

RESOLUTION OF THE BOARD OF THE COLLEGE OF OPTICIANS OF BRITISH COLUMBIA
MADE THE 15th DAY OF MAY, 2011 AT VANCOUVER, BRITISH COLUMBIA

RESOLVED THAT, in accordance with the authority established in section 19(1) of the *Health Professions Act*, and subject to filing with the Minister as required by section 19(3) of the *Health Professions Act*, the Board amend the Bylaws of the College of Opticians of British Columbia, as set out in the schedule attached to this Resolution.

SCHEDULE

The Bylaws made by the College of Opticians of British Columbia under the authority of the *Health Professions Act* are amended as follows:

1. *Section 23 is amended by adding subsections (4) through (8) as follows:*

(4) A registrant must promptly advise the registrar in writing of any changes in the registrant's employer, place of business, name or contact information.

(5) The registrar is the head of the College for the purposes of the *Freedom of Information and Protection of Privacy Act*.

(6) The registrar is authorized to act for the purposes of section 22(3) of the Act.

(7) Subject to section 75 of the *Freedom of Information and Protection of Privacy Act*, a person who makes a request for records under the *Freedom of Information and Protection of Privacy Act* must pay the fees set out in the Schedule of Maximum Fees contained in the *Freedom of Information and Protection of Privacy Regulation* for the services required to comply with that request.

(8) The registrar is authorized to establish, by bylaw, forms for the purposes of the bylaws, and to require the use of such forms by registrants.

2. *Section 34 is amended by adding the words "or more" after the word "one" and by adding subsection (e) as follows:*

(e) Refracting optician

3. *Subsection 36(1)(a) is repealed and replaced with the following:*

(a) current registration in good standing, or eligibility for registration, as a an optician under section 35,

4. *Section 38.1 is added:*

Refracting Optician

38.1. (1) For the purposes of section 20(2) of the Act, the requirements for registration as a refracting optician are

(a) current registration in good standing, or eligibility for registration, as an optician under section 35,

(b) successful completion of a course listed in Schedule "A" of the Bylaws,

(c) successful completion of an examination listed in Schedule "A" of the Bylaws, and

(d) receipt by the registrar of

(i) a signed application for registration as a refracting optician in Form 5, and

(ii) the required application fee.

(2) Despite subsection (1), an applicant who is authorized to practice as the equivalent of a refracting optician in another Canadian jurisdiction may be granted registration as a refracting optician by the registration committee if the applicant

(a) satisfies the registration committee that he or she is currently authorized to practice as a refracting optician in that other jurisdiction, and

(b) meets the requirements of subsection (1)(a) and (d).

(3) For the purpose of meeting the requirements established in subsection (2), the applicant must provide the registrar with a letter or certificate of the applicant's good standing from each body responsible for the regulation of opticianry or another health profession in a Canadian jurisdiction where the applicant is, or has been, authorized to practice opticianry or another health profession.

(4) Despite subsection (1), the registration committee has discretion, in satisfying itself under section 20 of the Act that the applicant meets the conditions or requirements for registration as a refracting optician, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection 1(b) and (c), and to grant registration on that basis, if the applicant also meets the requirements established in subsection 1(a) and (d).

(5) Subject to the Act, the Regulations, these Bylaws and the Standards of Practice, a person registered as a refracting optician may

(a) conduct automated refractions at the request of a prescriber;

(b) conduct independent automated refractions; and

(c) use the title "Refracting Optician" with or without the words "licensed" or "registered" preceding it.

5. *Subsection 40(2)(a) is replaced with the following:*

(a) applies to the registrar, provides any information and documents required by the registrar and pays the applicable fee for renewal of registration,

6. *Section 44 is repealed and replaced with the following:*

44. The fees payable to the College pursuant to these Bylaws are as set out in Schedule "C".

7. *Subsections 53(1) and (2) are deleted and replaced with the following:*

(1) In the practice of opticianry a registrant shall follow generally accepted standards of conduct, practice and procedure in fitting and dispensing of optical appliances and in the assessment and care of the client, including but not limited to the Professional Standards of Practice and the Code of Ethics compiled in accordance with subsection (2).

(2) For the purpose of providing guidance for compliance with the standards referred to in subsection (1), the Board shall direct the compilation of

- (a) the Professional Standards of Practice, setting out generally accepted standards of practice and procedure for the practice of opticianry; and
- (b) the Code of Ethics, setting out standards of professional conduct expected of registrants.

8. *Section 53 is amended by deleting subsections (6) through (10) and replacing them with the following:*

(6) A registrant may dispense a corrective eyeglass lens or contact lens without being in possession of a written or electronic copy of an authorizing document in respect of the individual for whose use the corrective eyeglass lens or contact lens is to be dispensed, only if the registrant has possession of

- (a) information contained in an authorizing document, in written or electronic form, provided by or on behalf of the individual for whose use the corrective eyeglass lens or contact lens is to be dispensed; and
- (b) a statement from that individual, in written or electronic form, in the form established by the registrar, certifying the information provided to be correct.

(7) Subsection (6) does not apply to a registrant dispensing a duplicate of a corrective eyeglass lens, with no change in refractive value.

(8) A registrant must not use automated refraction equipment unless the registrant has current recognition as a refracting optician pursuant to section 38.1.

(9) Before using automated refraction equipment, a registrant must

- (a) provide written notice to the client in Form 3, in a language understood by the client, and
- (b) obtain the signature of the client on the form.

(10) After using automated refraction equipment to assess the visual acuity of a client, a registrant must provide to the client an assessment record.

(11) Every form provided by or to a client pursuant to these bylaws is part of the record described in subsection (3) for the client, and must be retained for the period specified in subsection (4).

9. *Section 56(1)(c) is repealed and replaced with the following:*

(c) a claim of specialization, advanced practice credential or similar advanced training, qualification or expertise, unless recognized by the Quality Assurance Committee as holding such specialization or advanced qualification; or

10. *Section 57 is added as follows:*

57. The quality assurance committee may provide for the recognition of registrants as having one or more advanced practice credentials or similar qualifications, and may specify the education, training, assessment, experience and other criteria which must be met in order to be so recognized.

11. *Schedule “A” is amended by adding paragraphs 2 and 3, as follows:*

2. The following courses are recognized for the purpose of section 38.1(1)(b), until December 31, 2011:

Northern Alberta Institute of Technology Automated Refracting Course
 Northern Alberta Institute of Technology Refracting Course
 Douglas College Refracting Course

3. The following examination is recognized for the purpose of section 38.1(1)(c):

College of Opticians of British Columbia Automated Refracting Jurisprudence

12. *Schedule “C” is added as follows:*

Schedule “C”

FEE SCHEDULE

Item	Fee
<i>Initial Registration</i>	
Registered optician	\$595.00
Registered contact lens fitter	\$645.00
Student contact lens fitter (only)	\$175.00
Student contact lens fitter (concurrent registration as an optician)	\$50.00
Non-practicing registrant	\$225.00
Refracting optician	\$645.00
Refracting optician and registered contact lens fitter	\$695.00

<i>Renewal of Registration</i>	
Registered optician	\$400.00
Registered contact lens fitter	\$450.00
Student contact lens fitter (only)	\$175.00
Student contact lens fitter (concurrent registration as an optician)	\$50.00
Non-practicing registrant	\$225.00
Refracting optician	\$450.00
Refracting optician and registered contact lens fitter	\$500.00
<i>Other Fees</i>	
Document assessment	\$215.00
Prior learning assessment (for each area of practice assessed, as applicable: opticianry, contact lens fitting, automated refraction)	\$650.00
Examination and re-examination – registered optician	\$725.00
Examination and re-examination – registered contact lens fitter	\$725.00
Application for re-instatement of certificate of registration	\$200.00
Re-instatement of certificate of registration (for each year or part year from suspension or revocation, to a maximum of \$700.00)	\$200.00