

chapter I-8

NURSES ACT



The Minister Responsible for Government Administration and Chair of the Conseil du trésor is responsible for the administration of this Act. Order in Council 1638-2022 dated 20 October 2022, (2022) 154 G.O. 2 (French), 6513.

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DIVISION I

DEFINITIONS

1. In this Act and the regulations made thereunder, unless the context indicates a different meaning, the following terms mean:

(a) “Order” : the Ordre des infirmières et infirmiers du Québec constituted by this Act;

(b) “board of directors” : the board of directors of the Order;

(c) “nurse” or “member of the Order” : any person entered on the roll;

(c.1) “specialized nurse practitioner” : a nurse who holds a specialist’s certificate in any of the classes of specialization governed by a regulation enacted under subparagraph *f* of the first paragraph of section 14;

(d) “permit” : a permit issued in accordance with the Professional Code (chapter C-26) and this Act;

(e) (*paragraph repealed*);

(f) “institution” : an institution within the meaning of the Act respecting health services and social services (chapter S-4.2) or an institution within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5);

(f.1) “specialized medical centre” : a specialized medical centre within the meaning of section 333.1 of the Act respecting health services and social services (chapter S-4.2);

(g) “roll” : the list of the members in good standing of the Order prepared in accordance with the Professional Code and this Act;

(h) “section” : a local corporation contemplated in Division VI.

1973, c. 48, s. 1; 1974, c. 65, s. 78; 1977, c. 5, s. 229; 1992, c. 21, s. 172; 1994, c. 40, s. 317; 1994, c. 23, s. 23; 2006, c. 43, s. 46; 2008, c. 11, s. 212; 2020, c. 6, s. 1.

DIVISION II

ORDRE DES INFIRMIÈRES ET INFIRMIERS DU QUÉBEC

2. All the nurses qualified to practise the profession of nursing in Québec constitute a professional order called the “Ordre professionnel des infirmières et infirmiers du Québec” or the “Ordre des infirmières et infirmiers du Québec”.

1973, c. 48, s. 2; 1977, c. 5, s. 229; 1994, c. 40, s. 318.

3. Subject to this Act, the Order and its members shall be governed by the Professional Code (chapter C-26).

1973, c. 48, s. 3.

4. The head office of the Order shall be at Montréal or at any other place in Québec determined by regulation of the board of directors adopted pursuant to paragraph *f* of section 93 of the Professional Code (chapter C-26).

1973, c. 48, s. 4; 1994, c. 40, s. 319; 2008, c. 11, s. 212.

DIVISION III

THE BOARD OF DIRECTORS

2008, c. 11, s. 212.

5. The Order shall be administered by a board of directors consisting of a president and 15 other directors, including a vice-president and a treasurer.

The treasurer shall be the depositary of the moneys and other assets of the Order. He shall perform any other duties imposed on him by the regulations or specially entrusted to him by the board of directors, the executive committee or the president.

1973, c. 48, s. 5; 1989, c. 32, s. 1; 2008, c. 11, s. 212; 2017, c. 11, s. 114.

6. *(Repealed).*

1973, c. 48, s. 6; 1974, c. 65, s. 109; 2017, c. 11, s. 115.

7. *(Repealed).*

1973, c. 48, s. 7; 1974, c. 65, s. 109; 1994, c. 40, s. 320; 2008, c. 11, s. 212; 2017, c. 11, s. 115.

8. When the president is elected by the directors, the board of directors shall be deemed regularly constituted, notwithstanding that the number of directors is decreased by one.

1973, c. 48, s. 8; 2008, c. 11, s. 212; 2017, c. 11, s. 116.

9. For the purpose of the election of the president, where he has not been elected by a general vote of the members of the Order, and of the election of the vice-president and the treasurer, the secretary of the Order shall call a meeting of the elected and appointed directors which must be held in the ten days preceding the annual general meeting of the Order. The secretary shall act as returning officer and the vote shall be by secret ballot.

The president, the vice-president and the treasurer shall be elected from among the elected directors by the vote of all the directors.

If an executive committee is constituted under section 96 of the Professional Code (chapter C-26), the president is a member of the committee by virtue of office.

One member of the executive committee shall be elected from among the elected directors and the other member shall be elected from among the directors appointed by the Office des professions du Québec by the vote of all the directors.

1973, c. 48, s. 9; 1989, c. 32, s. 2; 1994, c. 40, s. 321; 2008, c. 11, s. 212; 2017, c. 11, s. 117.

10. If the president is absent or unable to act, he shall be replaced by the vice-president.

Every vacancy for the position of elected director is filled in accordance with section 79 of the Professional Code (chapter C-26).

1973, c. 48, s. 10; 1999, c. 40, s. 149; 2017, c. 11, s. 118.

11. In addition to the duties provided in the Professional Code (chapter C-26), the board of directors

(a) shall advise the Minister of Health and Social Services on the quality of nursing care provided in the centres operated by the institutions and on the standards to be followed to improve the quality of such care;

(a.1) shall advise the Minister of Health and Social Services, on its own initiative or at the Minister's request, on the quality and safety of nursing care provided in a specialized medical centre and on the standards to be followed to improve the quality and safety of such care;

(b) *(subparagraph repealed)*;

(c) *(subparagraph repealed)*;

(d) *(subparagraph repealed)*;

(e) shall organize the keeping of a register of holders of a registration certificate and determine the formalities relating to the entry on such register;

(f) may require an annual financial report from any section;

(g) may, by a resolution approved by two-thirds of its members,

i. require from the president of a section which does not have sufficient funds to subsist or does not make suitable and beneficial use of its funds, a report on the use of its funds;

ii. order an inquiry into the affairs of a section which does not have sufficient funds to subsist or does not make suitable and beneficial use of its funds;

iii. put under trusteeship a section which does not have sufficient funds to subsist or does not make suitable and beneficial use of its funds;

iv. impose, on any section which fails to file, within the time fixed by the board of directors, a report required under subparagraph *f* of this paragraph or which fails to submit to the disallowance of a by-law effected under section 31, or impose on a section whose president fails to file, within the time fixed by the board of directors, a report required under paragraph *i* of this paragraph, the following penalty: placing under trusteeship of the section.

In performing the functions assigned to it in subparagraphs *a* and *a.1* of the first paragraph, the board of directors may cause inquiries to be carried out with respect to the quality of nursing care provided in the centres operated by the institutions or with respect to the quality and safety of nursing care provided in specialized medical centres, and may establish an inquiry committee for that purpose. The board of directors shall, not less than 30 days before giving the notice referred to in subparagraphs *a* and *a.1* of the first paragraph, send the conclusions and recommendations of the inquiry committee to the board of directors of the Ordre professionnel des infirmières et infirmiers auxiliaires du Québec.

1973, c. 48, s. 11; 1985, c. 23, s. 24; 1989, c. 32, s. 3; 1992, c. 21, s. 173, s. 375; 1993, c. 38, s. 6; 1994, c. 40, s. 322; 2006, c. 43, s. 47; 2008, c. 11, s. 188, s. 212; 2009, c. 35, s. 51; 2017, c. 11, s. 119.

11.1. It is forbidden to hinder in any way a member of an inquiry committee established pursuant to the second paragraph of section 11 in the performance of his duties, to mislead him by concealment or false declarations or to refuse to furnish him with any information or document relating to an inquiry which he holds under this Act.

Any person who contravenes this section commits an offence and is liable to the penalties prescribed by section 188 of the Professional Code (chapter C-26).

1994, c. 40, s. 323.

12. In addition to the duties provided in sections 87 to 93 of the Professional Code (chapter C-26), the board of directors shall, by regulation, determine the conditions and formalities applicable to the issue of a

registration certificate, and the causes for and the conditions and formalities applicable to the revocation of such a certificate.

1973, c. 48, s. 12; 1974, c. 65, s. 109; 1994, c. 40, s. 324; 2000, c. 13, s. 59; 2002, c. 33, s. 10; 2008, c. 11, s. 212; 2009, c. 35, s. 52.

13. *(Repealed).*

1973, c. 48, s. 13; 1974, c. 65, s. 109; 1989, c. 32, s. 4; 1994, c. 40, s. 325.

14. In addition to the powers provided in section 94 of the Professional Code (chapter C-26), the board of directors may by regulation:

(a) *(paragraph repealed);*

(b) *(paragraph repealed);*

(c) abolish a section which has insufficient funds to subsist or does not make suitable or beneficial use of its funds;

(d) impose on any section which fails to file, within the time limit fixed by the board of directors, a report required under subparagraph *f* of the first paragraph of section 11 or which fails to submit to the disallowance of a by-law effected under section 31, or, on a section whose president fails to file, within the time limit fixed by the board of directors, a report required under paragraph *i* of subparagraph *g* of the first paragraph of section 11, the following penalty: abolition of the section;

(e) fix the apportionment among the sections of the proceeds from contributions;

(f) regulate the classes of specialization to which specialized nurse practitioners must belong to engage in the activities referred to in section 36.1, and determine the terms and conditions for engaging in those activities as well as the standards relating to the form and content of verbal or written prescriptions made by specialized nurse practitioners; for that purpose, the board of directors may, in the regulation, establish an advisory committee;

(g) determine the training and clinical experience in psychiatric nursing care required to exercise the activity referred to in subparagraph 16 of the second paragraph of section 36.

The board of directors shall, before adopting a regulation under subparagraph *f* of the first paragraph, consult the Office des professions du Québec and the interested professional orders.

1973, c. 48, s. 14; 1989, c. 32, s. 5; 1994, c. 40, s. 326; 2002, c. 33, s. 11; 2008, c. 11, s. 212; 2009, c. 28, s. 13; 2020, c. 6, s. 2.

15. Section 95.2 of the Professional Code (chapter C-26) applies to the regulation adopted under section 7 and under paragraphs *c*, *d* and *e* of section 14.

1973, c. 48, s. 15; 1994, c. 40, s. 327; 2008, c. 11, s. 189.

DIVISION IV

GENERAL MEETINGS

16. Only delegates of sections may vote at general meetings of the Order.

1973, c. 48, s. 16.

17. Each section shall elect, in accordance with its by-laws, one delegate per 75 members of the Order who are enrolled in the section.

1973, c. 48, s. 17; 1989, c. 32, s. 6.

17.1. The annual general meeting shall be held within nine months from the end of the fiscal year of the Order.

1994, c. 40, s. 328.

DIVISION V

SECRETARY OF THE ORDER

18. The board of directors shall choose a secretary from among the members of the Order.

The office of secretary has no fixed term; it may be terminated:

(a) by resignation of the secretary;

(b) by a resolution of the board of directors passed by a two-thirds majority vote of its members.

The board of directors may also appoint one or more assistant secretaries to the Order and define their functions.

1973, c. 48, s. 18; 1974, c. 65, s. 79; 2008, c. 11, s. 212.

19. The secretary shall act as secretary of the Order, the board of directors and the executive committee.

He shall have the custody of the records of the Order.

1973, c. 48, s. 19; 2008, c. 11, s. 212.

20. Every certificate bearing the signature of the secretary or an assistant secretary is authentic.

1973, c. 48, s. 20.

DIVISION VI

SECTIONS

21. The Order shall be divided into not more than 12 sections the territorial boundaries of which shall be those fixed by regulation of the board of directors.

The territorial limits of the sections shall be determined by referring to the description and the map of the boundaries in Schedule I to the Décret concernant la révision des limites des régions administratives du Québec (chapter D-11, r. 1).

Section 95.2 of the Professional Code (chapter C-26) applies to the regulation adopted pursuant to the first paragraph.

1973, c. 48, s. 21; 1994, c. 40, s. 329; 2008, c. 11, s. 189, s. 212; 2017, c. 11, s. 120.

22. Each section shall constitute a separate and autonomous legal person composed of the nurses enrolled therein.

1973, c. 48, s. 22; 1999, c. 40, s. 149.

22.1. A person may be enrolled in a section if he is

(1) a member of the Order who has his main residence in the territory of the section and who has informed the secretary of the Order in writing of the place of his residence;

(2) a member of the Order who has his professional domicile in the territory of the section, who does not have his main residence in the territory of any of the sections of the Order and who has informed the secretary of the Order in writing of the place where he has his professional domicile and of the place of his main residence.

1989, c. 32, s. 7; 1994, c. 40, s. 330.

23. A section shall be designated under the name of “Ordre régional des infirmières et infirmiers de (*insert here the appropriate region name or number*).”

1973, c. 48, s. 23; 1994, c. 40, s. 331; 2000, c. 13, s. 60.

24. Each section shall be administered by a council consisting of a president, a vice-president and the number of councillors, not to exceed eight, determined by the regulations of the section, which shall fix their term.

The president, the vice-president and the councillors shall take office at the closing of the annual general meeting of the Order immediately following their election and they shall remain in office until they die, until they resign or until they are replaced or struck off the roll.

1973, c. 48, s. 24; 1989, c. 32, s. 8.

25. The election of the members of the council of a section shall be held not later than 30 days before the annual general meeting of the Order, on the date and according to the mode of election fixed by the council of the section.

The council of the section shall designate a returning officer from among the members of the section.

Voting shall be by secret ballot.

1973, c. 48, s. 25; 1974, c. 65, s. 80; 1989, c. 32, s. 9; 2008, c. 11, s. 190.

25.1. Only members of the Order enrolled in the section are eligible and entitled to vote.

1989, c. 32, s. 9.

25.2. Following the election of the members of the council of the section and not later than 30 days before the annual general meeting of the Order, the members shall designate by secret ballot, from among their number, a president and a vice-president.

1989, c. 32, s. 9; 2008, c. 11, s. 212; 2017, c. 11, s. 121.

26. The president shall preside at the meetings of the section and the sittings of the council. In case of a tie vote, the president, the vice-president or the provisional president chosen in their absence, shall have a casting vote.

1973, c. 48, s. 26.

27. If the president is absent or unable to act, he shall be replaced by the vice-president.

1973, c. 48, s. 27; 1999, c. 40, s. 149.

28. The council of a section may adopt by-laws for its management, the administration of its property, and on any matter of general interest to the members of the section, except matters within the competence of the Order.

1973, c. 48, s. 28; 1994, c. 40, s. 332.

29. Unless otherwise ordered, the by-laws of the councils of sections shall come into force on the day they are passed.

1973, c. 48, s. 29.

30. The secretary of each section shall send the secretary of the Order a certified copy of every by-law passed by the council of the section, within ten days after it is passed.

1973, c. 48, s. 30.

31. Within four months after the secretary of the Order receives a by-law of a section, the board of directors may, after a prior notice to the section concerned, disallow such by-law by an affirmative vote of two-thirds of the members present.

The board of directors shall exercise such right of disallowance if the by-law of the council of any section is inconsistent with a regulation of the board of directors or the general interest of the Order.

Disallowance by the board of directors shall be retroactive to the date of the by-law of the section and shall nullify every act that might have been done under it.

1973, c. 48, s. 31; 2008, c. 11, s. 212.

31.1. The fiscal year of a section ends on 31 March.

1989, c. 32, s. 10.

31.2. At the annual general meeting of a section, the members shall elect the auditors who will be responsible for auditing the books and accounts of the section and the president of the council of the section shall submit a report on the activities of the section together with the financial statements of the section.

The report shall subsequently be transmitted to the secretary of the Order who shall present it to the board of directors at the next meeting after it has been received.

1989, c. 32, s. 10; 2008, c. 11, s. 212.

31.3. The books and accounts of a section shall be audited every year.

1989, c. 32, s. 10.

32. When a section is put under trusteeship or abolished, all its powers shall vest in the board of directors.

1973, c. 48, s. 32; 2008, c. 11, s. 212.

DIVISION VII

REGISTRATION

33. Registration is established by a certificate issued by the secretary of the Order.

1973, c. 48, s. 33; 2009, c. 35, s. 53.

34. Every student in nursing is entitled to a registration certificate who:

(a) holds a secondary school diploma from the Ministère de l'Éducation, du Loisir et du Sport or a diploma deemed equivalent by the board of directors, and

(b) has fulfilled the conditions and formalities determined by regulation under section 12.

Every person who serves a training period pursuant to a regulation under paragraph *c* of section 93 of the Professional Code (chapter C-26) or whose diploma or training has been recognized as equivalent by the Order and who has fulfilled the conditions and formalities determined by regulation under section 12 is also entitled to a registration certificate.

The persons described in the first and second paragraphs must be registered before they may engage in professional activities authorized under a regulation under paragraph *h* of section 94 of the Professional Code
1973, c. 48, s. 34; 1977, c. 5, s. 14; 1993, c. 51, s. 72; 1994, c. 16, s. 50; 2000, c. 13, s. 61; 2005, c. 28, s. 195; 2008, c. 11, s. 212; 2009, c. 35, s. 54.

35. The board of directors may revoke a registration certificate in accordance with the regulations made under section 12.

1973, c. 48, s. 35; 2008, c. 11, s. 212.

DIVISION VIII

PRACTICE OF THE PROFESSION

36. The practice of nursing consists in assessing health, determining and carrying out the nursing care and treatment plan and providing nursing and medical care and treatment in order to maintain and restore the health of a person in interaction with his environment, prevent illness and provide appropriate symptom relief.

The following activities in the practice of nursing are reserved to nurses:

- (1) assessing the physical and mental condition of a symptomatic person;
- (2) providing clinical monitoring of the condition of persons whose state of health is problematic, including monitoring and adjusting the therapeutic nursing plan;
- (3) initiating diagnostic and therapeutic measures, according to a prescription;
- (4) initiating diagnostic measures for the purposes of a screening operation under the Public Health Act (chapter S-2.2);
- (5) performing invasive examinations and diagnostic tests, according to a prescription;
- (6) providing and adjusting medical treatment, according to a prescription;
- (7) determining the treatment plan for wounds and alterations of the skin and teguments and providing the required care and treatment;
- (8) applying invasive techniques;
- (9) participating in pregnancy care, deliveries and postpartum care;
- (10) providing nursing follow-up for persons with complex health problems;
- (11) administering and adjusting prescribed medications or other prescribed substances;
- (12) performing vaccinations as part of a vaccination operation under the Public Health Act;
- (13) mixing substances to complete the preparation of a medication, according to a prescription;
- (14) making decisions as to the use of restraint measures;

(15) deciding to use isolation measures in accordance with the Act respecting health services and social services (chapter S-4.2) and the Act respecting health services and social services for Cree Native persons (chapter S-5);

(16) diagnosing mental disorders, except intellectual disabilities, if the nurse has the university degree and clinical experience in psychiatric nursing care required under a regulation made in accordance with paragraph *g* of section 14; and

(17) assessing a child not yet admissible to preschool education who shows signs of developmental delay, in order to determine the adjustment and rehabilitation services required.

1973, c. 48, s. 36; 2002, c. 33, s. 12; 2009, c. 28, s. 14; 2023, c. 15, s. 52; 2024, c. 31, s. 45.

36.1. Specialized nurse practitioners may, if so authorized by a regulation made under subparagraph *f* of the first paragraph of section 14, engage in the following activities, according to their class of specialization and on the terms and conditions prescribed in that regulation:

- (1) diagnosing illnesses;
- (2) prescribing diagnostic examinations;
- (3) using diagnostic techniques that are invasive or entail risks of injury;
- (4) determining medical treatments;
- (5) prescribing medications and other substances;
- (6) prescribing medical treatments;
- (7) using techniques or applying medical treatments that are invasive or entail risks of injury;
- (8) providing pregnancy care; and

(9) administering the medication or substance allowing a person to obtain medical aid in dying under the Act respecting end-of-life care (chapter S-32.0001).

2002, c. 33, s. 12; 2020, c. 6, s. 3; 2023, c. 15, s. 53.

37. *(Repealed).*

1973, c. 48, s. 37; 2002, c. 33, s. 13.

38. Every person is entitled to obtain a permit who applies therefor and who:

- (a) holds a registration certificate;
- (b) *(subparagraph repealed)*;
- (c) has complied with the conditions and formalities imposed under the Professional Code (chapter C-26).

1973, c. 48, s. 38; 1989, c. 32, s. 11; 1994, c. 40, s. 333; 2000, c. 13, s. 62; 2008, c. 11, s. 192; 2009, c. 35, s. 55.

39. *(Repealed).*

1973, c. 48, s. 39; 1994, c. 40, s. 334.

40. No person may practise the profession of nursing under a name other than his own.

Nurses may, however, practise their profession under the name of one or two or more of the partners.

1973, c. 48, s. 40; 1989, c. 32, s. 12.

DIVISION IX

ILLEGAL PRACTICE OF THE PROFESSION

41. Subject to the rights and privileges expressly granted by law to other professionals, no person may engage in any of the activities described in the second paragraph of section 36, except a nurse.

This section does not apply to activities engaged in:

(a) by a person who is legally authorized to practise the profession of nursing outside Québec, whose contract of engagement requires him to accompany and care for a patient temporarily residing in Québec, during the period of such engagement, provided that such person does not present himself as the holder of a permit;

(b) by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code (chapter C-26);

(c) *(subparagraph repealed)*;

(d) *(subparagraph repealed)*.

1973, c. 48, s. 41; 1984, c. 27, s. 68; 1994, c. 40, s. 335; 2002, c. 33, s. 14.

42. Every person who contravenes section 41 is liable, for each offence, to the penalties provided in section 188 of the Professional Code (chapter C-26).

1973, c. 48, s. 42.

DIVISION X



This Division ceased to have effect on 17 April 1987.

43. *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

REPEAL SCHEDULE

In accordance with section 17 of the Act respecting the consolidation of the statutes (chapter R-3), chapter 48 of the statutes of 1973, in force on 31 December 1977, is repealed, except sections 43 to 51 and 53, effective from the coming into force of chapter I-8 of the Revised Statutes.