

NATIONAL ASSEMBLY

FIRST SESSION

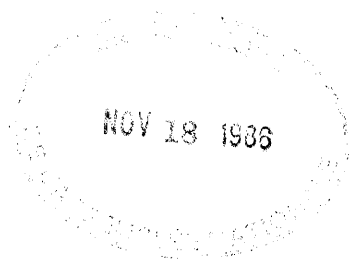
THIRTY-THIRD LEGISLATURE

Bill 142

An Act to again amend the Act respecting health services and social services

Introduction

**Introduced by
Madam Thérèse Lavoie-Roux
Minister of Health and Social Services**



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EXPLANATORY NOTES

This bill again amends the Act respecting health services and social services to take account of the linguistic characteristics of a region and to entitle English-speaking persons to receive health services and social services in their language, according to the organization and resources of the establishments providing those services.

The bill also provides, for English-speaking recipients, means to ensure that health services and social services are available in the English language.

It further amends the Act to provide that, from now on, an establishment will require authorization from the Conseil du trésor rather than from the Government before performing certain juridical acts. It also authorizes the Conseil du trésor to delegate this function to the Minister.

Finally, the bill eases the conflict of interest rules pertaining to the board of directors of a public establishment.

Bill 142

An Act to again amend the Act respecting health services and social services

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 3 of the Act respecting health services and social services (R.S.Q., chapter S-5) is amended by replacing paragraph *d* by the following paragraph:

“(d) better adapt the health services and social services to the needs of the population, taking into account regional characteristics, including the physical, geographical, linguistic and sociocultural characteristics of the region, and apportion among such services the human and financial resources in the most equitable and rational manner possible;”.

2. The said Act is amended by adding, after section 5, the following section:

“**5.1** Every English-speaking person is entitled to receive health services and social services in the English language, taking into account the organization and resources of the establishments providing such services.”

3. Section 18 of the said Act is amended

(1) by adding, after paragraph *g*, the following paragraph:

“(h) to prepare, for English-speaking recipients, in cooperation with the establishments, a program for the availability of health services and social services in the English language.”;

(2) by adding, at the end, the following paragraph:

“An availability program contemplated in paragraph *h* must be approved by the Minister.”

4. Section 72 of the said Act is amended

(1) by replacing the word “Government” in the second line of the first paragraph by the words “Conseil du trésor”;

(2) by replacing the words “Government” in the first line of the second paragraph by the words “Conseil du trésor”.

5. Section 73 of the said Act is amended

(1) by replacing the word “Government” in the second line of the first paragraph by the words “Conseil du trésor”;

(2) by replacing the words “Government or” in the third line of the second paragraph by the words “Conseil du trésor or, for rights granted before (*insert here the date of assent to this Act*) with the authorization of the Government or”.

6. The said Act is amended by adding, after section 73, the following section:

“73.1 The Conseil du trésor may delegate to the Minister, in writing, on the conditions and to the extent it determines, the powers vested in it by sections 72 and 73.

The deed of delegation shall be published in the *Gazette officielle du Québec* not later than 15 days after the decision of the Conseil du trésor.”

7. Section 75 of the said Act is amended by adding, after the word “Government,” in the second line, the words “the Conseil du trésor,”.

8. Section 95 of the said Act is replaced by the following section:

“95. No general manager of a public establishment shall, under pain of forfeiture of office, have any direct or indirect interest in an undertaking causing his personal interest to conflict with that of the establishment. Such forfeiture shall not take place, however, if such interest devolves to him by succession or gift, provided he renounces or disposes of it with all possible dispatch.

Every member of the board of directors of a public establishment, other than the general manager, who has a direct or indirect interest in an undertaking causing his personal interest to conflict with that of the establishment shall, under pain of forfeiture of office, disclose his interest in writing to the board of directors and abstain from sitting on the board and participating in the deliberations or decisions on any question relating to the undertaking in which he has an interest."

9. Section 173 of the said Act, amended by section 5 of chapter 57 of the statutes of 1986, is again amended by inserting, after the first paragraph, the following paragraph:

"The Government may, by regulation, for English-speaking recipients of any region it indicates, designate which of the establishments recognized under paragraph *f* of section 113 of the Charter of the French language (R.S.Q., chapter C-11) are required to make their health services and social services available in the English language."

10. This Act will come into force on (*insert here the date of assent to this Act*).
