



MEMORANDUM

To: Nick Atkinson, Registrar, College of Opticians of British Columbia

From: Maureen Baird, Legal Counsel for College of Opticians of British Columbia,
Lunny MacInnes

Date: March 1, 2011

Re: *New Opticians Regulation*

The following is a letter from the legal counsel for the College of Opticians of British Columbia (the "College"):

There have been a number of changes in health care regulations and the overall market place in the past year due to the impact of regulatory changes introduced by the government of British Columbia effective May 1, 2010.

The key features of the new *Opticians Regulation* which came into effect on May 1, 2010 can be summarized as follows:

- Opticianry continues to be a regulated health profession, under the *Health Professions Act*;
- The titles "optician" and "contact lens fitter" continue to be titles reserved for registrants of the College;
- The fitting of contact lenses continues to be an act reserved for registered contact lens fitters, or non-registrants acting under the supervision of a registered contact lens fitter;
- The scope of practice of registered opticians is expanded to include independent automated refracting (or "sight testing") without the involvement of a prescriber, but only for registrants approved by the College to perform those services; and
- The circumstances in which non-registrants are permitted to dispense eyeglasses and contact lenses pursuant to a valid prescription or contact lens record are expanded.

It is important that you be aware that the terms "optician" and "contact lens fitter" cannot be used in marketing materials or signage unless you have registered opticians and registered contact lens fitters on site.

It is also important that you be aware that no fitting of contact lenses can be performed at your premises unless you have a registered contact lens fitter on site, either performing or supervising those services.

Industry members who use the reserved titles “optician” or “contact lens fitter” without an entitlement to do so, or who permit the performance of restricted activities without the involvement of a registrant of the College may be subject to legal action by the College.

The regulatory changes introduced in May, 2010 provide an opportunity for registered opticians to expand their scope of practice to include independent sight testing, provided they are first certified by the College to do so.

It is the responsibility of the College to protect the public through the regulation of opticians and contact lens fitters and the prevention of unauthorized practice. Those responsibilities are continued, and in fact heightened, by recent regulatory changes to the profession.

Should you have any questions or concerns, we invite you to contact the Registrar of the College, Nick Atkinson, at 604-278-7510.