

REGULATION RESPECTING MANDATORY CONTINUING EDUCATION FOR PHYSICIANS

Professional Code

(C.Q.L.R., c. C-26, s. 94, 1st par., subpar. o)

DIVISION I

REASONS AND PURPOSE

1. This regulation is warranted by rapid and constant changes in the professional competencies required to ensure the protection of the public in the context of the practice of medicine. It allows the Collège des médecins du Québec to determine the continuing education activities that all physicians or a category of physicians must complete or the framework for these activities.

The purpose of continuing education activities is to enable physicians to acquire, maintain, update, improve and develop the professional and ethical competencies associated with the practice of medicine.

Continuing education activities include continuing professional development activities and practice assessment activities.

Decision 2018-10-15, s. 1.

DIVISION II

CONTINUING EDUCATION REQUIREMENTS

§1. General provisions

2. A physician is required to complete at least 250 hours of continuing education activities per reference period.

A reference period starts on January 1 and lasts 5 years.

A physician who completes more than 250 hours of continuing education activities in a reference period may not credit the excess hours of activities to the next reference period.

Decision 2018-10-15, s. 2.

3. For each reference period, a physician must complete at least:

(1) 125 hours of continuing professional development activities recognized by the Collège;

(2) 10 hours of practice assessment activities recognized by the Collège.

Furthermore, for each year in a reference period, a physician must complete at least 25 hours of continuing education activities from among the 2 types of activities indicated in the first paragraph.

Decision 2018-10-15, s. 3.

4. A physician selects continuing education activities that are related to the practice of the profession and that best address his needs.

Decision 2018-10-15, s. 4.

5. A physician who registers or re-registers on the Roll of the Order during a reference period must complete the number of hours of activities provided for in sections 2 and 3 pro-rated based on the number of full days left in the year and in the current reference period.

Decision 2018-10-15, s. 5.

6. The Board of Directors may require all physicians or a category of physicians to complete a specific continuing education activity due, for instance, to regulatory or legislative reform, a normative change or if it believes that it is warranted by a deficiency that is affecting the quality of physicians' professional practice. For this purpose, the Board of Directors:

- (1) determines the duration of the activity and the time allowed to complete it;
- (2) determines the purpose and nature of the activity;
- (3) identifies the instructors, organizations or educational institutions authorized to offer the activity;
- (4) determines the number of hours that will be eligible for inclusion in the calculation of the hours required pursuant to section 3.

Decision 2018-10-15, s. 6.

§2. Continuing professional development activities recognized by the Collège

7. In order to calculate the 125 hours required pursuant to subparagraph (1) of the first paragraph of section 3, the continuing professional development activities recognized by the Collège for their relevance, content and compliance with the objectives of this regulation are as follows:

- (1) activities offered or organized by the Collège;
- (2) activities recognized by a Collège-accredited organization;
- (3) self-learning and group learning activities certified by the College of Family Physicians of Canada;
- (4) group learning activities accredited by the Royal College of Physicians and Surgeons of Canada;
- (5) periods of refresher training, tutoring programs or refresher courses organized by the Collège or imposed by the Board of Directors in accordance with the provisions of the *Professional Code* (chapter C-26), the *Regulation respecting the Professional Inspection Committee of the Collège des médecins du Québec* (chapter M-9, r. 19) or the *Regulation respecting periods of refresher training and refresher courses that may be imposed on physicians* (chapter M-9, r. 27.1);
- (6) courses, seminars, symposia or conferences offered or organized by another professional order;
- (7) for-credit university courses offered by a Canadian or American university;
- (8) continuing education activities accredited by an American continuing professional development organization that is accredited by the Accreditation Council for Continuing Medical Education (ACCME) that are similar to the activities referred to in subparagraphs (3) and (4);
- (9) participation as an instructor in training activities recognized by the Collège and related to the practice of the profession, up to a maximum of 3 hours of preparation per hour of instruction; participation is counted only once;

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(10) the writing or review of papers or articles accepted for publication in a medical journal, up to a maximum of 60 hours per reference period;

(11) participation as a mentor in a structured mentoring activity, up to a maximum of 60 hours per reference period;

(12) continuing education activities in psychotherapy adopted by the Collège in accordance with the *Regulation respecting the psychotherapist's permit* (chapter C-26, r. 222.1).

Decision 2018-10-15, s. 7.

§3. Practice assessment activities recognized by the Collège

8. In order to calculate the 10 hours required pursuant to subparagraph (2) of the first paragraph of section 3, the practice assessment activities recognized by the Collège for their relevance, content and compliance with the objectives of this regulation are as follows:

(1) activities offered or organized by the Collège, including a professional inspection visit;

(2) assessment activities recognized by a Collège-accredited organization, including those at a simulation centre;

(3) assessment activities certified by the College of Family Physicians of Canada;

(4) assessment activities recognized by the Royal College of Physicians and Surgeons of Canada;

(5) participation as a mentee in a structured mentoring activity, up to a maximum of 60 hours per reference period;

(6) activities to assess practice by means of the technological tool used to maintain clinical records, recognized by a Collège-accredited organization;

(7) a 360-degree assessment recognized by a Collège-accredited organization.

Decision 2018-10-15, s. 8.

§4. Other continuing education activities

9. In order to calculate the hours of activities required pursuant to the first paragraph of section 2, the other eligible activities are as follows:

(1) training courses or training periods offered in the workplace;

(2) self-learning activities, including reading;

(3) training activities accredited by the European Accreditation Council for CME (EACCME).

Decision 2018-10-15, s. 9.

§5. Application for recognition of an activity

10. In order to be recognized and included in the calculation of the hours required pursuant to sections 2 and 3, an application for recognition must be submitted to the Collège in writing for any continuing education activities that are not referred to in sections 7 to 9 of this regulation.

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The application for recognition must be sent within 30 days of the end of the year of the current reference period and be accompanied by the application review fee prescribed by the Board of Directors. It must include the following information and documents:

- (1) a complete description of the activity;
- (2) the educational or learning objectives of the activity;
- (3) the connection between the activity and the practice of the profession;
- (4) the educational setting the activity is held in;
- (5) supporting documentation for the activity;
- (6) a certificate of participation;
- (7) the duration of the activity;
- (8) the name and contact information of the instructor, organization or educational institution that offers the continuing education activity;
- (9) any other information or documents required by the Collège.

Decision 2018-10-15, s. 10.

11. The Collège decides whether or not to recognize an activity based on the following criteria:

- (1) the connection between the activity and the practice of the profession;
- (2) the instructor's competence and experience;
- (3) the content of the activity and its relevance to the physician's practice;
- (4) the educational setting the activity is held in;
- (5) the quality of the documentation;
- (6) compliance with the continuing education objectives referred to in this regulation;
- (7) the existence of a certificate of participation or an evaluation.

If the Collège intends to deny the application, it notifies a notice to the physician and informs him that he may submit his written observations within 15 days of the date of notification.

If the Collège grants recognition for an activity, it determines the duration that will be eligible for inclusion in the calculation of the hours required pursuant to sections 2 and 3.

The Collège's decision is notified to the physician within 30 days of the date of receipt of the application or written observations, whichever is later.

Decision 2018-10-15, s. 11.

12. A maximum of 100 hours per reference period may be recognized in accordance with this subsection, including a maximum of 20 hours per year of a reference period.

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Decision 2018-10-15, s. 12.

13. The Collège may withdraw recognition of an activity or change the number of hours attributed to the activity if it determines that the activity offered is different from the activity that it recognized. In this case, it must first notify the physician who submitted the application for recognition of the activity and inform him that he may submit his written observations within 15 days of the date of notification. The physician is informed of the Collège's decision within 30 days of the date of notification or receipt of the written observations, whichever is later.

Decision 2018-10-15, s. 13.

DIVISION III MONITORING

14. A physician must submit, no later than March 31 of each year, a continuing education declaration. The declaration must indicate the name of the activities completed during the year of the reference period, the type of activity, the subject, the date, the duration, the name of the organization that offers the activity, the number of hours completed for the year of the reference period and, where applicable, any exemptions the physician was granted in accordance with division IV.

In the declaration, the physician may authorize the Collège to obtain this information from the organization that administers the credit reporting platform the physician uses to enter his continuing education activities.

The Collège may require the physician to provide other documents or information so that it can verify that he meets the requirements of this regulation.

Decision 2018-10-15, s. 14.

15. A physician must keep, for a period of 2 years following the end of a reference period, supporting documents the Collège can use to verify that he meets the requirements of this regulation.

Decision 2018-10-15, s. 15.

DIVISION IV EXEMPTIONS

16. A physician who is entered on the Roll of the Order and who does not practice medicine within the meaning of section 31 of the *Medical Act* (chapter M-9) for an entire reference period is exempted from the requirement to complete continuing education activities.

Section 5 applies, adapted as required, to a physician who is entered as such on the Roll of the Order and who is re-entered on the Roll as a member who practices medicine during a reference period.

Decision 2018-10-15, s. 16.

17. A physician in any of the following situations may be exempted in whole or in part from the requirement to complete continuing education activities:

- (1) he is on maternity, paternity or parental leave;
- (2) he is unable to do so owing to illness, an accident, pregnancy or exceptional circumstances.

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The fact that a physician has been struck off the Roll, suspended or that his right to practice has been restricted by the Disciplinary Council, the Professions Tribunal or the Board of Directors does not constitute exceptional circumstances.

Decision 2018-10-15, s. 17.

18. To be exempted, a physician must apply to the Collège in writing and provide:

- (1) reasons in support of his request;
- (2) the duration of the exemption requested;
- (3) a medical note or any other supporting documents.

If the Collège intends to deny the application for an exemption, it notifies a notice to the physician and informs him that he may submit his written observations within 15 days of the date of notification.

If the Collège grants the exemption, it determines the duration of the exemption and the applicable conditions.

The Collège's decision is notified to the physician within 30 days of the date of receipt of the application or written observations, whichever is later.

Decision 2018-10-15, s. 18.

19. When the situation referred to in section 17 no longer applies, the physician must inform the Collège in writing immediately.

The Collège determines the number of continuing education hours the physician must complete and the applicable conditions.

The Collège notifies a notice to the physician and informs him that he may submit his written observations within 15 days of the date of notification.

The Collège's decision is notified to the physician within 30 days of the date of the notification of the notice or receipt of the written observations, whichever is later.

Decision 2018-10-15, s. 19.

DIVISION V NON-COMPLIANCE AND PENALTIES

20. The Board of Directors notifies a notice to any physician who fails to comply with the continuing education requirements set out in this regulation or who fails to submit the continuing education declaration or supporting documents referred to in section 14.

In the notice, the physician is informed of:

- (1) the nature of his non-compliance;
- (2) the time allowed to rectify the situation and provide evidence that he has done so;
- (3) the penalty that may be imposed if he does not rectify the situation within the prescribed time limit.

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The time limit prescribed under subparagraph (2) may not be less than 30 days or more than 90 days following notification of the notice.

Decision 2018-10-15, s. 20.

21. Hours of continuing education activities completed during the year or during the reference period after the year or reference period for which the physician was non-compliant are credited as a priority to the year or reference period referred to in the notice of non-compliance.

Decision 2018-10-15, s. 21.

22. If the physician fails to rectify the situation within the time limit prescribed under section 20, the Board of Directors imposes one or more of the following penalties:

- (1) submission of a detailed continuing education plan to the Board;
- (2) attendance at a training workshop offered by the Collège on planning continuing professional development or practice assessment activities;
- (3) a meeting with a person in charge of continuing education at the Collège for individual monitoring of his continuing education plan;
- (4) participation in a specific continuing education activity;
- (5) successful completion of a training period or tutoring program in his field of practice with a minimum duration of 10 days.

The Board's decision is notified to the physician, indicating the time allowed to comply with the penalties and to do the continuing education activities that he has yet to complete in order to comply with the requirements set out in sections 2 and 3.

Decision 2018-10-15, s. 22.

23. If the physician fails to comply with one or more of the penalties imposed pursuant to section 22 within the prescribed time limit, the Board of Directors, after giving the physician an opportunity to submit his written observations within 15 days of the date of notification of the notice, suspends or restricts his right to engage in professional activities.

The Board notifies its decision to the physician, indicating the requirements he must meet to rectify his non-compliance. If the physician is suspended, he is informed that he will be struck off the Roll of the Order if he does not rectify his non-compliance in the year following notification of the suspension.

Decision 2018-10-15, s. 23.

24. If a physician who is non-compliant provides the Collège with evidence that he meets the requirements set out in the decision that was notified to him in accordance with the second paragraph of section 23, the restriction or suspension is lifted by the Board of Directors.

Decision 2018-10-15, s. 24.

25. A physician who does not rectify his non-compliance in the year following notification of the suspension is struck off the Roll of the Order. A notice of this striking off is notified to the physician.

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The striking off remains in effect until the person concerned provides the Collège with evidence that he meets the requirements set out in the decision that was notified to him in accordance with the second paragraph of section 23 and until the penalty is lifted by the Board of Directors.

Decision 2018-10-15, s. 25.

DIVISION VI FINAL PROVISION

26. This regulation comes into force on January 1, 2019.

Decision 2018-10-15, s. 26.

Decision OPQ 2018-246, 2018-10-15, 2018 G.O. 2, 44