

## REGULATION RESPECTING CAUSES, TERMS AND CONDITIONS FOR ISSUING AND REVOKING REGISTRATION IN MEDICINE

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### Medical Act

(R.S.Q., c. M-9, s. 19, 1<sup>st</sup> par., subpar. c)

1. Subject to the provisions of the Medical Act (R.S.Q., c. M-9) and of this Regulation, a registration certificate is valid until a permit to practise medicine or a specialist's certificate is issued.

O.C. 1084-2003, s. 1.

2. The board of directors of Collège des médecins du Québec shall issue a registration certificate to the person who, apart from the provisions of subparagraphs *a* and *b* of the first paragraph of section 29 of the Medical Act (R.S.Q., c. M-9), complies with the following terms and conditions:

- (1) requests a permit in writing from the secretary of the Collège des médecins du Québec;
- (2) pays the fees prescribed by resolution of the board of directors taken under paragraph 8 of section 86.0.1 of the Professional Code (R.S.Q., c. C-26);
- (3) has not been the subject, within the 5 years preceding his request, of a judicial or disciplinary decision contemplated under paragraph 7 or 8 of section 3;
- (4) has the required conduct, qualities and behaviour to practise the medical profession.

O.C. 1084-2003, s. 2.

3. The following events shall entail the revocation of the registration certificate:

- (1) a definite expulsion of the certificate holder from the faculty of medicine of a university which issues a diploma giving access to the permit or to a specialist's certificate, once all review and appeal mechanisms within the university where he is enrolled have been exhausted;
- (2) the certificate holder's suspension by the faculty of medicine of a university which issues a diploma giving access to the permit or to a specialist's certificate;
- (3) the abandonment, by the certificate holder, of his medical studies or of his family medicine or specialized post doctoral training;
- (4) the issue of this certificate under false representations;
- (5) any action or behaviour by the certificate holder that may jeopardize patients' welfare or safety;
- (6) when the certificate holder is not a member of the Order, any practicing of medical activities in violation of the rules that apply to physicians, ethics, prescription, particularly those respecting the keeping of records and consulting rooms;
- (7) when the certificate holder is a member of the Order, and he has been the subject of any disciplinary decision following a violation of a provision of the Professional Code (R.S.Q., c. C-26), the Medical Act (R.S.Q., c. M-9) or a regulation thereunder and imposing the revocation of his permit, the striking off the roll of the Order or the suspension of his right to engage in professional activities;

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(8) when the certificate holder has been found guilty by a Canadian court or a foreign court of a criminal offence which, in the reasoned opinion of the board of directors, is related to the practice of the profession, unless he has obtained a pardon;

(9) when the certificate holder performs other professional activities than those he is authorized to perform or breaches the conditions under which he can perform them.

O.C. 1084-2003, s. 3.

**4.** In the cases contemplated under the paragraphs 1 and 3 of section 3, the registration certificate shall be revoked without further formality and the board of directors's decision shall be notified to the certificate holder by the secretary.

In the cases contemplated in paragraph 2 of section 3, the revocation shall be provisional and shall be in force until the day the suspension ends.

O.C. 1084-2003, s. 4.

**5.** The board of directors may, in the case of an emergency, and if it considers that the public's protection requires it, after allowing the certificate holder to submit comments, including during a meeting, and, as the case may be, to produce documents to complete the file, decide to temporarily suspend the registration certificate until a decision is made pursuant to section 7. This decision must be given within a maximum of 30 days of the date of service of the temporary suspension.

The decision made pursuant to this section shall be served as soon as possible to the certificate holder as well as to anyone concerned and it shall be enforceable as of its service.

O.C. 1084-2003, s. 5.

**6.** When the board of directors may refuse to issue a registration certificate or when a case of revocation of registration is referred to the board of directors, the secretary shall notify the person concerned thereof at least 30 days prior to the date fixed for the rendering of the decision; such notice must indicate to the certificate holder the reasons justifying the refusal to issue or the revocation as well as the possibility, within this timeframe, to submit comments, including during a meeting, and, as the case may be, to produce documents to complete his file.

O.C. 1084-2003, s. 6.

**7.** The decision to refuse to issue the registration certificate or to revoke shall be reasoned. It shall be served as soon as possible to the certificate holder as well as to the other persons concerned and shall be enforced as of the date of its service.

If the board of directors decides not to revoke the certificate that has been temporarily suspended under the first paragraph of section 5, the suspension shall be cancelled without further formality.

O.C. 1084-2003, s. 7.

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**8.** This Regulation replaces the Regulation respecting terms and conditions for revoking registration in medicine (R.R.Q., 1981, c. M-9, r.6).

O.C. 1084-2003, s. 8.

**9.** *(Omitted).*

O.C. 1084-2003, s. 9.

O.C. 1084-2003, 2003 G.O. 2, 3229  
S.Q. 2008, c. 11, s. 212