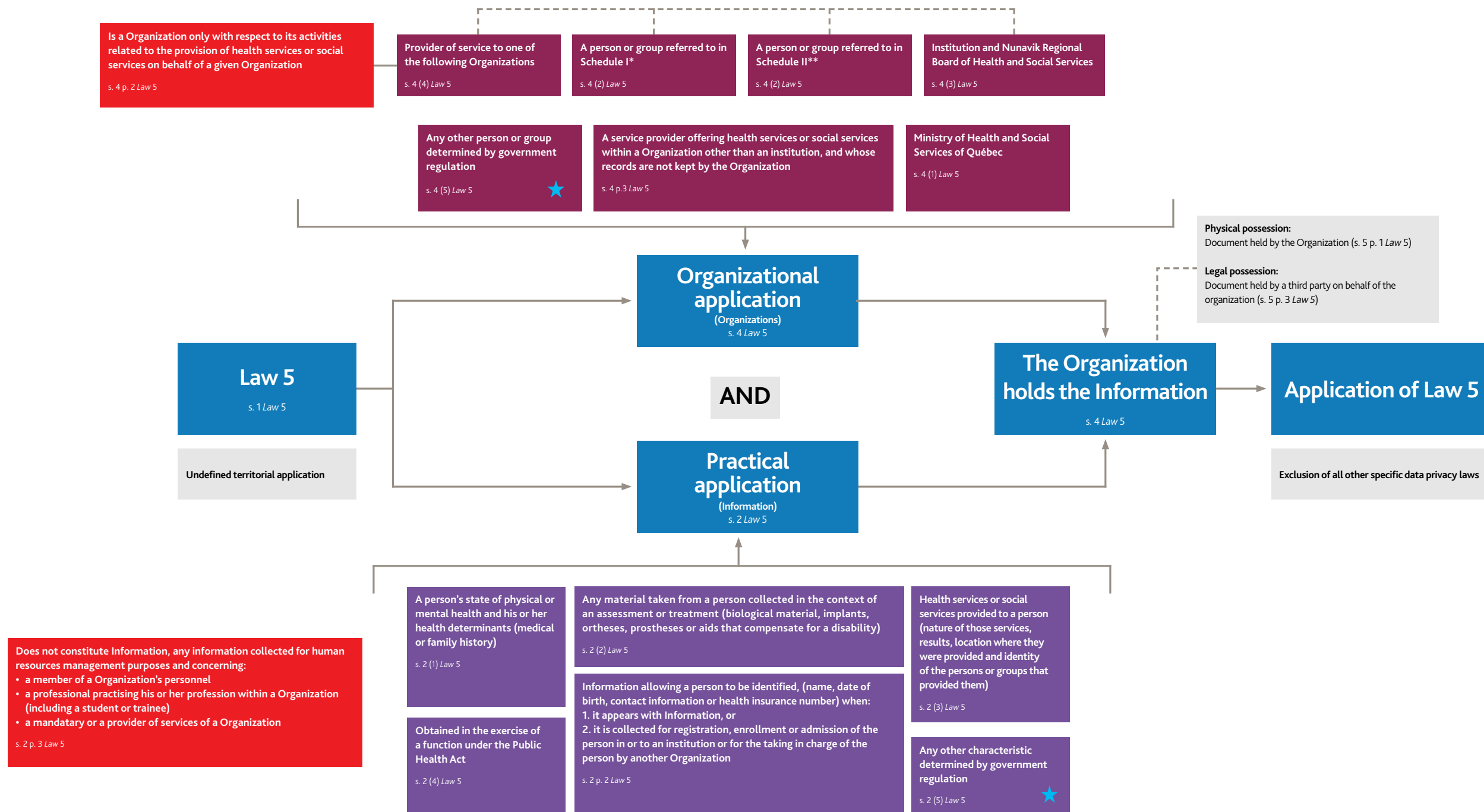


Law 5: Scope of Application

Last updated May 2024



★ Upcoming regulations

- Regulation for determining what other persons or groups Law 5 may apply to (s. 4(5) Law 5)
 - Regulation respecting the application of certain provisions of the Act respecting health and social services information; published on Feb. 21, 2024.
- Regulation for determining other characteristics that define what constitutes Information (s. 2(5) Law 5)
 - Draft Regulations on the Governance of Health Information; published on March 6, 2024.



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*Person or group referred to in Schedule I: Health and Welfare Commissioner; Commission sur les soins de fin de vie; Corporation d'urgences-santé; Héma-Québec; Institut national d'excellence en santé et en services sociaux; Institut national de santé publique du Québec; Régie de l'assurance maladie du Québec; Organization designated by the Minister and coordinating organ or tissue donations. **Person or group referred to in Schedule II: A person or group operating a private health facility; A person or group operating a specialized medical centre; A health communication centre; A person or group operating a centre for assisted procreation; A person or group operating a laboratory; A person or group operating a private seniors' residence; An intermediate or family-type resource; A resource offering lodging; A holder of a funeral services business licence issued in accordance with the Funeral Operations Act; A palliative care hospice; A holder of an ambulance service permit issued in accordance with the Act respecting pre-hospital emergency services. Person or group operating a private health facility: A consulting room or office, outside of a consulting room or office maintained by an institution, in which one or more professionals (physicians, dentists, etc.) practise their professions privately and solely on their own account, without lodging. (s. 95 p. 2 ARHSSS); Person or group operating a specialized medical centre: A place, outside a facility maintained by an institution allowing one or more physicians to provide medical services necessary for a hip or knee replacement, a cataract extraction and an intraocular lens implantation or any other specialized medical treatment determined by regulation of the Government. (s. 333.1 ARHSSS and the Regulation respecting the specialized medical treatments provided in a specialized medical centre); Person or group operating a specialized medical centre: A non-profit legal person constituted under an Act of Québec and having as its object the exercise of the functions specified in this Act (s. 21 Act respecting pre-hospital emergency services); Person or group operating a centre for assisted procreation: Premises designed for carrying out assisted procreation activities. Such premises may be located in a facility maintained by an institution, in an institution or in a professional's private consulting office within the meaning of the Act respecting health services

and social services for Cree Native persons, in a private health facility or in a laboratory (s. 2(2) Act respecting clinical and research activities relating to assisted procreation); Person or group operating a laboratory: Medical imaging laboratory and laboratory included in one of the categories determined by regulation and situated outside a facility maintained by an institution equipped for manufacturing or repairing orthoses or prosthetic devices, making medical biology examinations, for making radioisotope or radiology examinations for purposes of prevention, diagnosis and treatment of disease in humans, or for making examinations in the fields of toxicology, audiology and the physiology of respiration (s. 1(b) Act respecting medical laboratories and organ and tissue conservation); Person or group operating a private seniors' residence: All or part of a congregate residential facility occupied or designed to be occupied mainly by persons 65 years of age or over and where at least two of the following categories of services are provided: meal services, personal assistance services, nursing care services, domestic help services, security services or recreation services. (s. 346.0.1 p. 2 ARHSSS and Regulation respecting the certification of private seniors' residences); Intermediate or family-type resource: Family-type resource: foster families and foster homes. (s. 311 ARHSSS and Regulation respecting the certification of private seniors' residences) or Intermediate resource: resource recognized by an agency for the purpose of participating in the maintenance of users registered for a public institution's services in the community or in their integration into the community by providing them with a living environment suited to their needs, together with the support or assistance services required by their condition (s. 302 ARHSSS); Resource offering lodging: Resources and categories of resource offering lodging determined by government regulation except intermediary resources, family-type resources and specialized medical centres within the meaning of this Act (s. 346.0.21 ARHSSS); Palliative care hospice: Community organization that holds an accreditation granted by the Minister and has entered into an agreement with an institution in order to secure all or some of the care required by its users (s. 3(2) Act respecting end-of-life care).