Ministerial Order 2021-028 of the Minister of Health and Social Services
dated 17 April 2021

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

CONSIDERING that 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 and 2021-027 dated 16 April 2021, among other things, authorizes certain persons to administer a flu or COVID-19 vaccine or to mix substances to complete the preparation of a COVID-19 vaccine, on certain conditions;

CONSIDERING that Ministerial Order 2021-017 dated 26 March 2021 provides for, among other things, certain measures to apply to certain service providers of a health and social services institution, an intermediate resource, a family-type resource or a private seniors' residence;

CONSIDERING that Ministerial Order 2021-020 dated 1 April 2021, amended by Ministerial Order 2021-026 dated 14 April 2021, provides for emergency measures to apply in certain territories, including the suspension of activities in certain retail sales businesses;

CONSIDERING that Ministerial Order 2020-024 dated 9 April 2021 provides, among other things, that certain persons must provide the employer with proof of having received a COVID-19 vaccine dose or have no fewer than three COVID-19 screening tests per week and provide the test results to their employer;

CONSIDERING that Ministerial Order 2021-026 dated 14 April 2021 provides for, among other things, certain measures to apply in certain territories;
CONSIDERING that Order in Council 555-2021 dated 14 April 2021 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 the operative part of 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 and 2021-027 dated 16 April 2021, be further amended

(1) by replacing "employed by" in the portion before subparagraph 1 of the third, fifth and eighth paragraphs by "acting on behalf of";

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

"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 operative part of Ministerial Order 2021-017 dated 26 March 2021 be amended

(1) by inserting the following after the sixth paragraph:

"THAT the hourly rates set in the preceding paragraph be increased by 20% if the service provider's place of work is situated in one of the following health regions:

(1) Abitibi-Témiscamingue;

(2) Côte-Nord;"
(3) Nord-du-Québec;

(4) Gaspésie—Îles-de-la-Madeleine;

(5) Nunavik;

(6) Terres-Cries-de-la-Baie-James;";

(2) by replacing "in the preceding paragraph" in the seventh paragraph by "in the sixth and seventh paragraphs";

(3) by inserting the following after the eighth paragraph:

"THAT, despite the sixth paragraph, service providers assigned to a place of work situated in one of the regions listed in the seventh paragraph may receive a refund, on presentation of vouchers, of the following expenses incurred, as applicable:

(1) expenses for travel by automobile, at the maximum rate of 0.48$ per kilometre travelled between the service provider's residence and place of work;

(2) expenses for travel by a means of transportation other than an automobile;

(3) lodging costs;";

(4) by replacing "set in that paragraph" in the ninth paragraph by "set in the sixth and seventh paragraphs";

(5) by inserting the following after the twentieth paragraph:

"THAT the sixth, seventh, eighth, ninth, tenth, eleventh, sixteenth, seventeenth and eighteenth paragraphs not apply in respect of a service provider assigned before 17 April 2021 to a body in the health and social services sector situated in one of the health regions listed in the seventh paragraph;";

THAT the second paragraph of the operative part of Ministerial Order 2021-020 dated 1 April 2021, amended by Ministerial Order 2021-026 dated 14 April 2021, be further amended
(1) by inserting the following subparagraph after subparagraph \(g\) of subparagraph 3:

"(g.1) pool and spa retailers, but only for service and the sale of items necessary for pool and spa maintenance and repair;"

(2) by replacing subparagraph \(c\) of subparagraph 14 by the following:

"(c) provide distance educational services to students in general adult education and vocational training, unless the acquisition or evaluation of the knowledge in the student's program of studies requires the student's presence in the classroom;"

THAT the operative part of Ministerial Order 2021-024 dated 9 April 2021 be amended

(1) by inserting the following in the second paragraph after subparagraph 2:

"(2.1) despite subparagraph 2, salaried persons who work fewer than three days per week must have a minimum number of COVID-19 screening tests equal to the number of days on which they are at work;"

(2) by adding the following at the end of the fourth paragraph:

"(5) trainees, interns and students having contact with the users in such an environment;"

THAT the fourth paragraph of the operative part of Ministerial Order 2021-026 dated 14 April 2021 be amended by adding the following after subparagraph 8:

"(9) persons who have their principal or their secondary residence in the Nord-du-Québec, Nunavik or Terres-Cries-de-la-Baie-James Health Region;"

THAT subparagraph 1 of the third paragraph of the operative part of this Order take effect on 19 April 2021.
Québec, 17 April 2021

CHRISTIAN DUBÉ
Minister of Health and Social Services