

**Ministerial Order 2022-029 of the Minister of Health and Social Services
dated 31 March 2022**

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the
population amid the COVID-19 pandemic situation

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THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2) which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council provides that the Minister of Health and Social Services may order any measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 341-2022 dated 23 March 2022;

CONSIDERING that that Order in Council also empowers the Minister of Health and Social Services to take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is desirable to consolidate all the measures concerning screening and vaccination into one Ministerial Order;

ORDERS AS FOLLOWS:

THAT the status of nursing extern within the meaning of the Regulation respecting the professional activities which may be performed by persons other than nurses (chapter I-8, r. 2) be granted to a person who

(1) has successfully completed the first two years of the college studies program, at least 34 credits of the university studies program of the Université de Montréal, at least 38 credits of the university studies program of the Université du Québec à Trois-Rivières, at least 36 credits of the university studies program of the Université de Sherbrooke, at least 37 credits of the university studies program of McGill University or at least 60 credits of another university studies program leading to a diploma giving access to the permit of the Ordre des infirmières et infirmiers du Québec; and

(2) at the time the application is made to obtain the status of nursing extern, is enrolled in a college studies program or nursing studies program leading to a diploma giving access to the permit of the Ordre des infirmières et infirmiers du Québec;

THAT nursing externs be able to perform, from among the professional activities that nurses may perform, those listed in Schedule I to the Regulation respecting the professional activities which may be performed by persons other than nurses, in a local community service centre operated by a public institution or a private institution under agreement within the meaning of the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5);

THAT subparagraph *d* of paragraph 4 of section 6 of the Regulation respecting the professional activities which may be performed by persons other than nurses not apply to a nursing extern who meets the other conditions set out in that section;

THAT a medical technology extern be able to engage in the activities described in section 3 of the Regulation respecting the professional activities that may be engaged in by medical technology externs (chapter C-26, r. 237) outside the time period mentioned in that section, subject to the other conditions set out in that section;

THAT the president or, in the president's absence, the executive director or the secretary of the Ordre des inhalothérapeutes du Québec may issue, without cost and to allow acts as a respiratory therapy extern to be engaged in, a special student public health emergency authorization to a person who, not later than 20 months previously, successfully completed the training courses specific to respiratory therapy for the first two years of the program of studies leading to a diploma giving access to the permit of the Order;

THAT, for each of the following professional orders, the president or, in the president's absence, the executive director or the secretary may issue, without cost and to allow temporary practice of the profession governed by the order, a special student public health emergency authorization to a person enrolled in the college or university program of studies having a diploma giving access to the permit of the order, on the condition that the student does not have more than the equivalent of one full-time session left to the complete the program:

(1) the Ordre des infirmières et infirmiers du Québec;

(2) the Ordre professionnel des inhalothérapeutes du Québec;

(3) the Ordre professionnel des technologistes médicaux du Québec;

(4) the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec;

THAT the president or, in the president's absence, the executive director or the secretary of the Ordre des infirmières et infirmiers auxiliaires du Québec may issue, without cost and to allow temporary practice of the profession governed by the Order, a special student public health emergency authorization to a person enrolled in the program of studies leading to a diploma giving access to the permit of the Order, on the condition that the person has acquired proficiency units 1 to 26 in that program;

THAT the president, the executive director or the secretary of a professional order may, when issuing a special student public health emergency authorization, restrict the professional activities that may be

performed by the person to whom the special authorization is granted and determine the conditions on which the person may perform the activities;

THAT the president or, in the president's absence, the executive director or the secretary of a professional order in the healthcare field may, without cost and without an integration or training program requirement, grant a person who is no longer a member of the order or is registered as a non-practising member or a member of a similar class, a special public health emergency authorization allowing the person to have exclusive practice of the profession or to use a title reserved to the professionals practising the profession and to perform the same activities as those professionals; the president, the executive director or the secretary may, however, restrict the professional activities that may be performed by the person to whom the special authorization is granted and determine the conditions on which the person may perform the activities. Section 35 of the Charter of the French language (chapter C-11) does not apply in a case where such special authorization is granted;

THAT the person to whom special authorization is granted be exempted from the requirement to contribute to the insurance fund of the order or to join a group plan contract for professional liability entered into by the order if the person practises within a public institution within the meaning of the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5) or for the Nunavik Regional Board of Health and Social Services. The institution or regional board employing a person who has been granted special authorization or in which the person is practising is guarantor, takes up the person's defence and bears financial responsibility for any fault committed by the person in practising the profession;

THAT the person granted special authorization not be a member of the professional order, or retain status as a non-practising member or a member of a similar class, if applicable, but be held to the same ethical obligations as for a member of the professional order and to the other rules governing the practice of the profession;

THAT any decision denying the issuance of a special public health emergency authorization or any decision granting the issuance of such an authorization that is restricted or subject to conditions, if applicable, be substantiated and sent to the applicant and to the Minister of Health and Social Services, and that a copy of each special authorization granted by a professional order be sent to the Minister of Health and Social Services;

THAT the following professionals be authorized to perform, even without a prescription, the COVID-19 screening test:

- (1) nurses;

- (2) nursing assistants;
- (3) respiratory therapists;
- (4) medical technologists;
- (5) midwives;

THAT the following professionals employed by or practising within a health and social services institution be authorized to take the samples necessary for the COVID-19 screening test, on the condition the professional has undergone the training for the purpose provided under the authority of the director of nursing care of the institution:

- (1) audiologists;
- (2) dentists;
- (3) dietitian-nutritionists;
- (4) dental hygienists;
- (5) speech therapists;
- (6) physiotherapists;

(7) ambulance technicians registered in the national workforce registry, who hold a current ambulance technician qualification certificate;

THAT the following professionals practising within a health and social services institution be authorized to take the samples necessary for the COVID-19 screening test, on the condition they have undergone training for that purpose provided under the authority of the director of nursing care of such an institution and when a nurse, physician, respiratory therapist, nursing assistant or medical technologist is present on the premises where the sample is taken:

- (1) acupuncturists;
- (2) hearing-aid acousticians;
- (3) chiropractors;
- (4) denturologists;
- (5) occupational therapists;
- (6) veterinarians;
- (7) dispensing opticians;

- (8) optometrists;
- (9) pharmacists;
- (10) podiatrists;
- (11) medical electrophysiology technologists;
- (12) medical imaging technologists;
- (13) physiotherapy technologists;
- (14) prosthetic and dental prosthesis technologists;

THAT the following persons employed by a health and social services institution be authorized to take the samples necessary for the COVID-19 screening test, on the condition they have undergone training for that purpose provided under the authority of the director of nursing care of such an institution and are under the supervision of a nurse, physician, respiratory therapist, nursing assistant or medical technologist who must be present on the premises where the sample is taken:

- (1) candidates to the nursing profession;
- (2) candidates to the nursing assistant profession;

(3) students enrolled in the last year of a college program of studies or of a university undergraduate program of studies leading to a diploma giving access to licences or permits to practise the following professions, or in a graduate program of such university studies:

- (a) acupuncturists;
- (b) hearing-aid acousticians;
- (c) chiropractors;
- (d) dietitians-nutritionists;
- (e) dental hygienists;
- (f) occupational therapists;
- (g) nurses;
- (h) respiratory therapists;
- (i) speech therapists;
- (j) physiotherapists;

- (k) podiatrists;
- (l) medical technologists;
- (m) physiotherapy technologists;

(4) students and residents in medicine referred to respectively in sections 3 and 10 of the Regulation respecting professional activities that may be engaged in by persons other than physicians (chapter M-9, r. 12.1);

(5) students enrolled in the vocational studies program whose diploma gives access to the permit to practise the nursing or assistant nursing profession, having acquired competency units 1 to 8;

(6) students enrolled in the final two years of a university undergraduate program of studies giving access to a licence to practise dentistry;

(7) students enrolled in the third or fourth year of a university undergraduate program of studies giving access to a licence to practise pharmacy;

(8) students enrolled in the third or fourth year of a university undergraduate program of studies giving access to a licence to practise midwifery;

(9) respiratory therapist externs;

(10) nursing externs;

(11) medical technology externs;

THAT the national medical director of pre-hospital emergency services may issue, without cost or requirement to complete an integration or training program, a special public health emergency authorization allowing the following persons, on the following conditions, to take the samples necessary for the COVID-19 screening test:

(1) students in the third year of a program of college studies in pre-hospital emergency care, on the condition they have undergone training for that purpose provided under the authority of the director of nursing care of a health and social services institution and are under the supervision of a nurse, physician, respiratory therapist, nursing assistant or medical technologist who must be present on the premises where the sample is taken;

(2) persons who are registered in the national workforce registry and who have been non-active, on the condition they have undergone training for that purpose provided under the authority of the director of nursing care of a health and social services institution;

(3) enhanced first responders performing duties in a territory for which, under the third paragraph of section 39 of the Act respecting pre-hospital emergency services (chapter S-6.2), an integrated health and social services centre, the Nunavik Regional Board of Health and Social Services or the Cree Board of Health and Social Services of James Bay, as applicable, in its three-year pre-hospital emergency service organization plan, has assigned additional functions to a first responder service in relation to those assigned by that Act, on the condition they have undergone training for that purpose provided under the authority of the director of nursing care of a health and social services institution;

(4) first responders not referred to in subparagraph 3, on the condition they have undergone training for that purpose provided under the authority of the director of nursing care of a health and social services institution and are under the supervision of a nurse, physician, respiratory therapist, nursing assistant or medical technologist who must be present on the premises where the sample is taken;

THAT, in addition to the conditions set out in the preceding paragraph, the national medical director of prehospital emergency services may determine any additional conditions to be complied with by a person to whom a special authorization is given to perform the activity;

THAT, despite section 1.1 of the Regulation respecting the administration of medication by pharmacists (chapter P-10, r. 3.1), pharmacists be authorized to administer, without a prescription, a flu or COVID-19 vaccine to any person;

THAT respiratory therapists and midwives practising within a health and social services institution be authorized to administer, without a prescription, a flu or COVID-19 vaccine to any person, to assess the state of health of such a person before and after the vaccination and to intervene in an emergency;

THAT the following persons, acting on behalf of a health and social services institution, be authorized to administer, without a prescription, a flu or COVID-19 vaccine to any person:

(1) students and residents in medicine referred to respectively in sections 3 and 10 of the Regulation respecting professional activities that may be engaged in by persons other than physicians;

(2) students enrolled in the last year of a college program of studies leading to a diploma giving access to a permit to practise the profession of respiratory therapist;

(3) students enrolled in the third or fourth year of a university undergraduate program of studies leading to a degree giving access to a licence to practise midwifery;

(4) students enrolled in a vocational studies program whose diploma gives access to a permit to practise the nursing or assistant nursing profession, having acquired competency units 1 to 9;

(5) students enrolled in the third or fourth year of a university undergraduate program of studies leading to a degree giving access to a licence to practise pharmacy;

THAT the students enrolled in the third or fourth year of a university undergraduate program of studies leading to a degree giving access to a licence to practise pharmacy who are employed by a community pharmacy also be authorized to administer, without a prescription, a flu and a COVID-19 vaccine to any person;

THAT the following persons, acting on behalf of a health and social services institution, be authorized to administer, without a prescription, a flu or COVID-19 vaccine to any person five years of age or over:

(1) acupuncturists;

(2) audiologists;

(3) hearing-aid acousticians;

(4) professional chemists;

(5) chiropractors;

(6) dentists;

(7) denturologists;

(8) dietitians-nutritionists;

(9) occupational therapists;

(10) students who have completed the first year of a college studies program or university undergraduate studies program leading to a diploma giving access to the permit to practise the nursing profession;

(11) students who have completed the first year of a college studies program leading to a diploma giving access to the permit to practise the profession of respiratory therapist;

(12) students enrolled in at least the second session of their penultimate year of studies leading to a diploma giving access to the permit to

practise of any of the professions referred to in subparagraphs 1 to 9, 15 to 21 and 23 to 29;

(13) students enrolled in at least the second session of their penultimate year of an undergraduate university studies program in kinesiology or athletic therapy offered in Québec;

(14) students enrolled in at least the second session of their penultimate year of a college studies program in animal health technology or in thanatology offered in Québec;

(15) dental hygienists;

(16) veterinarians;

(17) dispensing opticians;

(18) optometrists;

(19) speech therapists;

(20) physiotherapists;

(21) podiatrists;

(22) ambulance technicians registered in the national workforce registry and who hold a current ambulance technician qualification certificate;

(23) medical technologists;

(24) medical electrophysiology technologists;

(25) medical imaging technologists;

(26) physiotherapy technologists;

(27) prosthetic and dental prosthesis technologists;

(28) radiation oncology technologists;

(29) professional technologists performing professional activities in the field of orthotics and prosthetics;

(30) holders of a degree issued in Québec for an undergraduate university studies program in kinesiology;

(31) holders of a degree issued in Québec for a graduate university studies program in extracorporeal perfusion or a diploma referred to in subparagraph a of subparagraph 2 of the first paragraph of section 2 of the

Regulation respecting the professional activities that may be engaged in by a clinical perfusionist (chapter M-9, r. 3.1);

(32) holders of a diploma issued in Québec for a college studies program in biomedical analysis technology;

(33) holders of a degree issued in Québec for an undergraduate university studies program in athletic therapy;

(34) holders of a diploma referred to in paragraph 1 of section 2 of the Regulation respecting the acts which, among those that constitute the practice of veterinary medicine, may be performed by classes of persons other than veterinary surgeons (chapter M-8, r. 1);

(35) holders of an embalmer's licence issued by the Minister of Health and Social Services;

(36) persons holding a Doctor of Medicine Degree awarded by a medical school listed in the World Directory of Medical Schools;

THAT the national medical director of pre-hospital emergency services may issue, without cost or requirement to complete an integration or training program, a special public health emergency authorization allowing the following persons to administer, without a prescription, a flu and a COVID-19 vaccine to any person 5 years of age or over:

(1) students in the third year of a program of college studies in pre-hospital emergency care;

(2) persons who are registered in the national workforce registry and who have been nonactive;

(3) first responders performing duties in a territory for which, under the third paragraph of section 39 of the Act respecting pre-hospital emergency services (chapter S-6.2), an integrated health and social services centre, the Nunavik Regional Board of Health and Social Services or the Cree Board of Health and Social Services of James Bay, as applicable, in its three-year pre-hospital emergency service organization plan, has assigned additional functions to a first responder service in relation to those assigned by that Act;

THAT the national medical director of pre-hospital emergency services may determine conditions under which a person to whom special authorization under the preceding paragraph has been given may perform the vaccination activity;

THAT the following persons, acting on behalf of a health and social services institution, be authorized to mix substances, without a prescription, to complete the preparation of a COVID-19 vaccine:

(1) nurses, candidates for the nursing profession and nursing externs;

(2) nursing assistants and candidates for the profession of nursing assistant;

(3) the persons referred to in the twentieth paragraph, in subparagraphs 1 to 4 of the twenty-first paragraph, in the twenty-third paragraph or in the twenty-fourth paragraph;

(4) students enrolled in at least the second session of their penultimate year of a university studies program in biology, medical biology, microbiology, neuroscience or pharmaceutical or biopharmaceutical sciences;

(5) holders of a degree issued in Québec for an undergraduate university studies program in biology, medical biology, microbiology, neuroscience, biomedical sciences or pharmaceutical or biopharmaceutical sciences;

THAT the persons referred to in subparagraphs 1 to 5, 7 to 15, 17 to 20, 22, 24 or 26 to 36 of the twenty-third paragraph or in the twenty-fourth paragraph, authorized to mix substances under the twenty-sixth paragraph, and the persons referred to in subparagraphs 4 and 5 of the twenty-sixth paragraph, must first have undergone training for that purpose recognized by the Minister of Health and Social Services;

THAT every person authorized to administer a vaccine pursuant to the twenty-first, twenty-second, twenty-third or twenty-fourth paragraph must first have undergone training for that purpose recognized by the Minister of Health and Social Services;

THAT the state of health of every person to be vaccinated by a person referred to in the twenty-first, twenty-second, twenty-third or twenty-fourth paragraph be assessed beforehand by a nurse, respiratory therapist, physician, pharmacist or midwife, who must be present on the premises where the vaccination is to take place;

THAT the nurse, respiratory therapist, physician, pharmacist or midwife who, pursuant to the preceding paragraph, assessed the state of health of a person be deemed to be the vaccinator of the person for the purposes of the vaccination registry maintained pursuant to the Act respecting health and social services (chapter S-2.2) and that the name of the person administering the vaccine be entered in the registry;

THAT, at the time of every vaccination administered pursuant to the twenty-first, twenty-second, twenty-third or twenty-fourth paragraphs, a sufficient number of nurses, respiratory therapists, physicians, pharmacists or

midwives be present on the premises to intervene in an emergency and to oversee clinical monitoring after the vaccination;

THAT every person authorized to administer a flu or COVID-19 vaccine or to mix substances to complete the preparation of a COVID-19 vaccine pursuant to this Ministerial Order may also do so on behalf of any other person or body with which a health and social services institution has concluded an agreement for the provision, on its behalf, of flu or COVID-19 vaccination services;

THAT the following be revoked:

(1) Ministerial Order 2020-022 dated 15 April 2020, amended by Ministerial Orders 2020-034 dated 9 May 2020, 2020-039 dated 22 May 2020, 2021-010 dated 5 March 2021, 2021-022 dated 7 April 2021, 2021-024 dated 9 April 2021, 2021-091 dated 21 December 2021 and 2022-024 dated 25 March 2022;

(2) Ministerial Order 2020-030 dated 29 April 2020, amended by Ministerial Order 2022-024 dated 25 March 2022;

(3) Ministerial Order 2020-034 dated 9 May 2020, amended by Ministerial Orders 2020-035 dated 10 May 2020 and 2020-045 dated 17 June 2020;

(4) the second paragraph of Ministerial Order 2020-037 dated 14 May 2020, amended by Ministerial Order 2022-024 dated 25 March 2022;

(5) Ministerial Order 2020-039 dated 22 May 2020, amended by Ministerial Orders 2020-087 dated 4 November 2020, 2021-038 dated 20 May 2021 and 2022-024 dated 25 March 2022;

(6) Ministerial Order 2020-062 dated 4 September 2020, amended by Ministerial Order 2021-022 dated 7 April 2021;

(7) Ministerial Order 2020-069 dated 22 September 2020, amended by Order in Council 1020-2020 dated 30 September 2020;

(8) Ministerial Order 2020-087 dated 4 November 2020, amended by Ministerial Orders 2021-022 dated 7 April 2021, 2021-091 dated 21 December 2021, 2022-010 dated 27 January 2022 and 2022-024 dated 25 March 2022;

(9) Ministerial Order 2020-099 dated 3 December 2020, amended by Ministerial Orders 2021-005 dated 28 January 2021, 2021-022 dated 7 April 2021, 2021-024 dated 9 April 2021, 2021-027 dated 16 April 2021, 2021-028 dated 17 April 2021, 2021-077 dated 29 October 2021 and 2021-091 dated 21 December 2021.

Québec, 31 March 2022

CHRISTIAN DUBÉ
Minister of Health and Social Services