

# List of proceedings

## Social affairs section

This list presents the different decisions from government departments or bodies that may be challenged before the Social affairs section of the Tribunal administratif du Québec.

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## Social affairs section

### Centre intégré de santé et de services sociaux (CISSS) et Centre intégré universitaire de santé et de services sociaux (CIUSSS)

Proceeding	Statute
<p>Proceeding to dismiss a physician in charge of health services in an establishment.</p> <p>Challenging decisions refusing a physician's application to be in charge of health services in an institution, or refusing to renew his appointment.</p>	<p>Section 120 of the <i>Act respecting occupational health and safety</i> (CQLR, chapter S-2.1)</p>

### Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)

Proceeding	Statutes
<p>Challenging decisions regarding compensation of a rescuer - a person who voluntarily comes to the assistance of another person who's in danger of physical harm or death - or, if the rescuer dies, compensation of his family.</p> <p>Challenging the initial decision when the deadline to issue the review decision has expired.</p>	<p>Section 65 of the <i>Workers' Compensation Act</i> (CQLR, chapter A-3) for the purposes of the <i>Act to promote good citizenship</i> (CQLR, chapter C-20, s. 20)</p>
<p>Challenging decisions regarding the compensation of crime victims or, if the victim has been killed, the compensation of his family.</p> <p>Challenging the initial decision when the deadline to issue the review decision has expired.</p>	<p>Section 65 of the <i>Workers' Compensation Act</i> (CQLR, chapter A-3) for the purposes of the <i>Crime Victims Compensation Act</i> (CQLR, chapter I-6, s. 15)</p>
<p>Challenging decisions regarding the psychotherapeutic rehabilitation of a family member of a crime victim.</p> <p>Challenging the initial decision when the deadline to issue the review decision has expired.</p>	<p>Section 5.1 of the <i>Crime Victims Compensation Act</i> (CQLR, chapter I-6)</p>
<p>Challenging decisions regarding workers suffering from permanent disability resulting from medically diagnosed silicosis or asbestosis.</p> <p>Challenging the initial decision when the deadline to issue the review decision has expired.</p>	<p>Section 12 of the <i>Act respecting indemnities for victims of asbestosis and silicosis in mines and quarries</i> (CQLR, chapter I-7)</p>
<p>Challenging decisions concerning an event that occurred before August 19, 1985, regarding the compensation of a worker who is the victim of work injury or medically diagnosed silicosis or asbestosis.</p>	<p>Section 65 of the <i>Workers' Compensation Act</i> (CQLR, chapter A-3)</p>

Proceeding	Statutes
<p>Challenging decisions that refuse, suspend or discontinue entitlement to additional compensation to a worker suffering from a disability resulting from silicosis or asbestosis, or decisions refusing an aggravation of this disability.</p> <p>Challenging the initial decision when the deadline to issue the review decision has expired.</p>	<p>Section 12 of the <i>Act respecting indemnities for victims of asbestosis and silicosis in mines and quarries</i> (CQLR, chapter I-7) for the purpose of section 579 of the <i>Act respecting industrial accidents and occupational diseases</i> (CQLR, chapter A-3.001)</p>

## Health institution, CISSS or CIUSSS or their board of directors

Proceeding	Statutes
Challenging decisions regarding an ambulance service permit.	Section 57 of the <i>Act respecting pre-hospital emergency services</i> (CQLR, chapter S-6.2)
Challenging decisions refusing to a user the access to their file or to the information contained in it.	Section 27 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)
Challenging decisions refusing to a user the access to their personal information on the territory of the Cree Board of Health and Social Services of James Bay.	Section 7 (9) of the <i>Act respecting health services and social services for Cree Native persons</i> (CQLR, chapter S-5)
Challenging decisions imposing an administrative sanction that may limit or suspend the right of a physician or dentist to use the resources of the institution.	Section 205 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)
<p>Challenging decisions that:</p> <ul style="list-style-type: none"> <li>• refuse the application of a physician or a dentist;</li> <li>• concern disciplinary measures taken against a physician, a dentist or a pharmacist</li> </ul> <p>on the territory of the Cree Board of Health and Social Services of James Bay.</p>	Section 132 of the <i>Act respecting health services and social services for Cree Native persons</i> (CQLR, chapter S-5)
<p>Challenging decisions relating to the qualifications, the scientific competence and the conduct of a physician or a dentist or imposing disciplinary measures.</p> <p>Proceeding before the Tribunal when the deadline to render a decision concerning an application for appointment or renewal of an appointment has expired.</p>	Section 252 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)
Challenging decisions imposing disciplinary measures to a pharmacist.	Section 253 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)
Challenging decisions regarding a midwife's qualification, scientific competence or conduct, or imposing disciplinary measures.	Section 259.8 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)

Proceeding	Statutes
Challenging decisions regarding a midwife's qualifications, scientific competence, conduct, or imposing disciplinary measures to her on the territory of the Cree Board of Health and Social Services of James Bay.	Section 63.1 of the <i>Act respecting health services and social services for Cree Native persons</i> (CQLR, chapter S-5)
Challenging decisions regarding an application for a certificate of compliance for a private seniors' residence.	Section 346.0.16 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)

## Home Childcare Coordinating Office

Proceeding	Statute
Challenging decisions regarding the recognition of a home childcare provider.	Section 104 of the <i>Educational Childcare Act</i> (CQLR, chapter S-4.1.1)

## Ministre de l'Éducation

Proceeding	Statutes
Challenging decisions concerning a child's eligibility for instruction in English.	Art. 83.4 de la <i>Charte de la langue française</i> (RLRQ, chapitre C-11)
Challenging decisions modifying or revoking the permit of a private elementary or secondary school.	Section 121.1 of the <i>Act respecting private education</i> (CQLR, chapter E-9.1)
Challenging decisions regarding teaching licences.	Section 22.2 of the <i>Act respecting private education</i> (CQLR, chapter E-9.1)
Challenging decisions regarding teaching licences.	Section 34.7 of the <i>Education Act</i> (CQLR, chapter I-13.3)

## Ministre de l'Enseignement supérieur

Proceeding	Statutes
Challenging decisions modifying or revoking the permit of a private college.	Section 121.1 of the <i>Act respecting private education</i> (CQLR, chapter E-9.1)
Challenging decisions refusing to issue or renew the permit of a private college.	Section 22.2 of the <i>Act respecting private education</i> (CQLR, chapter E-9.1)

## Ministre de la Famille

Proceeding	Statutes
Challenging decisions regarding a childcare centre or day care centre permit. Challenging decisions regarding a parent's eligibility to be exempted to pay the additional contribution for childcare services.	Section 104 of the <i>Educational Childcare Act</i> (CQLR, chapter S-4.1.1)
Challenging orders prohibiting a person from providing childcare services under conditions that compromise the health or safety of the children when they have received a statement of offence.	Section 105.1 of the <i>Educational Childcare Act</i> (CQLR, chapter S-4.1.1)
Challenging review decisions confirming an administrative penalty.	Section 105.2 of the <i>Educational Childcare Act</i> (CQLR, chapter S-4.1.1)

## Ministre de l'Immigration, de la Francisation et de l'Intégration

Proceeding	Statutes
Challenging decisions that: <ul style="list-style-type: none"> <li>• refuse or cancel a person's undertaking on behalf of a foreign national;</li> <li>• cancel the selection of a foreign national;</li> <li>• withdraw recognition of an immigration consultant;</li> <li>• impose a monetary administrative penalty.</li> </ul>	Section 72 of the <i>Québec Immigration Act</i> (CQLR, chapter I-0.2)

## Ministre de la Santé et des Services sociaux

Proceeding	Statutes
Challenging decisions regarding the licence of a centre for assisted procreation.	Section 35 of the <i>Act respecting clinical and research activities relating to assisted procreation</i> (CQLR, chapter A-5.01)
Challenging decisions regarding a funeral services business licence or an embalmer's licence.	Act 30 of the <i>Funeral Operations Act</i> (2016, chapter 1)
Challenging decisions withdrawing the accreditation of manufacturers or wholesalers to be on the list of medications reimbursed by health insurance.	Section 68 of the <i>Act respecting prescription drug insurance</i> (CQLR, chapter A-29.01)
Challenging decisions regarding a permit to operate a laboratory or an organ and tissue bank.	Section 41 of the <i>Act respecting medical laboratories and organ and tissue conservation</i> (CQLR, chapter L-0.2)
Motion to challenge or cancel the election of a member of the board of directors of a public health and social services institution.	Sections 148, 530.16 and 530.97 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)
Motion to challenge or cancel the election of a member of the board of directors of a public health and social services institution on the territory of the Cree Board of Health and Social Services of James Bay.	Sections 48 and 59 of the <i>Act respecting health services and social services for Cree Native persons</i> (CQLR, chapter S-5)
Challenging decisions regarding the permit of a health and social services institution or a specialized medical centre.	Section 450 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)
Challenging decisions regarding the permit of a health and social services institution on the territory of the Cree Board of Health and Social Services of James Bay.	Section 148 of the <i>Act respecting health services and social services for Cree Native persons</i> (CQLR, chapter S-5)
Challenging the evacuation and relocation of people staying in a facility that does not have the required permit.	Section 453 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)
Challenging the evacuation and relocation of people staying in a health and social services institution that does not have the required permit on the territory of the Cree Board of Health and Social Services of James Bay.	Section 182.1 of the <i>Act respecting health services and social services for Cree Native persons</i> (CQLR, chapter S-5)
Challenging decisions regarding the compensation of victims of an injury caused by a vaccine.	Section 76 of the <i>Public Health Act</i> (CQLR, chapter S-2.2)

Proceeding	Statutes
Challenging decisions regarding compensation of victims of an injury caused by a Héma-Québec product.	Section 54.7 of the <i>Act respecting Héma-Québec and the biovigilance committee</i> (CQLR, chapter H-1.1)

## Ministre de la Santé et des Services sociaux ou Régie de l'assurance maladie du Québec (RAMQ)

Proceeding	Statutes
Challenging decisions regarding the exemption of contribution for a person: <ul style="list-style-type: none"> <li>• staying in a public or private institution; or</li> <li>• who has been taken in charge by an intermediate resource of a public institution or by a family-type resource.</li> </ul>	Section 517 of the <i>Act respecting health services and social services</i> (CQLR, chapter S-4.2)
Challenging decisions regarding the exemption of contribution for a person: <ul style="list-style-type: none"> <li>• staying in an institution; or</li> <li>• who has been taken in charge by a foster family.</li> </ul> Challenging decisions regarding the expense allowance for a person staying in an institution.	Section 162 of the <i>Act respecting health services and social services for Cree Native persons</i> (CQLR, chapter S-5)



## Ministre du Travail, de l'Emploi et de la Solidarité sociale

Proceeding	Statutes
<p>Challenging review decisions regarding parental insurance (for example: maternity, paternity, and child adoption leave).</p> <p>Challenging the initial decision when the deadline to issue the review decision has expired.</p>	Section 40 of the <i>Act respecting parental insurance</i> (CQLR, chapter A-29.011)
Challenging the refusal to issue a review decision because the deadline to ask for a review has expired.	Art. 39 and 40 of the <i>Act respecting parental insurance</i> (CQLR, chapter A-29.011)
<p>Challenging review decisions regarding the following programs:</p> <ul style="list-style-type: none"> <li>• Social assistance;</li> <li>• Social solidarity, or;</li> <li>• Aim for employment.</li> </ul>	Section 118 of the <i>Individual and Family Assistance Act</i> (CQLR, chapter A-13.1.1)
Challenging the refusal to issue a review decision because the deadline to ask for a review has expired.	Section 112 of the <i>Individual and Family Assistance Act</i> (CQLR, chapter A-13.1.1)

## Office de la sécurité du revenu des chasseurs et piégeurs cris

Proceeding	Statutes
Challenging decisions regarding the Cree Hunters and Trappers Income Security Program.	Section 18 of the <i>Act respecting the Cree Hunters and Trappers Income Security Board</i> (CQLR, chapter O-2.1)

## Office des personnes handicapées du Québec

Proceeding	Statutes
Challenging decisions regarding a handicapped person's eligibility for a service program.	Section 48 of the <i>Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration</i> (CQLR, chapter E-20.1)
Challenging decisions refusing to give a handicapped person: <ul style="list-style-type: none"> <li>• access to their file; or</li> <li>• written or verbal communication of their file.</li> </ul>	Section 20 of the <i>Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration</i> (CQLR, chapter E-20.1)

## Régie de l'assurance maladie du Québec (RAMQ)

Proceeding	Statutes
Challenging review decisions when: <ul style="list-style-type: none"> <li>• a person is covered by the health insurance plan;</li> <li>• a person is eligible for a plan or program administered by the RAMQ or;</li> <li>• a person has been declared ineligible for the plan.</li> </ul> Challenging the initial decision when the deadline to issue the review decision has expired.	Section 18.4 of the <i>Health Insurance Act</i> (CQLR, chapter A-29)
Challenging decisions seeking reimbursement of the payment that a dispenser received from the RAMQ or a person in particular for a service or an equipment to compensate for a physical, visual, hearing or communication deficiency: <ul style="list-style-type: none"> <li>• recovered by the health insurance plan but that was not provided;</li> <li>• that was not provided in accordance with the conditions of the plan;</li> <li>• that is not covered by the plan.</li> </ul> Challenging a monetary administrative penalty.	Sections 38.2 and 38.3 of the <i>Health Insurance Act</i> (CQLR, chapter A-29)
Challenging decisions that refuse to pay the amount claimed, or that ask a health professional to reimburse the fees when the services:	Section 50 of the <i>Health Insurance Act</i> (CQLR, chapter A-29)

Proceeding	Statutes
<ul style="list-style-type: none"> <li>were not justified by medicine, optometry, dentistry or pharmacy and were furnished more frequently than necessary; or</li> <li>were dispensed in an excessive manner.</li> </ul> Challenging a monetary administrative penalty.	

## Retraite Québec

Proceeding	Statutes
Challenging review decisions regarding allowances for: <ul style="list-style-type: none"> <li>families;</li> <li>handicapped children;</li> <li>young children;</li> <li>a newborn.</li> </ul>	Section 20 of the <i>Act respecting family assistance allowances</i> (CQLR, chapter A-17)
Challenging review decisions regarding family allowances or allowances for handicapped children.	Section 28 of the <i>Act respecting family benefits</i> (CQLR, chapter P-19.1)
Challenging review decisions regarding : <ul style="list-style-type: none"> <li>the right to receive child assistance credits;</li> <li>child assistance payments;</li> <li>the reimbursement recovery of child assistance payments.</li> </ul> Challenging the initial decision when the deadline to issue the review decision has expired.	Section 1029.8.61.41 of the <i>Taxation Act</i> (CQLR, chapter I-3)
Challenging review decisions regarding contributions or benefits under the Québec Pension Plan. Challenging the initial decision when the deadline to issue the review decision has expired.	Section 188 of the <i>Act respecting the Québec Pension Plan</i> (CQLR, chapter R-9)

## Review committee composed of designated medical staff

Proceeding	Statutes
Challenging decisions ordering that an ambulance technician be removed from the professional registry.	Section 73 of the <i>Act respecting pre-hospital emergency services</i> (CQLR, chapter S-6.2)

## Société de l'assurance automobile du Québec (SAAQ)

Proceeding	Statutes
Challenging decisions regarding the modification of a road vehicle to allow a handicapped person to drive their vehicle or have access to it.	Section 16.4 of the <i>Act respecting the Société de l'assurance automobile du Québec</i> (CQLR, chapter S-11.011)
Challenging review decisions regarding the suspension of a drivers licence, or the right to obtain one, by a peace officer for a period of 90 days due to the presence of alcohol or drugs in the blood.	Section 202.6.11 of the <i>Highway Safety Code</i> (CQLR, chapter C-24.2)
Challenging review decisions regarding the seizure of a vehicle by a peace officer relating to alcohol driving offences.	Section 209.14 of the <i>Highway Safety Code</i> (CQLR, chapter C-24.2)
Challenging review decisions regarding the suspension of a drivers licence for a road vehicle or refusing to issue such licence due to a medical condition or a situation incompatible with the driving of a vehicle. Challenging review decisions refusing to remove such condition from a drivers licence.	Section 560(1) of the <i>Highway Safety Code</i> (CQLR, chapter C-24.2)
Challenging review decisions regarding the suspension of a drivers licence, or the right to obtain one, by a peace officer for a period of 30 or 60 days due to speeding.	Sections 328.2 and 328.5 of the <i>Highway Safety Code</i> (CQLR, chapter C-24.2)
Challenging review decisions regarding compensation of a victim of a car accident. Challenging the initial decision when the deadline to issue the review decision has expired.	Section 83.49 of the <i>Automobile Insurance Act</i> (CQLR, chapter A-25)

## Société de l'assurance automobile du Québec (SAAQ) and Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)

Proceeding	Statutes
Challenging joint decisions which distinguish between the damages caused by a car accident and work-related accident and that determine the right to the benefits, compensation or indemnities payable under each plan.	Section 83.67 of the <i>Automobile Insurance Act</i> (CQLR, chapter A-25) Section 450 of the <i>Act respecting industrial accidents and occupational diseases</i> (CQLR, chapter A-3.001)