

## REGULATION RESPECTING PROFESSIONAL ACTIVITIES THAT MAY BE ENGAGED IN BY OTHER THAN PHYSICIANS

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### Professional Code

(R.S.Q., c. C-26, s. 94)

### DIVISION I

#### GENERAL

1. The purpose of this Regulation is to determine, among the professional activities that may be performed by physicians, those that may be performed by the following persons and to determine the applicable terms and conditions:

(1) medical students, that is, persons registered in a program of study leading to a diploma in medicine, and persons registered in such a program of study but within the scope of a host or exchange program approved by the faculty of medicine or by government authorities; and

(2) fellows, that is, persons serving periods of advanced education under a university program, in clinical medicine or research;

(3) residents, that is, holders of a diploma in medicine or candidates for whom the College has recognized diploma equivalence and who, being registered in a university post-doctoral program, are performing training as part of this program.

“Diploma in medicine” means a diploma recognized by government regulation as giving access to the permit referred to in section 33 of the Medical Act (R.S.Q., c. M-9) and to a specialist's certificate referred to in section 37 of that Act, made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26).

O.C. 1212-2002, s. 1; O.C. 915-2010, s. 2.

2. *(Revoked)*.

O.C. 1212-2002, s. 2; O.C. 339-2006, s. 49.

### DIVISION II

#### MEDICAL STUDENTS

3. Medical students may perform, among the professional activities reserved for physicians, those that are required for the purposes of completing the program of study leading to a diploma in medicine, on the following conditions:

(1) they are entered in the register kept pursuant to paragraph c of section 15 of the Medical Act (R.S.Q., c. M-9) and hold a registration certificate issued in accordance with that Act; and

(2) they perform them in a training setting recognized by the faculty of medicine, under the supervision of competent persons and in compliance with the rules applicable to physicians, particularly those respecting ethics, prescriptions and the keeping of records, consulting rooms or physician's offices.

O.C. 1212-2002, s. 3; O.C. 915-2010, s. 3.

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### DIVISION III FELLOWS

4. Fellows may perform, among the professional activities reserved for physicians, those that are required for the purposes of completing advanced training, on the following conditions:

- (1) they are entered in the register kept pursuant to paragraph c of section 15 of the Medical Act (R.S.Q., c. M-9) and hold a registration certificate issued in accordance with that Act;
- (2) they perform them in the clinical or research sites where they serve their periods of advanced education, in compliance with what is mentioned on their training card; and
- (3) they perform them under the authority of competent persons and in compliance with the rules applicable to physicians, particularly those respecting ethics and the keeping of records, consulting rooms or physician's offices.

O.C. 1212-2002, s. 4; O.C. 915-2010, s. 4 and 9.

5. Fellows may not perform professional activities unless they meet the conditions for the issue of a training card.

Fellows shall apply for a training card in the form determined by the secretary.

O.C. 1212-2002, s. 5; O.C. 915-2010, s. 5 and 9.

6. The secretary shall issue a training card to a fellow who

- (1) holds a position within the meaning of a statutory instrument made under the Act respecting health services and social services (R.S.Q., c. S-4.2) to determine the conditions required to hold it;
- (2) provides proof of admission to a university program in family medicine or a specialty and proof of an employment certificate from an institution participating in such a program;
- (3) in the absence of a diploma in medicine,
  - (a) has passed the examinations prepared or approved by the board of directors of the Collège des médecins du Québec; and
  - (b) provides proof of admission to a host or exchange program approved by the faculty of medicine or by government authorities; and
- (4) pays the fees prescribed for obtaining a trainee card.

O.C. 1212-2002, s. 6; O.C. 915-2010, s. 6 and 9.

7. The training card shall show that the fellow is entered in the register kept for that purpose, the university program in which the fellow is registered, the training sites where the periods of advanced education are served and their duration.

Furthermore, the training card shall mention that periods of advanced education may also be served in any other setting not indicated on the card, provided that it is approved by the board of directors of the Collège des médecins du Québec.

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O.C. 1212-2002, s. 7; O.C. 915-2010, s. 7 and 9.

**8.** The training card shall be valid for 12 months, or until the date stipulated on it. However, it shall expire immediately if the fellow's registration in the university program is cancelled, if the fellow leaves the program or if the training card is revoked in a case provided for in section 9.

The training card is renewable on the same conditions until the periods of advanced education have been completed within the university program to which the fellow was admitted.

O.C. 1212-2002, s. 8; O.C. 915-2010, s. 9.

**9.** The following entails the revocation of the training card:

- (1) abandonment by the fellow of the university program under which the periods of advanced education are served or expulsion or suspension from the program;
- (2) obtaining a training card under false pretences;
- (3) acting or behaving in such a way that the well-being or safety of the patients dealt with is compromised; or
- (4) performing professional acts in contravention of the provisions of the Medical Act (R.S.Q., c. M-9), the Professional Code (R.S.Q., c. C-26) or a regulation thereunder.

O.C. 1212-2002, s. 9; O.C. 915-2010, s. 9.

### **DIVISION IV RESIDENTS**

**10.** Residents are authorized to perform, among the professional acts reserved for physicians, those that correspond to their level of training and are required for the purposes of completing their postdoctoral training, if they meet the following conditions:

- (1) they perform them in the training setting required to achieve the objectives of their training periods in accordance with what is stated on their training card;
- (2) they perform them under the supervision of competent persons and in compliance with the rules applicable to physicians, in particular those concerning the code of ethics, the issuing of a prescriptions and the keeping of records, consulting rooms or physician's offices.

O.C. 1212-2002, s. 10; O.C. 915-2010, s. 8.

**11.** The Secretary of the College shall issue a training card to a resident who satisfies the following conditions:

- (1) holds a registration certificate issued in application of section 2 of the Regulation respecting causes, terms and conditions for issuing and revoking registration in medicine (chapter M-9, r. 16) and is registered in the register maintained by the College in application of subparagraph c of section 15 of the Medical Act;
- (2) provides proof of acceptance in a university postdoctoral education program in medicine;
- (3) pays the amount prescribed pursuant to subparagraph (8) of section 86.0.1 of the Professional Code for the purposes of obtaining the training card.

O.C. 915-2010, s. 8.

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**12.** The training card shows the university postdoctoral education program in which the resident is registered, the level of training and the training sites where the resident performs the training and for how long.

The training card also indicates that the training may also be done in any other training sites not indicated on the card.

For the purposes of this section, “training site” means centres operated by institutions in the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or institutions in the meaning of the Act respecting health service and social services for Cree Native Persons (R.S.Q., c. S-5) affiliated with universities that issue medical diplomas as well as offices, medical clinics or other sites proposed by the competent authorities of the university and approved by the Board of Directors.

O.C. 915-2010, s. 8.

**13.** The training card is valid for the period shown on it and is renewable.

However, it ends with the final expulsion of the resident from the university postdoctoral education program, when the resident abandons the postdoctoral training or the date on which the resident’s certificate of registration is revoked, according to the provisions of the Regulation respecting causes, terms and conditions for issuing and revoking registration in medicine.”.

O.C. 915-2010, s. 8.

### REFERENCES

O.C. 1212-2002, 2002 G.O. 2, 5571  
O.C. 339-2006, 2006 G.O. 2, 1435  
S.Q. 2008, c. 11, s. 212  
O.C. 915-2010, 2010 G.O. 2, 2935