

**Ministerial Order 2020-099 of the Minister of Health and Social Services
dated 3 December 2020**

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 take any measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020, until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020, until 15 July 2020 by Order in Council 717-2020 dated 8 July 2020, until 22 July 2020 by Order in Council 807-2020 dated 15 July 2020, until 29 July 2020 by Order in Council 811-2020 dated 22 July 2020, until 5 August 2020 by Order in Council 814-2020 dated 29 July 2020, until 12 August 2020 by Order in Council 815-2020 dated 5 August 2020, until 19 August 2020 by Order in Council 818-2020 dated 12 August 2020, until 26 August 2020 by Order in Council 845-2020 dated 19 August 2020, until 2 September 2020 by Order in Council 895-2020 dated 26 August 2020, until 9 September 2020 by Order in Council 917-2020 dated 2 September 2020, until 16 September 2020 by Order in Council 925-2020 dated 9 September 2020, until 23 September 2020 by Order in Council 948-2020 dated 16 September 2020; until 30 September 2020 by Order in Council 965-2020 dated 23 September 2020, until 7 October 2020 by Order in Council 1000-2020 dated 30 September 2020, until 14 October 2020 by Order in Council 1023-2020 dated 7 October 2020, until 21 October 2020 by Order in Council 1051-2020 dated 14 October 2020, until 28 October 2020 by Order in Council 1094 dated 21 October 2020, until 4 November 2020 by Order in Council 1113-2020 dated 28 October 2020, until 11 November 2020 by Order in Council 1150-2020 dated 4 November 2020, until 18 November 2020 by Order in Council 1168-2020 dated 11 November 2020, until 25 November 2020 by Order in Council 1210-2020 dated 18 November 2020, until 2 December 2020 by Order in Council 1242-2020 dated 25 November 2020 and until 9 December 2020 by Order in Council 1272-2020 dated 2 December 2020;

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 expedient to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

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, employed by 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 (chapter M-9, r. 12.1);

(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; and

(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, employed by a health and social services institution, be authorized to administer, without a prescription, a flu or COVID-19 vaccine to any person 6 years of age or over:

(1) acupuncturists;

(2) audiologists;

(3) hearing-aid acousticians;

(4) chiropractors;

(5) dentists;

(6) denturologists;

(7) dietitian-nutritionists;

(8) occupational therapists;

(9) dental hygienists;

(10) veterinarians;

(11) dispensing opticians;

(12) optometrists;

(13) speech therapists;

(14) physiotherapists;

(15) podiatrists;

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

(17) medical technologists;

(18) medical electrophysiology technologists;

(19) medical imaging technologists;

(20) physiotherapy technologists;

(21) prosthetic and dental prosthesis technologists; and

(22) 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 6 years of age or over:

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

(2) persons under 70 years of age who are registered in the national workforce registry and who have been non-active for less than 5 years; and

(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 every person authorized to administer a vaccine pursuant to the third, fourth, fifth or sixth 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 third, fourth, fifth or sixth 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 third, fourth, fifth and sixth 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.

Québec, 3 December 2020

CHRISTIAN DUBÉ
Minister of Health and Social Services