

REGULATION RESPECTING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF THE PERMIT AND SPECIALIST'S CERTIFICATES BY THE COLLÈGE DES MÉDECINS DU QUÉBEC

(This version is offered as a courtesy and holds no official value.)

Professional Code

(R.S.Q., c. C-26, s. 93, sub. c and c.1, 94 par. i and 94.1)

DIVISION I

GENERAL PROVISIONS

1. The purpose of this Regulation is to determine the rules governing access to the medical profession. In particular, it prescribes the rules concerning the issue of permits for the practice of medicine contemplated in section 33 of the Medical Act (R.S.Q., c. M-9) and specialist's certificates contemplated by section 37 of that Act. It also determines standards for equivalence of medical diplomas and postdoctoral training and establishes the procedure for recognizing equivalence. Finally, it establishes the procedure for creating a new specialty.

D. 2010-09-15, s.1.

2. In this Regulation,

- (1) "committee" means the committee composed of persons other than the members of the executive committee and formed by the Board of Directors of the Collège des médecins du Québec under subparagraph (2) of section 86.0.1 of the Professional Code (R.S.Q., c. C-26) to examine applications for permits, specialist's certificates, diploma equivalence and training equivalence;
- (2) "diploma in medicine" means a diploma recognized by Government regulation as giving access to the permit or to a specialist's certificate pursuant to the first paragraph of section 184 of the Professional Code;
- (3) "equivalence of the diploma in medicine" means recognition by the Collège that a diploma issued by an educational institution situated outside Québec certifies that the candidate's level of knowledge and clinical experience is equivalent to that of a holder of a diploma in medicine;
- (4) "postdoctoral training equivalence" means recognition by the Collège that training acquired at an educational institution situated outside Québec is equivalent in duration and content to that in accordance with Schedule I;
- (5) "resident" means the holder of a diploma in medicine or the candidate recognized by the Collège as having the equivalent of a diploma, who is registered in a postdoctoral university program and performs training periods in that program;
- (6) "training sites" mean centres operated by institutions within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or institutions within the meaning of the Act respecting health services 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 university's competent authorities and accredited by the Board of Directors;

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- (7) “approved training program” means university postdoctoral training program accredited by the Collège des médecins du Québec, the Royal College of Physicians and Surgeons of Canada, the College of Family Physicians of Canada or the Accreditation Council for Graduate Medical Education.

D. 2010-09-15, s.2.

3. The secretary of the committee may ask for any document and conduct any verification to ensure the veracity, legality and authenticity of the documents provided in support of an application filed pursuant to this Regulation.

D. 2010-09-15, s.3.

DIVISION II

TERMS AND CONDITIONS FOR THE ISSUANCE OF THE PERMIT AND SPECIALIST'S CERTIFICATES

§1. Postdoctoral training

4. The postdoctoral training whose duration and content are set out in Schedule I consists of a series of training periods served at training sites as part of a university training program accredited by the Board of Directors, in accordance with the terms and conditions of this approval.

The content of the postdoctoral training must comply with the Objectives and Requirements of Specialty Training of the Royal College of Physicians and Surgeons of Canada or the Criteria for the Approval of Family Medicine Residence Programs of the College of Family Physicians of Canada.

D. 2010-09-15, s.4.

5. Postdoctoral training is considered complete in the opinion of the committee where the resident possesses the required professional knowledge and skills to practise medicine and the Faculty of Medicine confirms that he has passed the training periods and achieved all the objectives of the training program.

D. 2010-09-15, s.5.

§2. Examinations

6. The final examination evaluates whether the candidate is qualified to practise medicine autonomously.

The final examination includes one or more components that may be administered by a body with which the Board of Directors has made an agreement for such purpose, pursuant to subparagraph (7) of section 86.0.1 of the Professional Code.

D. 2010-09-15, s.6.

7. Eligibility of a candidate for the final examination is determined by the body with which the Board of Directors has made an agreement.

D. 2010-09-15, s.7.

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8. Notwithstanding section 7, the College determines eligibility for the final examination of the holder of a restrictive permit issued pursuant to section 35 of the Medical Act or that of a candidate with a degree from outside Canada or the United States who does not satisfy the eligibility conditions of the body with which the Board of Directors has made an agreement in application of the second paragraph of section 6.

D. 2010-09-15, s.8.

9. The holder of a restrictive permit is eligible for the final examination if he fulfils the following conditions:

(1) the Collège has recognized an equivalence of postdoctoral training;

(2) he has been the holder of a restrictive permit for at least 12 months;

D. 2010-09-15, s.9.

10. A candidate with a degree from outside Canada and United States is eligible for the final examination if he satisfies the following conditions:

(1) the College has recognized the equivalence of his medical degree;

(2) he has been admitted to a postdoctoral training program accredited by the Board of Directors;

(3) he has been recommended for the final examination by the Faculty of Medicine that has admitted him;

(4) he has applied for recognition of equivalence of postdoctoral training.

D. 2010-09-15, s.10.

11. The secretary of the committee notifies to the holder of a restrictive permit or the candidate contemplated by section 10 in writing of his eligibility for the examination. If eligibility is denied, the secretary shall include the reasons for the decision in writing.

D. 2010-09-15, s.11.

§3. Applications for permit and certificates

12. The Board of Directors issues a permit contemplated by section 33 of the Medical Act and a specialist's certificate to a candidate who, in addition to the conditions and formalities imposed by law:

(1) has completed, in an approved training program, the postdoctoral training in accordance with Schedule I for the specialty concerned or having obtained the equivalence;

(2) is a Licenciate of the Medical Council of Canada;

(3) has passed the final examination prescribed for the speciality concerned, either of the Royal College of Physicians and Surgeons of Canada or the College of Family Physicians of Canada;

(4) has participated in the training activity on the legal, ethical and organizational aspects of medical practice in Québec (ALDO-Québec) determined by the Board of Directors;

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- (5) has paid the fees prescribed pursuant to paragraph 8 of section 86.0.1 of the Professional Code for obtaining the permit and the certificate.

D. 2010-09-15, s.12.

DIVISION III
STANDARDS OF EQUIVALENCE

§1. Standards of equivalence of the degree in medicine

- 13.** The degree of doctor of medicine awarded by a university situated outside Québec is equivalent to a diploma in medicine in the following cases:
- (1) the faculty of medicine of that university is accredited by the Association of Faculties of Medicine of Canada or the Liaison Committee on Medical Education on the date the diploma is granted.
 - (2) the degree of doctor of medicine is covered by an agreement reached by the Collège in implementing an agreement on mutual recognition of professional competencies between the government of Québec and another government.

D. 2010-09-15, s.13.

- 14.** The diploma of doctor of osteopathy awarded by a school of osteopathic medicine situated in the United States is equivalent to a diploma of medicine, providing that the school is accredited by the Commission on Osteopathic College Accreditation of the American Osteopathic Association on the date the diploma is granted.

D. 2010-09-15, s.14.

- 15.** The issue by the Board of Directors of a restrictive permit contemplated by section 35 of the Medical Act has the effect of recognizing the equivalence of the medical degree.

D. 2010-09-15, s.15.

- 16.** The diploma of doctor of medicine awarded by a school of medicine or a university not accredited by a body recognized by the Collège contemplated in subparagraph (1) of section 13 is equivalent to a diploma in medicine when:

- (1) the school or faculty of medicine of that university is listed in the International Medical Education Directory published by the Foundation for Advancement of International Medical Education and Research the diploma is awarded;
- (2) the diploma holder has passed the examinations determined by the Board of Directors.

D. 2010-09-15, s.16.

§2. Standards of equivalence for postdoctoral training

- 17.** Training is recognized as equivalent to some or all of the postdoctoral training in medicine provided that it is equivalent in duration and content to one of the training programs listed in Schedule I and performed in an approved training program

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D. 2010-09-15, s.17.

- 18.** A maximum equivalence of 12 months of training in family medicine and 24 months of training in one of the other specialties listed in Schedule I is recognized if the candidate:
- (1) has completed postdoctoral training in medicine at an approved university program whose duration is not equivalent to the duration of the speciality concerned listed in Schedule 1;
 - (2) proves that he has 2 years of relevant experience in the specialty concerned for each year of training for which he is applying for recognition of equivalence.

D. 2010-09-15, s.18.

- 19.** To submit an application for equivalence of postdoctoral training not performed in an approved training program in one of the specialties listed in Schedule I, the candidate must:
- (1) hold a diploma in medicine or have been awarded an equivalence of the diploma in medicine by the Collège;
 - (2) be admitted to an approved training program and have done training in it after which he has obtained an attestation of completion of postdoctoral training.

The postdoctoral training contemplated in subparagraph (2) of the first paragraph may not last less than 12 months.

An attestation of completion of postdoctoral training, signed by the dean of the faculty of medicine or his representative, must be sent to the committee.

Compliance with the obligations set out in this section is waived for the holder of a restrictive permit.

D. 2010-09-15, s.19.

- 20.** Total training equivalence is granted to any person who has performed postdoctoral training in a program that was not approved but has passed the examination contemplated in subparagraph (3) of section 12.

D. 2010-09-15, s.20.

- 21.** Total training equivalence is granted to any person who has completed postdoctoral training that is shorter than provided in Schedule 1 in an accredited training program when such training was acquired as part of a pilot project approved in advance by the Board of Directors and intended to verify if all of the required qualifications for practicing medicine autonomously can be acquired as part of a postdoctoral training that is shorter than the duration fixed in this regulation.

D. 2010-09-15, s.21.

- 22.** The committee studies the application for postdoctoral training equivalence, including the attestation of completion of training, upon favourable recommendation of the faculty of medicine confirming that the candidate has achieved all of the objectives of the training program, and decides whether the candidate receives equivalence or not.

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The committee may not recognize equivalence of a training whose total duration is less than provided in Schedule 1 for the specialty concerned.

D. 2010-09-15, s.22.

§3. Standards of equivalence for examinations

23. Exempt from passing parts I and II of the aptitude examination of the Medical Council of Canada is a candidate who

- (1) has a medical degree conferred by a faculty of medicine located outside Quebec and accredited by the Liaison Committee on Medical Education on the date the degree is granted;
- (2) has completed postdoctoral training in a university postdoctoral training program in medicine accredited by the Accreditation Council for Graduate Medical Education;
- (3) has passed the three components of the United States Medical Licensing Examination.

D. 2010-09-15, s.23.

24. Exempt from taking the equivalent component of an examination is a candidate who, for the purposes of the issuance of a specialist's certificate in family medicine, has passed the examination of the American Board of Family Medicine.

D. 2010-09-15, s.24.

25. Exempt from passing the final examination prescribed in family medicine in application of subparagraph (3) of section 12 is a candidate who obtained, in 1994 or earlier, a regular permit authorizing the practice of family medicine in one of the Canadian provinces or territories.

D. 2010-09-15, s.25.

26. Exempt from passing the examinations prescribed in application of subparagraphs (2) and (3) of section 12 is a person who satisfies the following conditions:

- (1) has been given equivalence for postdoctoral training by the committee, in application of subsection 2;
- (2) holds a restrictive permit contemplated in section 35 of the Medical Act for more than five years and the activities authorized pursuant to this permit correspond to all of the activities practiced in one of the specialties listed in Schedule 1.

D. 2010-09-15, s.26.

§4. Standards of equivalence for the creation of a new specialty

27. Within 30 days after the date of the coming into force of a regulation of the Board of Directors creating a new specialty, the secretary of the Collège informs each physician by means of written notice of the creation of the new specialty and pursuant to paragraph e of section 94 of the Professional Code.

D. 2010-09-15, s.27.

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28. To obtain an equivalence of training and be issued a specialist's certificate in the new specialty, a physician shall:

- (1) within 6 months of delivery of notice from the secretary of the College, submit an application to that effect;
- (2) provide an attestation from an administrative medical authority of an institution in the meaning of the Act respecting health services and social services (R.S.Q., c S-4.2) indicating that he practises in the field of professional activities related to the new specialty with a description of his professional activities;
- (3) provide a certified true copy of any diploma or certificate as well as attestations that he has acquired the training, knowledge and professional qualifications related to the new specialty.
- (4) demonstrate to the committee that his training, the training periods completed or professional experience, as a whole, comply with the provisions of this Regulation regarding postdoctoral training and the examination in the specialty prescribed for obtaining a specialist's certificate in the new specialty;
- (5) pay the application examination fees required in accordance with subparagraph (8) of section 86.0.1 of the Professional Code (R.S.Q., c. C-26);
- (6) authorize the Régie de l'assurance-maladie du Québec to convey his practice profile to the Collège.

D. 2010-09-15, s.28.

29. The Board of Directors issues a specialist's certificate in the proposed specialty to any physician who applies for one and satisfies one of the following conditions:

- (1) passed the examination of the College of Family Physicians of Canada or the Royal College of Physicians and Surgeons of Canada leading to certification in this specialty;
- (2) completed, in a training program accredited by the Royal College of Physicians and Surgeons of Canada, a postdoctoral training without certification before the creation of an examination for this specialty by the Royal College of Physicians and Surgeons of Canada.

D. 2010-09-15, s.29.

30. Within 90 days of the date of receiving an application, the committee renders one of the following decisions in writing:

- (1) reject the application for equivalence;
- (2) accept the application for equivalence and recommend the issuance of a specialist's certificate;
- (3) accept the application for equivalence and recommends the issuance of a specialist's certificate when the applicant has passed the final examination in the specialty contemplated.

D. 2010-09-15, s.30.

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31. The committee may appoint experts to examine these applications.

D. 2010-09-15, s.31.

32. Sections 33 to 40 apply to a physician who submits an application as provided in section 28, adapted as appropriate.

D. 2010-09-15, s.32.

DIVISION IV

EQUIVALENCE RECOGNITION PROCEDURE

33. The secretary of the committee forwards the necessary information to a candidate who wishes to have an equivalence recognized.

D. 2010-09-15, s.33.

34. The candidate who applies for equivalence recognition fills out the form provided by the Collège for this purpose and includes the amount set by the Board of Directors pursuant to paragraph (8) of section 86.0.1 of the Professional Code.

The candidate must also provide those of the following documents necessary to support his application:

- (1) a certified true copy of his transcript of grades and degree in medicine;
- (2) a certified true copy of any diploma or certificate issued outside Québec that is pertinent to the application, as well as the proof that they were issued after the examination was passed;
- (3) an attestation to the effect that he has completed postdoctoral training in medicine in whole or in part, including a description of the completed training, the completed training periods and the duration thereof as well as proof that they were completed;
- (4) training period reports signed by the deans of the faculties of medicine of the universities or their representative with which the training sites are affiliated;
- (5) an attestation to the effect that he practises or has practised medicine competently, supported by references from the medical authorities concerned;
- (6) a recent document certifying of his professional conduct signed by the person having the authority in every jurisdiction where he has practised;
- (7) an attestation issued, as the case may be, by the College of Family Physicians of Canada, the Royal College of Physicians and Surgeons of Canada, the Medical Council of Canada, the American Board of Family Practice or the American Board of Medical Specialties, to the effect that he has passed the examination required for the issue of a specialist's certificate or, as the case may be, a certified true copy of his certificate;
- (8) proof that the examinations determined by the Board of Directors have been passed.

D. 2010-09-15, s.34.

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- 35.** Documents provided in support of an application for equivalence in a language other than French or English must be accompanied by a translation into French, attested under oath by a certified translator or, if not from Québec, by a translator recognized by the authorities from his province or country.

D. 2010-09-15, s.35.

- 36.** The secretary forwards the file of a candidate applying for equivalence recognition to the committee. After examining the file, the committee decides whether the candidate is granted equivalence or not.

D. 2010-09-15, s.36.

- 37.** Within 15 days after the date of its decision, the committee so informs the candidate in writing.

D. 2010-09-15, s.37.

- 38.** When the committee partially or entirely refuses the requested equivalence, it must notify the candidate in writing of the conditions that must be satisfied in order to obtain such equivalence.

D. 2010-09-15, s.38.

- 39.** The candidate informed of the decision of the committee not to grant the requested equivalence or to grant it only partially may ask for this decision to be reviewed, on condition that the review is requested in writing to the secretary of the committee within 30 days of receipt of the decision.

The executive committee, at the first regular meeting following receipt of such a request, must examine the request for review. Before reaching a decision, it must allow the candidate to submit observations to this meeting.

For this purpose, the secretary of the committee informs the candidate of the date, place and time of the meeting during which the request will be reviewed by means of written notice sent by registered mail at least 15 days before the meeting is held.

A candidate who wishes to be present to make observations must so inform the secretary of the committee at least 5 days before the date planned for the meeting. The candidate may however send written observations to the secretary of the committee at any time before the date planned for the meeting.

D. 2010-09-15, s.39.

- 40.** The decision of the executive committee is final and must be sent to the candidate by registered mail within 30 days after the date of the decision.

D. 2010-09-15, s.40.

DIVISION V
TRANSITIONAL AND FINAL PROVISIONS

- 41.** Subparagraph (2) of section 12 does not apply to a resident registered in Québec, before July 1, 2009, in a university postdoctoral program other than in family medicine.

D. 2010-09-15, s.41.

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42. Notwithstanding section 30, the committee has 120 days to issue a decision on any application for the issuance of a specialist's certificate in a new specialty created by this regulation.

D. 2010-09-15, s.42.

43. *(Omitted).*

D. 2010-09-15, s.43.

44. *(Omitted).*

D. 2010-09-15, s.44.

SCHEDULE I

(a. 2, 4, 12, 17 to 22, 26)

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POSTDOCTORAL TRAINING OF THE ROYAL COLLEGE OF PHYSICIANS AND SURGEONS OF CANADA OR THE COLLÈGE OF FAMILY PHYSICIANS OF CANADA RECOGNIZED FOR THE PURPOSES OF THE ISSUANCE OF A SPECIALIST'S CERTIFICATE

1. Anatomical Pathology / 60 months
2. Anesthesiology / 60 months
3. Medical Biochemistry / 60 months
4. Cardiology / 72 months
5. Cardiac Surgery / 72 months
6. Colorectal Surgery / 84 months
7. General Surgery / 60 months
8. General Surgical Oncology / 84 months
9. Pediatric Surgery / 84 months
10. Orthopedic Surgery / 60 months
11. Plastic Surgery / 60 months
12. Thoracic Surgery / 84 or 96 months
13. Vascular Surgery / 60 months
14. Dermatology / 60 months
15. Endocrinology and Metabolism / 60 months
- 16 Gynecologic Reproductive Endocrinology and Infertility / 72 months
17. Gastroenterology / 60 months
18. Medical Genetics / 60 months
19. Geriatric Medicine / 60 months
20. Geriatric Psychiatry / 72 months
21. Hematology / 60 months
22. Pediatric Hematology/Oncology / 72 months
23. Clinical Immunology and Allergy / 60 months
24. Infectious Diseases / 60 months
25. Emergency Medicine / 60 months
26. Pediatric Emergency Medicine / 60 months

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27. Family Medicine / 24 months
28. Adolescent Medicine / 60 months
29. Critical Care Medicine / 60 months
30. Occupational Medicine / 60 months
31. Internal Medicine / 48 months
32. General Internal Medicine / 60 months
33. Maternal-Fetal Medicine / 84 months
34. Neonatal-Perinatal Medicine / 60 months
35. Nuclear Medicine / 60 or 72 months
36. Physical Medicine and Rehabilitation / 60 months
37. Medical Microbiology and Infectious Diseases / 60 months
38. Nephrology / 60 months
39. Neurosurgery / 72 months
40. Neurology / 60 months
41. Neuropathology / 60 months
42. Obstetrics and Gynecology / 60 months
43. Gynecologic Oncology / 84 months
44. Medical Oncology / 60 or 72 months
45. Ophthalmology / 60 months
46. Otolaryngology-Head and Neck Surgery / 60 months
47. General Pathology / 60 months
48. Hematological Pathology / 48 months
49. Forensic Pathology / 72 months
50. Pediatrics / 48 months
51. Developmental Pediatrics / 60 months
52. Respiriology / 60 months
53. Psychiatry / 60 months
54. Child and Adolescent Psychiatry / 72 months

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55. Forensic Psychiatry / 72 months

56. Radiation Oncology / 60 months

57. Diagnostic Radiology / 60 months

58. Rheumatology / 60 months

59. Public Health and Preventive Medicine / 60 months

60. Urology / 60 months

D. 2010-09-15, ann.1; D. 2015-09-08, s.1.

D. 2010-09-15, 2010 G.O. 2, 4358

D. 2015-09-08, 2015 G.O. 2, 3877