

chapter C-26, r. 98

Regulation respecting the professional inspection committee of the Ordre professionnel des diététistes-nutritionnistes du Québec

Professional Code
(chapter C-26, s. 90).

Replaced, Décision OPQ 2023-710, 2023 G.O. 2, 2169; eff. 2023-06-22; see chapter C-26, r. 100.3.

O.C. 1417-92; S.Q. 2020, c. 15, s. 73.

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SCHEDULE I

SCHEDULE II

DIVISION I

GENERAL

1. *The professional inspection shall cover the records, books and registers kept by a member of the Ordre professionnel des diététistes-nutritionnistes du Québec in the practice of his profession and the products, substances, apparatus and equipment relating to the practice of that profession.*

It shall also cover the documents or reports in which that dietician collaborated in the records, books and registers kept by his colleagues or his employer, including an institution to which the Act respecting health services and social services (chapter S-4.2) applies or within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5), and any property that has been entrusted to him by a client.

O.C. 1417-92, s. 1.

DIVISION II

PROFESSIONAL INSPECTION COMMITTEE

2. *A professional inspection committee of the Order shall be composed of 5 members appointed by the board of directors from among the dietitians who have been practising for at least 3 years.*

O.C. 1417-92, s. 2.

3. *The term of office of the members of the committee shall be 4 years and may be renewed.*

The members of the committee shall take office after having taken the oath contained in Schedule II to the Professional Code (chapter C-26) and shall remain in office until their death, resignation, replacement or striking off the roll.

O.C. 1417-92, s. 3.

4. *The committee shall sit on the date and at the time and place determined by it or by its chair.*

O.C. 1417-92, s. 4.

5. *The board of directors of the Order shall designate the secretary of the committee.*

O.C. 1417-92, s. 5.

6. *The office of the committee shall be located at the head office of the Order and all the records, books and registers of the committee shall be kept at the said office.*

O.C. 1417-92, s. 6.

7. *Subject to section 10, only the members of the committee, the secretary of the committee, the office staff and the president of the Order shall have access to the records, books and registers of the committee.*

Before taking office, the secretary of the committee and the members of the office staff shall take the oath contained in Schedule II to the Code.

O.C. 1417-92, s. 7.

DIVISION III

DRAWING UP OF A PROFESSIONAL RECORD

8. *The committee shall draw up and keep up to date a professional record for each dietician of the Order in respect of whom an inspection is being held.*

O.C. 1417-92, s. 8.

9. *The professional record of a dietician shall contain a summary of the member's training and experience as a dietician and all the documents pertaining to an inspection held in respect of the dietician.*

O.C. 1417-92, s. 9.

10. *A dietician shall be entitled to consult his professional record and to obtain a copy thereof. The consultation shall be made at the office of the committee in the presence of one of its agents.*

O.C. 1417-92, s. 10.

DIVISION IV

GENERAL SUPERVISION OF THE PRACTICE OF THE PROFESSION

11. *The committee shall supervise the practice of the profession in accordance with the program established by it.*

O.C. 1417-92, s. 11.

12. *Each year, the board of directors shall have the general supervision program of the committee published in the bulletin of the Order.*

O.C. 1417-92, s. 12.

13. *At least 15 days before the date fixed for the inspection by the committee, the latter, through its secretary, shall send to the dietician in question, by registered mail, a notice in the form of Schedule I.*

O.C. 1417-92, s. 13; I.N. 2016-01-01 (NCCP).

14. *If the dietician cannot receive the committee on the date fixed, he shall, upon receipt of the notice, notify the secretary of the committee thereof and decide on another date with him.*

O.C. 1417-92, s. 14.

15. *Where a committee ascertains that the dietician was unable to take cognizance of the notice mentioned in section 13, it shall fix a new date for the inspection and notify the dietician thereof in writing.*

O.C. 1417-92, s. 15.

16. *Where required to do so, the committee shall produce a certificate attesting its authority and signed by its secretary.*

O.C. 1417-92, s. 16.

17. *A dietician in respect of whom an inspection is being held shall receive the committee and be present at the time inspection is held.*

A dietician may also be represented by a mandatary.

O.C. 1417-92, s. 17.

18. *The committee shall draw up an inspection report within 15 days of the end of its inspection.*

O.C. 1417-92, s. 18.

DIVISION V

SPECIAL INQUIRY INTO THE PROFESSIONAL COMPETENCE OF A DIETICIAN

19. *A member of the committee who on his own initiative undertakes a special inquiry into the professional competence of a dietician shall indicate in the professional record of the dietician in question the reasons that justify such an inquiry.*

O.C. 1417-92, s. 19.

20. *At least 5 clear days before the date of the special inquiry, the committee, through its secretary, shall send to the dietician, by registered mail, a notice in the form of Schedule II.*

Where the sending of a notice could jeopardize the purposes for which a special inquiry is to be held, the committee may undertake the inquiry without notice.

O.C. 1417-92, s. 20; I.N. 2016-01-01 (NCCP).

21. *The committee may order the dietician, his employer, his mandatary or his agent to give it access to the records, books, registers and other items referred to in section 1.*

O.C. 1417-92, s. 21.

22. *The committee may request a person to swear to any statement he makes to it relative to an inquiry.*

O.C. 1417-92, s. 22.

23. *The committee shall draw up a report within 30 days of the end of its inquiry.*

O.C. 1417-92, s. 23.

24. *Sections 16 and 17 shall apply, with the necessary modifications, to an inquiry held under this Division.*

O.C. 1417-92, s. 24.

DIVISION VI

RECOMMENDATIONS OF THE COMMITTEE FOLLOWING A SPECIAL INQUIRY INTO THE PROFESSIONAL COMPETENCE OF A DIETICIAN

25. *Where the committee, after studying a report on a member, has reason to believe that it is not expedient to recommend to the board of directors that it should take any of the measures prescribed in section 113 of the Code, it shall so notify the board of directors and the dietician in question within 15 days following its decision.*

O.C. 1417-92, s. 25.

26. *Where the committee, after studying a report on a member, has reason to believe that it is expedient to recommend to the board of directors that it should take one of the measures prescribed in section 113 of the Code, it shall so notify, within the same time period, the secretary of the board of directors and the dietician in question and shall allow the latter to be heard.*

O.C. 1417-92, s. 26.

27. *For the purposes of section 26, the committee shall convene the dietician and send him, by registered mail, 21 days before the date fixed for the hearing, the following information and documents:*

- (1) a notice specifying the date, time and place of the hearing;*
- (2) a statement of the facts and reasons for convening him before the committee; and*
- (3) a copy of the report drawn up by the committee concerning him.*

O.C. 1417-92, s. 27; I.N. 2016-01-01 (NCCP).

28. *The committee shall have the oath administered to the dietician or to a witness by a commissioner for oaths.*

O.C. 1417-92, s. 28.

29. *The hearing shall be held in camera, unless the committee, at the dietician's request, considers that it is in the public interest that it not be held in that manner.*

At that hearing, a dietician or a witness may be represented by an advocate.

O.C. 1417-92, s. 29.

30. *The committee may proceed by default if the dietician does not appear at the date, time and place fixed.*

O.C. 1417-92, s. 30.

31. *Depositions shall be recorded at the request of the dietician or of the committee.*

O.C. 1417-92, s. 31.

32. *In its recommendations concerning a dietician, the committee shall take account of the kind of professional activities practised in a general manner by the dietician.*

O.C. 1417-92, s. 32.

33. *The recommendations of the committee shall be made by the majority of its members within 60 days of the date of the end of the hearing. The reasons on which they are based shall be given, signed by the members of the committee who endorsed them, and forwarded immediately to the board of directors and the dietician in question.*

O.C. 1417-92, s. 33.

34. *The committee may, in addition, make recommendations to the board of directors concerning the professional competence of the dieticians.*

O.C. 1417-92, s. 34.

DIVISION VII

MISCELLANEOUS AND FINAL

35. *The secretary of the committee shall keep a register in which the date of each inspection or of each special inquiry is entered, as well as the address where it was made, the name of the dietician in question and the name of the person who made the inspection or inquiry.*

O.C. 1417-92, s. 35.

36. *The annual report of the committee provided for in section 115 of the Code shall be submitted to the board of directors before 1 April each year.*

O.C. 1417-92, s. 36.

37. *This Regulation replaces the Regulation respecting the procedure of the professional inspection committee of dietitians (R.R.Q., 1981, c. C-26, r. 71).*

O.C. 1417-92, s. 37.

38. *(Omitted).*

O.C. 1417-92, s. 38.

SCHEDULE I

(s. 13)

ORDRE PROFESSIONNEL DES DIÉTÉTISTES-NUTRITIONNISTES DU QUÉBEC

NOTICE OF INSPECTION

Notice is hereby given that, within the framework of the general supervision program for the practice of the profession, a professional inspection committee will inspect the records, books, registers, products, substances, apparatus and equipment relative to the practice of your profession, on _____ at _____ o'clock.

To that end, Mrs. or Mr _____ will call upon you at _____.

Signed at _____

this _____

The professional inspection committee

Per _____

(Secretary of the committee)

O.C. 1417-92, Sch. I.

SCHEDULE II

(s. 20)

ORDRE PROFESSIONNEL DES DIÉTÉTISTES-NUTRITIONNISTES DU QUÉBEC

NOTICE OF SPECIAL INQUIRY

Notice is hereby given that, at the request of the board of directors (or on its own initiative), the professional inspection committee will make a special inquiry into your professional competence on _____ at _____ o'clock.

To that end, Mrs. or Mr _____ will call upon you at _____.

Signed at _____

this _____

The professional inspection committee

Per _____

(Secretary of the committee)

O.C. 1417-92, Sch. II.

UPDATES

O.C. 1417-92, 1992 G.O. 2, 4516

S.Q. 2008, c. 11, ss. 212 and 213

S.Q. 2020, c. 15, s. 73