

Complaint – any verbal or written expression of dissatisfaction addressed to the Local Commissioner (ombudsman) regarding the health or social services received, ought to have received, is receiving or requires from the institution, an intermediary or family-type resource or any other organization, partnership or person to which or whom the institution has recourse, in particular by an agreement under section 108 or 108.1, for the provision of those services, except in the case of a complaint concerning a physician, dentist or pharmacist, or a resident, who practices with such an organization, partnership or person.

Complaint concerning a physician, dentist, pharmacist or resident – for the purposes of section 5, a complaint is defined as any written or verbal expression of dissatisfaction addressed to the Local Commissioner (ombudsman) by any person with regard to the conduct, behaviour or competency of a physician, a dentist, a pharmacist or a medical resident, as well as a dissatisfaction with regard to the quality of an act carried out within the professional framework of such persons. A complaint is also defined as the expression of a dissatisfaction or the allegation of a nonobservance of the institutions By-Laws, or the non observance of the terms of the resolution related to the appointment or renewal of appointment of a physician, dentist or pharmacist.

Complaints Review Committee – the committee set up by the Board of Directors to review the process used by the Medical Examiner to examine a complaint lodged against a physician, a dentist, a pharmacist or a resident at the request of the patient or the professional involved.

Designated regional organization – C.A.A.P. – île de Montréal is an organization mandated by the Ministry in accordance with article 76.6 of the Act, to assist and accompany, upon request, a patient who wishes to file a complaint with an institution or the Health and Social Services Ombudsman, including when the complaint is directed to the Council of Physicians, Dentists and Pharmacists of the institution for a study for disciplinary purposes or to the Complaints Review Committee.

Intervention – any action taken by the Local Commissioner of his own initiative or at the request of a third party when apprised of facts and when there are reasonable grounds to believe that the rights of a patient or a group of patients are not respected. The treatment of an intervention can be done according to the same modalities as used for the examination of a complaint.

Medical Examiner – the physician appointed by the Board of Directors in accordance with article 42 of the Act.

Patient – in conformity with the Act, any person who has received, ought to have received, receives or requires services from the institution. This term may include, if applicable, any patient representative as covered under article 12 of the Act, as well as any heir or legal representative of a deceased patient. For the purpose of section 4, the term “patient” also includes any person other than a patient, who formulates a complaint concerning a physician, dentist, pharmacist or a resident, including any human subject involved in research.

Patient representative – any person recognized as a patient representative as per article 12 of the Act and article 15 of the Quebec Civil Code.

Public Protector – the Public Protector appointed by the National Assembly under the Public Protector Act (R.S.Q., c. P-32) who performs the functions of Health and Social Services Ombudsman (Act respecting the Health and Social Services Ombudsman, R.S.Q., c. P-31.1).

Services – the health services or social services provided by the institution or using telehealth, or an intermediary or family-type resource or any other organization, partnership or person to which or whom the institution has recourse, in particular by an agreement under section 108 or 108.1. Within the framework of these agreements, the examination of complaints does not include services provided by a physician, dentist, pharmacist or a resident who practices with such an organization, partnership or person.

Users' Committee (named Beneficiaries Committee at the Douglas) – the committee implemented in a psychiatric care centre who has, as one of its functions, to accompany and assist, upon request, a patient in any steps he wishes to take in order to file a complaint.

Verbal complaint – any complaint that does not fit the requirements of a written complaint is deemed to be verbal.

Written complaint – a complaint is deemed written when it is produced on a medium which allows for the recognition of the complainant's signature. A complaint, even written, that does not bare the signature of the author, is not considered a written complaint.