopté*  
*AC*

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Section 30

**AMENDMENT:**

- (1) Strike out “, for each medical imaging examination” in the introductory clause.
- (2) Strike out paragraphs 2 and 3.
- (3) Insert after paragraph 14:
  - (14.1) the images and the information shown on them;
- (4) Strike out “the images and” in paragraph 15.
- (5) Strike out “and the accompanying images” in paragraph 16.

*adopté  
RE*

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Section 30

**AMENDMENT:**

Insert "relevant" after "additional" in paragraph 11.

*adopte  
re*

Bill 59

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health information**

Section 35

**AMENDMENT:**

Strike out “, for each vaccine administered to a person or to be administered to the person at a later time” in the introductory clause.

*Adopte  
AL*

Bill 59

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Section 37

**AMENDMENT:**

- (1) Replace “a health professional who documents an allergy or an intolerance for a person’s file” by “an institution operating a centre where a health professional who documents an allergy or an intolerance for a person’s file practises, a person or partnership operating a private physician’s office, or a specialized medical centre in which such a health professional practises”.
- (2) Replace “the allergies and intolerances” by “any documented allergy or intolerance”.

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AC*



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Section 38

**AMENDMENT:**

Strike out “, for each documented allergy or intolerance that may have an impact on a person’s health” in the introductory clause.

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re*

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Section 40

**AMENDMENT:**

Replace “on any” by “concerning the hospitalization of any”.

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AO*

Bill 59

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Section 41

**AMENDMENT:**

- (1) Strike out “for every hospitalization” in the introductory clause.
- (2) Add “or subparagraph *b* of the first paragraph of section 173 of the Act respecting health services and social services for Cree Native persons” after “social services” in paragraph 3.

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he*

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Divisions I and II of Chapter III of Title II (sections 43 to 50)

**AMENDMENT:**

Replace Divisions I and II of Chapter III of Title II, comprising sections 43 to 50, by the following division:

**DIVISION I  
EXPRESSION OF REFUSAL**

**43.** A person may at any time

(1) refuse to allow the release through the Québec Health Record of all of his or her health information that is held in health information banks in the clinical domains; or

(2) refuse to allow the release through the Québec Health Record of all of his or her health information that was collected before the date he or she determines and that is held in health information banks in the clinical domains.

A person who has expressed refusal may, at any time, withdraw it or change its scope in accordance with the first paragraph.

**44.** If the person to whom the health information relates is under the age of 14 or is incapable, refusal is expressed by the holder of parental authority or the tutor, curator or mandatary of the person.

**45.** Refusal is expressed by telephone, mail, Internet or any other means the Minister prescribes by regulation.

A refusal is recorded in the register of refusals. A confirmation of the recording is given to the person who requested the refusal.

**46.** Despite a refusal, health information held in health information banks in the medical imaging domain may be released in the cases described in sections 31 and 32.

47. A refusal does not prevent the release of health information held in health information banks in the clinical domains to an authorized provider if there is imminent danger to the life or health of the person concerned.

The operations manager of the register of refusals must inform the person concerned of the release, in writing, as soon as possible.

48. A refusal does not prevent the collection of health information in the health information banks in the clinical domains.

49. No one may refuse care to a person on the ground that the person refused to allow the release of his or her health information through the Québec Health Record.

*adapté  
HE*

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Section 51

**AMENDMENT:**

Replace “in the second paragraph of” in the second paragraph by “in”.

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*AR*

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Section 52

**AMENDMENT:**

Replace the first paragraph by:

**52.** When the Minister entrusts the operations management of the register of refusals to an operations manager, the Minister enters into a written agreement with that manager.

*adapte  
re*

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Section 53

**AMENDMENT:**

- (1) Insert “, the scope of the refusal” after “her refusal” in the first paragraph.
- (2) Strike out the second paragraph.
- (3) Replace “section 49” in the third paragraph by “section 47”.

*Adopte  
AC*



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Section 54

**AMENDMENT:**

Replace “in the second paragraph of” in the second paragraph by “in”.

*Adopted  
AR*

Bill 59

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Section 55

**AMENDMENT:**

Replace the first paragraph by:

**55.** When the Minister entrusts the operations management of the electronic prescription management system for medication to an operations manager, the Minister enters into a written agreement with that manager.

*Adopté -  
AC*

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Sections 57 and 57.1

**AMENDMENT:**

Replace section 57 by:

**57.** An authorized provider with the legal authority to prescribe medications or fill a collective prescription for medication must release any electronic prescription for medication written by that provider to the operations manager of the electronic prescription management system for medication.

**57.1.** A pharmacist, pharmacy resident or pharmacy intern practising in a centre operated by an institution or in a community pharmacy or a person who provides the pharmacist with technical support services, to the extent that those persons are authorized providers, must retrieve electronic prescriptions for medication in the electronic prescription management system for medication.

*adapte  
PC*

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Section 58

**AMENDMENT:**

Replace by:

**58.** The operations manager of the electronic prescription management system for medication releases the prescriptions in the system to an authorized provider referred to in section 57 or 57.1.

*adopted*  
*AC*

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Section 59

**AMENDMENT:**

- (1) Replace “in paragraph 2 of section 58” by “in section 57.1”.
- (2) Strike out “at the request of the person concerned”.

*Adopte-*  
*AC*

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Section 61

**AMENDMENT:**

Replace “in a clinical domain” in the first paragraph by “in the clinical domains”.

*adopted*  
*PC*

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Section 66

**AMENDMENT:**

- (1) Replace “health facility” in paragraph 1 by “physician’s office”.
- (2) Replace “health facility operated by a provider identified in paragraph 1” in paragraph 5 by “physician’s office”.
- (3) Replace “health facility operated by a provider identified in paragraph 1” in paragraph 6 by “physician’s office”.
- (4) Strike out “cytologist, geneticist,” in paragraph 8.
- (5) Replace paragraph 9 by the following paragraphs:
  - (9) the holder of a training card issued by the secretary of the Collège des médecins du Québec, practising in a centre operated by an institution, a private physician’s office or a specialized medical centre;
    - (9.1) the holder of an authorization issued by the Collège des médecins du Québec under section 42.4 of the Professional Code, practising in a centre operated by an institution, a private physician’s office or a specialized medical centre;
    - (9.2) a pharmacy resident practising in a centre operated by an institution or in a community pharmacy;
    - (9.3) a pharmacy intern practising in a centre operated by an institution or in a community pharmacy;
    - (9.4) a person providing technical support services to a physician described in paragraph 1 or 2;

*Adopté  
he*

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Section 62

**AMENDMENT:**

Replace “ or 6” in paragraph 3 by “, 6, 9 or 9.1”.

*Adopte  
AC*



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Section 65

**AMENDMENT:**

- (1) Replace “established under section 83” by “of providers”.
- (2) Replace “a health information bank in a clinical domain or an” by “the health information banks in a clinical domain or for an”.

*Adopte  
AQ*

Bill 59

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Section 34

**AMENDMENT:**

- (1) Replace “the manager of the vaccination registry” by “the operations manager of the vaccination registry”.
- (2) Replace “each vaccine administered to a person” by “any vaccine administered to a person or to be administered to the person at a later time”.

*Adopte*  
*AC*

Bill 59

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Section 68

**AMENDMENT:**

- (1) Replace “ou société” in the French text by “ou la société”.
- (2) Replace “established under section 93” by “of bodies”.
- (3) Replace “a health information bank” by “the health information banks”.

*Adopté*  
*AL*

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Section 69

**AMENDMENT:**

Replace "68" by "95".

*Adopte  
AL*

Bill 59

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Section 72

**AMENDMENT:**

Replace “under the health insurance plan” by “with the Régie”.

*adopté-*  
*Al*

Bill 59

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Section 73

**AMENDMENT:**

- (1) Strike out “displayed or” in the second paragraph.
- (2) Insert “, or be displayed” at the end of the second sentence in the second paragraph.

*adopte  
Re*

Bill 59

**An Act respecting the sharing of certain  
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Section 74

**AMENDMENT:**

Insert “the second paragraph of” after “despite” in the second paragraph.

*Adopte  
RL*

Bill 59

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health information**

Section 76

**AMENDMENT:**

- (1) Replace “eligible for the health insurance plan established by the Health Insurance Act” in paragraph 10 by “registered with the Régie de l’assurance maladie du Québec”.
- (2) Strike out paragraph 11.

*adopté*  
*RA*



Bill 59

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Section 78

**AMENDMENT:**

(1) Replace by:

**78.** At the request of any person or partnership who, in accordance with the specific information management rules defined by the health and social services network information officer, is required to ascertain the identity of a person receiving health services or social services, the Régie de l'assurance maladie du Québec releases to them the information contained in the register of users.

(2) Insert "ou à toute société" after "à toute personne" in the French text.

*adopté*  
*AP*

Bill 59

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Section 81

**AMENDMENT:**

Withdraw.

*adopte  
RE*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 79

**AMENDMENT:**

(1) Insert “or partnership” after “person” and “or partnership’s” after “person’s”.

(2) Add the following paragraph at the end:

Such a person or partnership may release the information listed in section 76 to the Régie de l'assurance maladie du Québec to ensure that the information contained in their local files or index is up to date, accurate and complete.

*adopté -  
RQ*

Bill 59

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Section 82

**AMENDMENT:**

Add the following paragraph at the end:

The Minister sends the policy statement to the competent committee of the National Assembly within 30 days after its adoption.

*adopté -  
AR*

Bill 59

**An Act respecting the sharing of certain  
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Section 80

**AMENDMENT:**

Insert “or partnership” after the first “person” in the first paragraph.

*Adopte  
AC*

Bill 59

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health information**

Section 87

**AMENDMENT:**

- (1) Insert “or body” after “person” in paragraph 16.
- (2) Strike out paragraph 17.

*Adopte*  
*AL*

Bill 59

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Section 88

**AMENDMENT:**

(1) Replace “recueille” in the introductory clause of the first paragraph in the French text by “collecte”.

(2) Insert “, if available,” after “section 87” in the introductory clause of the first paragraph.

*Adopté*  
*AR*

Bill 59

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Section 89

**AMENDMENT:**

- (1) Replace “required under section 87” by “contained in the register of providers”.
- (2) Replace “that section” by “section 87”.
- (3) Replace “identification” in the French text by “identité”.

*Adopté*  
*RL*



Bill 59

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Section 91

**AMENDMENT:**

Withdraw.

*Adopte -  
AA*

Bill 59

**An Act respecting the sharing of certain  
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Section 93

**AMENDMENT:**

Replace “in the second paragraph of” in the second paragraph by “in”.

*adopted  
Re*

Bill 59

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Section 94

**AMENDMENT:**

Replace by:

**94.** When the Minister entrusts the operations management of the register of bodies to an operations manager, the Minister enters into a written agreement with that manager.

*adopte  
Re*

Bill 59

**An Act respecting the sharing of certain  
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Section 95

**AMENDMENT:**

Replace by:

**95.** The operations manager of the register of bodies registers any body or location providing health and social services for which registration is necessary, in accordance with the specific information management rules defined by the health and social services network information officer.

*Adopte -  
AL*

Bill 59

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Sections 95.1 and 95.2

**AMENDMENT:**

Insert after section 95:

**95.1.** The operations manager of the register of bodies assigns a unique body identification number or location identification number to every body and location providing health and social services that it registers.

**95.2.** At the request of any person or body that, in accordance with the specific information management rules defined by the health and social services network information officer, is required to ascertain the identification of a body or location providing health and social services, the operations manager of the register of bodies releases to them the information entered in the register.

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Section 92

**AMENDMENT:**

Add the following paragraph at the end:

The Minister sends the policy statement to the competent committee of the National Assembly within 30 days after its adoption.

*Adopté -*  
*AR*

Bill 59

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Heading of Chapter I of Title VI

**AMENDMENT:**

Replace "USE AND RELEASE" by "CONFIDENTIALITY".

*adapte  
RE*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 96

**AMENDMENT:**

- (1) Strike out “and may only be used or released in accordance with this Act” in the first paragraph.
- (2) Insert the following paragraph after the first paragraph:  
  
That information may be used or released only in accordance with this Act.
- (3) Insert “, partnership or body” after “person” in the second paragraph.

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RC*



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Section 98

**AMENDMENT:**

- (1) Replace “a health information bank in a clinical domain” by “the health information banks in the clinical domains”.
- (2) Replace “recorded” by “included”.

*Adopte  
RC*

Bill 59

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Section 99

**AMENDMENT:**

Replace “a health information bank in a clinical domain” in the first paragraph by  
“the health information banks in the clinical domains”.

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Re*

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Section 100

**AMENDMENT:**

- (1) Insert “or partnership” after “person” in the first paragraph.
- (2) Replace “a health information bank in a clinical domain” in the first paragraph by “the health information banks in the clinical domains”.
- (3) Replace “a health information bank in a clinical domain” in the second paragraph by “the health information banks in the clinical domains”.
- (4) Replace “entered” in the second paragraph by “included”.

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*Be*

Bill 59

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Section 101

**AMENDMENT:**

- (1) Replace “a health information bank in a clinical domain” in the introductory clause of the first paragraph by “the health information banks in the clinical domains”.
- (2) Replace “a health information bank in a clinical domain” in the second paragraph by “the health information banks in the clinical domains”.

*adopte*  
*RE*

Bill 59

**An Act respecting the sharing of certain  
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Section 97

**AMENDMENT:**

- (1) Replace “A person authorized under Title II to receive health information held in a health information bank in a clinical domain” by “An authorized provider”.
- (2) Replace “enter” in the first paragraph by “include”.
- (3) Replace “consignés” in the second paragraph in the French text by “intégrés”.

*adopté*  
*he*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 101.1

**AMENDMENT:**

Insert after section 101:

**101.1.** The Minister, the national public health director or a public health director may release the information obtained under section 101 to a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information, when necessary for carrying out a mandate the Minister, the national public health director or a public health director entrusts to the public body.

In that case, the Minister, the national public health director or the public health director must see that the mandate is in writing and specify in the mandate the provisions of this Act that apply to the information released to the mandatary, as well as the measures to be taken by the mandatary to ensure, among other things, the security and the confidentiality of the information and to make sure that the information is used only for carrying out the mandate and that it is not kept after the expiry of the mandate.

Section 67.3 of the Act respecting Access to documents held by public bodies and the Protection of personal information, with the necessary modifications, applies to such a release of information.

*adapte-*  
*AC*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 102

**AMENDMENT:**

Replace “a health information bank in a clinical domain” in the introductory clause of the first paragraph by “the health information banks in the clinical domains”.

*Adopte  
AL*



Bill 59

**An Act respecting the sharing of certain  
health information**

Section 108

**AMENDMENT:**

Replace “a health information bank in a clinical domain” in the first paragraph by “the health information banks in the clinical domains”.

*adopte  
AR*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 108.1

**AMENDMENT:**

Insert after section 108:

**108.1.** The person having parental authority over a minor child 14 years of age or over is not entitled to be informed of or to receive the information concerning the child that is held in the health information banks in the clinical domains or in the electronic prescription management system for medication, unless the child has consented to it.

This section applies despite the first paragraph of section 94 of the Act respecting Access to documents held by public bodies and the Protection of personal information.

*adopté  
AL*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 109

**AMENDMENT:**

- (1) Replace “a health information bank in a clinical domain” by “the health information banks in the clinical domains”.
- (2) Replace “and the date on which” by “and the date and time”.

*adopte-  
re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 110

**AMENDMENT:**

- (1) Replace “a health information bank in a clinical domain” in the first paragraph by “the health information banks in the clinical domains”.
- (2) Add “, and the date and time the information was released” at the end of the first paragraph.
- (3) Insert “and partnerships” after “the name of the persons” in the second paragraph.
- (4) Add “, and the date and time the information was released” at the end of the second paragraph.

*Adopte-*  
*RP*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 113

**AMENDMENT:**

Withdraw.

*adopte  
AC*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 114

**AMENDMENT:**

Withdraw.

*adopte-  
Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 116

**AMENDMENT:**

Add “, and releases to that person the information necessary for that purpose” at the end of the first paragraph.

*adopte  
RE*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 117

**AMENDMENT:**

(1) Insert the following paragraph after paragraph 1:

(1.1) determine the cases in which an institution must release the health information listed in section 23;

(2) Strike out paragraphs 4 and 5.

*accepted*  
*AR*



Bill 59

**An Act respecting the sharing of certain  
health information**

Section 1.1

**AMENDMENT:**

Insert after section 1:

**1.1.** The provisions of this Act must be applied in a manner consistent with

- (1) respect for a person's right to privacy and for professional secrecy;
- (2) transparency, in that persons must be informed of the purposes of the information assets established by this Act, particularly the Québec Health Record, and of the rules governing their operation;
- (3) a person's right at any time to refuse to allow the release through the Québec Health Record of his or her health information;
- (4) non-discrimination, in that a person's decision to refuse to allow the sharing of his or her health information must in no way imperil the person's right to have access to and receive the health services required by the person's state of health;
- (5) the right to information, in that a person has the right to be informed of the nature of the health information concerning him or her that is collected, used, conserved and released under this Act;
- (6) the protection of health information, in that the information conserved must only be used for the purposes provided for and may only be released in accordance with this Act;
- (7) the right of access and correction, in that a person has a right of access to his or her health information contained in the information assets established by this Act, and is entitled to request that inaccurate, incomplete or equivocal information or information whose collection, conservation or release is not authorized by this Act be corrected;
- (8) a right of redress with the Commission d'accès à l'information;

(9) responsibility and accountability, in that the Minister and the Régie de l'assurance maladie du Québec must make sure the information assets they establish operate properly in order to ensure the security, confidentiality, availability, integrity, accessibility and irrevocability of the information governed by this Act.

*adopté*  
*De*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 1

**AMENDMENT:**

Replace by:

1. The purpose of this Act is to establish information assets allowing the sharing of health information considered essential to primary care services and the continuum of care, in order to improve the quality and security of health services and social services, and access to those services.

A further purpose of the Act is to improve the quality, efficiency and performance of the Québec health system by allowing the management and controlled use of health and social information.

*adopté*  
*AD*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 2

**AMENDMENT:**

Replace “telereleases” in paragraph 1 by “telecommunications”.

*adopte  
RC*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 118

**AMENDMENT:**

(1) Strike out paragraph 1.

(2) Replace paragraph 2 by the following paragraph:

(2) prescribe the means by which a person may express refusal, in addition to those specified or provided for in the first paragraph of section 45;

(3) Replace “a provider personally releases to the Régie de l’assurance maladie du Québec the information listed in section 87” in paragraph 5 by “the Régie de l’assurance maladie du Québec collects the information listed in section 87 from the person concerned”.

*adante*  
*AC*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 120

**AMENDMENT:**

- (1) Strike out “37,”.
- (2) Replace “section 49 or section 50 or 57” by “section 47 or section 49, 57 or 57.1”.

*Adopte  
Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 133

**AMENDMENT:**

Withdraw.

*Adopted  
AC*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 135

**AMENDMENT:**

Replace all occurrences of “recueillis” in the French text by “collectés”.

*Adopté*  
*De*



Bill 59

**An Act respecting the sharing of certain  
health information**

Section 136

**AMENDMENT:**

Replace “may” by “and the medical imaging domain may”.

*Adopte -  
AK*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 122

**AMENDMENT:**

Replace “, by an act or omission,” by “actively”.

*Adopte  
Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 150.1

**AMENDMENT:**

Insert before section 151:

**150.1.** Section 52 of the Public Health Act (R.S.Q., chapter S-2.2) is replaced by the following sections:

“**52.** The Minister may personally assume the operations management of the information, the data collection systems or the registries provided for in this chapter or entrust that management to the Régie de l’assurance maladie du Québec or a public body listed in section 2 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03).

“**52.1.** When the Minister entrusts the operations management of the information, the data collection systems or the registries provided for in this chapter to an operations manager, the Minister enters into a written agreement with that manager.”

*Adopté -  
AR*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 151

**AMENDMENT:**

Replace by:

**151.** Section 61 of the Act is replaced by the following sections:

“**61.** The Minister shall establish and maintain a vaccination registry in which all vaccinations received by a person in Québec are recorded.

The same applies for all the vaccinations received by a person outside Québec, when they are brought to the attention of a health professional and validated by the latter or by another health professional.

“**61.1.** The Minister may personally assume the operations management of the registry or entrust that management to a body referred to in section 52.

“**61.2.** When the Minister entrusts the operations management of the vaccination registry to an operations manager, the Minister enters into a written agreement with that manager.

“**61.3.** The Minister may, by regulation, prescribe that, in a given region or area, an agency or a health and social services institution must, in the name of the Minister, collect, record or release information in the vaccination registry.”

*adapte  
Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 152

**AMENDMENT:**

Replace by:

**152.** Section 62 of the Act is repealed.

*Adopted  
de*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 153

**AMENDMENT:**

- (1) Insert “operations” before “manager” in the introductory clause of proposed section 64.
- (2) Insert “the person’s title and” after “has no such number,” in subparagraph *g* of paragraph 3 of proposed section 64.
- (3) Replace “for the purposes of re-launching or promoting vaccination or administering booster shots” in subparagraph *i* of paragraph 3 of proposed section 64 by “for vaccination reminder, recall or promotion purposes”.
- (4) Replace subparagraph *m* of paragraph 3 of proposed section 64 by:
  - (*m*) a note that the information on the vaccination registry and how it works has been sent to the vaccinated person or the holder of parental authority or the tutor, curator or mandatary of the person, if applicable; and
- (5) Strike out “to the following persons for the purposes specified:” in the introductory clause of the first paragraph of proposed section 65.
- (6) Replace subparagraphs 3 and 4 of the first paragraph of proposed section 65 by:
  - (3) to a public health director, when the information is necessary for an epidemiological investigation;
- (7) Replace “in order to re-launch or promote vaccination in its territory or to administer booster shots” in subparagraph 5 of the first paragraph of proposed section 65 by “for the purpose of conducting vaccination reminder, recall or promotion activities in its territory”.
- (8) Insert “operations” before “manager” in the second paragraph of proposed section 65.

*adopted  
he*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 154

**AMENDMENT:**

Replace by:

**154.** Section 69 of the Act is amended

(1) by replacing “Any physician or nurse” in the first paragraph by “Any health professional with the authority to make a medical diagnosis or to assess a person’s health condition”;

(2) by replacing “The physician or nurse” wherever it appears in the second paragraph by “The health professional”;

(3) by striking out the third paragraph.

*Adopte  
Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 155

**AMENDMENT:**

Replace by:

**155.** Section 138 of the Act is amended by replacing “any physician or nurse” in paragraph 1 by “any health professional”.

*adapte-*  
*AC*



Bill 59

**An Act respecting the sharing of certain  
health information**

Section 156

**AMENDMENT:**

Replace “manager” in the introductory clause of proposed section 174 by  
“operations manager”.

*Adopté*  
*AC*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 157

**AMENDMENT:**

Replace “un” in proposed paragraph 13 in the French text by “le”.

*adopté  
re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 146

**AMENDMENT:**

Replace “releases” in proposed paragraph *o* of section 3 by “communications”.

*Adopte-  
RC*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 147

**AMENDMENT:**

Replace “releases” in subparagraph 4 of the first paragraph of proposed section 5.2 by “communications”.

*Adopted  
AC*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 147

**AMENDMENT:**

Replace “the production of” in proposed section 5.4 by “persons and partnerships to produce”.

*Adopte  
Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 148

**AMENDMENT:**

Replace by:

**148.** Section 21 of the Pharmacy Act (R.S.Q., chapter P-10) is amended by replacing “in writing by the person writing the prescription” in the second paragraph by “by the author of the prescription, where the person’s situation requires it”.

*Adopte  
Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 149

**AMENDMENT:**

Replace “or may be entrusted to it under” in paragraph 2 by “entrusted to it in accordance with”.

*adopte*  
*Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 171

**AMENDMENT:**

Withdraw section 171 and the heading above it.

*Adopte  
Re*



Bill 59

**An Act respecting the sharing of certain  
health information**

Section 173.1

**AMENDMENT:**

Insert before section 174:

**173.1.** A health and social services institution may not transfer to an information technology-based medium any information recorded between 1 January 1935 and 31 December 1964 in the file it holds on a person who was under the age of 21 at the time the person was admitted to a psychiatric hospital, formerly known as an insane asylum or a hospital for the treatment of mental illness, referred to in the Programme national de réconciliation avec les orphelins et orphelines de Duplessis established by Order in Council 1153-2001 dated 26 September 2001 (2001, G.O. 2, 7359, in French only) and Order in Council 675-2003 dated 18 June 2003 (2003, G.O. 2, 3182, in French only).

A user referred to in the first paragraph or, if that user is incapable, the tutor, curator or mandatary of the user is entitled to demand that the institution destroy his or her information described in the first paragraph. In such a case, the information concerned must be completely destroyed.

An institution that contravenes this section is guilty of an offence and is liable to a fine of \$7,500 to \$75,000.

*Adopté*  
*Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 175

**AMENDMENT:**

- (1) Replace “21” by “30”.
- (2) Replace “of an agency” by “of the agency concerned”.

*adopted  
Re*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 176

**AMENDMENT:**

- (1) Insert “operations” before “manager”.
- (2) Add the following paragraph at the end:

The Minister must inform the people in the area of jurisdiction of the agency concerned of the aims and operational procedures of the Québec Health Record, including the right of a person to refuse to allow his or her health information that is held in the health information banks in the clinical domains to be released through the Québec Health Record, as well as the means that may be used to express refusal and the right of a person to have access to his or her health information and to request that it be corrected within 30 days prior to the effective date of this Act.

*Adopté*  
*de*

Bill 59

**An Act respecting the sharing of certain  
health information**

Section 23

**AMENDMENT:**

Replace paragraph 3 in the French text, as amended, by:

3° par l'ajout, à la fin du paragraphe 4°, de « et, dans le cas d'une ordonnance collective, la date de son exécution »;

*Adopté*  
*Al*