



FAQ on New Opticians Regulation in British Columbia

There have been recent press releases and other information regarding regulations about eyeglasses, contact lenses and automated refracting. What are the press releases about?

Mostly the announcements affect the public of British Columbia; they allow the public to make choices in how they take responsibility for their own vision and health. The public, if they choose, can now buy eyeglasses and replacement contact lenses from an unregulated person. The proposed regulations also allow the public to choose to go to an optician for an assessment of their visual acuity.

What is the purpose of professional regulation if unregulated retailers can sell eyeglasses and replacement contact lenses?

The government's announcement of the 19 March 2010 retained regulation of Opticians (with added scope) but expanded consumer options to purchase eyeglasses and replacement contact lenses from unregulated retailers. This gives health care consumers more options but also responsibility for their own health decisions.

As an Optician do I still belong to a regulated health profession?

Yes, if you are a registrant and continue to follow the high standards that you always have followed. Health care consumers who want to be assured that they are in the hands of a professional will want to deal with opticians. The College will continue to assure the health care consumer of your special skills and training and their access to statutory inquiry and complaint procedures through the College if something should go wrong.

Will I continue to be recognized as a professional in BC?

Opticians will continue to be regulated and recognized as health care professionals under the *Health Professions Act*. The titles "optician," "dispensing optician" and "contact lens fitter" continue to be protected and can only be used by registrants of the College.

Why should I choose to be regulated if unregulated retailers can sell eyeglasses and replacement contact lenses?

Regulation reassures the health care consumer that a professional is competent, practices to a high standard of care, and is held to a higher level of accountability for their actions. Simply put, the College provides a measure of assurance to British Columbians that opticians who are registered with the College are properly trained, follow a standard of care, and behave ethically.

Does the COBC really do all of that?

Yes, the College decides what a competent optician must be able to do in the workplace, determines learning outcomes of students, recognizes academic programs, examines graduates, sets a standard of practice and a code of ethics and resolves complaints from the public. The College also educates the public about the importance of seeing a regulated professional.

How does the public know that I am competent and will behave ethically?

The most obvious is that you call yourself an optician; only a person registered with the College is able to use that title. The College also issues you a certificate - which hangs proudly in your dispensary - requiring you to attest that you will follow the Code of Ethics of the College. The College maintains a registry of Licensed Opticians^{OM} that is available to the public.

What actions can I expect of the College to ensure that my qualifications and registration are recognized by the public?

You can expect the College to protect the titles "optician," "dispensing optician" and "contact lens fitters" by ensuring that only registrants of the College use those titles.

You can expect the College to ensure only registrants of the College use those titles when advertising in various media. You can expect the College to clearly tell the public of the high standards expected a Registered Optician^{OM}. You can expect the College to enforce those high standards and to take action against registrants that don't provide competent services or meet the ethical standards of the profession.

Can you assure me that the College will provide the public with important Information about Registered Opticians^{OM}?

As most of you know, the College has worked for some time with all Canadian opticians associations and regulators on a “Professional Identification” campaign. The purpose of the campaign is to ensure that health care consumers ask for a Licensed Optician^{OM} when making their decisions on where to purchase their families and their own eyeglasses and contact lenses.

Many of you have already registered on the new website www.LicensedOptician.ca. Together with our partner organizations, we have developed a web site designed to allow the health care consumer to find information about and identify Licensed Opticians^{OM} throughout Canada. Further, through your association you have been informed of an advertising campaign that identifies Licensed Opticians^{OM} to BC health care consumers.

The College web site will identify registrants and the special certification, if any, of each registrant. The College has completed the preparations to allow for the transparency required by the *Health Professions Act*. Our partner organizations have been working to build momentum for the campaign by involving you, as a Vision Architect^{OM}, to raise public awareness about choosing safe vision care.

What has not been changed by the new regulations?

Opticians will continue to be recognized by the *Health Professions Act* as a health profession. The fitting of contact lenses can only be undertaken by a registered contact lens fitter. The titles optician, dispensing optician and contact lens fitter is reserved for the exclusive use by registrants of the College of Opticians.

What has been changed by the new regulations?

The government is proposing that the supply of eyeglasses and replacement contact lenses may be provided under certain circumstances by unregulated persons.

In the case of eyeglasses, unregulated persons will be able to supply them based on an authorization document issued by an optician, optometrist or physician. The authorization document is defined in the regulations as a prescription from an optometrist or physician or the results of an automated assessment conducted by an optician. The document must also include the PD of the health care consumer as measured at the time of the examination or sight test. A copy of this authorization document must be provided to the health care consumer without being requested.

In the case of refilling of contact lenses, an unregulated person will be able to supply replacement contact lenses from the specifications developed by a contact lens fitter, an optometrist or a physician. Additionally, an optician or prescriber must, without being requested, provide a copy of the specification once the fitting is complete.

What have the new regulations added to an optician’s scope of practice?

The government proposes to expand the scope of practice of opticians to include visual acuity assessments by the use of Automated Refraction. This is an acknowledgment of the decade-long safe practice of sight testing by opticians under supervision of a prescriber as well as the voluntary training and certification completed by the several hundred opticians currently conducting sight testing in British Columbia. Opticians have voluntarily complied with a high standard of care that has been noted by observers.

Is it me, the optician, who is regulated or the product/service that I provide?

It is you, the optician, that is regulated. This is a big distinction. Opticians are regulated to reassure the public that they have the necessary education and skills to fit and dispense eyeglasses and contact lenses and to conduct assessments when they offer those services.

Can I charge for my services?

As a professional you are entitled to charge a fee for sight testing. You must provide your client with a copy of the visual acuity assessment record and keep a record of that assessment for the period of time specified in the College bylaws. Of course you are able to charge for contact lens fitting even if you do not supply the contact lenses.

What about the new requirement to provide PD's and contact lens specifications?

Other existing legislation provides patients with the right to have access to their health care records. By placing these requirements in the *Opticians Regulation*, the government is just affirming a right that already exists.

What if someone who has never previously been my client wants me to take his/her PD for the purpose of purchasing on the Internet or from an unregulated person?

You are not obliged to take this measurement if it is not a service you offer in your business model. If you decide to provide this service, you are at liberty to charge a fee. This would be another opportunity for you to educate the consumer about the importance of optical centering and the need for accuracy in manufacture.

How will the new regulations affect the role and administration of the College of Opticians?

The College will continue to certify opticians and contact lens fitters in the same manner as previously. In addition, the College will set standards and certify opticians who choose to continue or become a Refracting Optician^{OM}. Additionally and most importantly, the College will have an increased role in ensuring the public recognize that Registered Opticians^{OM}, Contact Lens Fitters and Certified Refracting Opticians^{OM} provide a defined high standard of care and are accountable to the College.

Whose job is it to protect the health and safety of the public? Does allowing consumers to purchase eyeglasses and contact lenses on the Internet meet that standard of safety?

It is the job of the government to set the rules for the provision of health-related products and services, including eyeglasses and contact lenses. The College of Opticians was established to set and enforce standards of admission, practice and conduct for opticians. The College will be educating the public about the vital services provided by opticians through the national professional identity campaign and ensure that health care consumers ask for a Licensed Optician^{OM}. The College will continue to have the ability to take action where unregistered persons are engaged in activities reserved for registrants of the College.

I am a Registered Optician^{OM} and/or Contact Lens Fitter Working for a Registered Optician^{OM}, Optometrist or Physician. How will the new regulations affect me?

Simply, the new regulations will not affect your professional status at all. You continue to have the option to be a registrant of the College as you have been to now. As a registered professional you will continue to be recognized as a qualified health professional, who complies with a high standard of care and is accountable to the College. Beginning from the very inception of the opticians regulations, you have had the option of being supervised by an optometrist or physician, without your own professional status, or having your own professional status by choosing to be a member of the opticians profession.

If you are an optician, you must continue to comply with the professional obligations required by the College. If you work under the supervision of an optometrist or physician, your employer will continue to ensure that you comply with the standards required by his or her College.

I am an independent Optician, and I only dispense eyeglasses. What has changed for me?

If you are a registrant of the College, you will be able to differentiate yourself from sellers of eyeglasses who are not regulated and come with no assurance of professionalism under the *Health Professions Act*. You have the choice of continuing your registration as an optician. In addition, you may now, if you register as a Refracting Optician^{OM}, conduct assessments of visual acuity and in certain circumstances dispense eyeglasses from the result of the assessment.

If you choose to not be a member of the College, you will no longer be an optician and may no longer call yourself an optician of any sort. You may not use the title, "optician," "dispensing optician," "contact lens fitter", or variations that trade on those terms. You may not fit contact lenses or conduct automated refractions without being a member of the College, unless you are permitted to do so under the supervision of an optometrist or physician.

I am an Independent Optician and Contact Lens Fitter. What has changed for me?

You may continue to fit and dispense eyeglasses, contact lenses and now, if you are registered as a Refracting Optician^{OM}, conduct assessments using automated equipment. The new legislation allows you to conduct assessments as a stand-alone service (you may charge a fee), and, subject to certain limits, to fit and dispense eyeglasses and contact lenses using the results of the assessment. In many circumstances, you no longer will be obligated to send your eyeglass and contact lens patients to another health care professional. Moreover refractions frequently required for contact lens patients can now be conducted by a certified Refracting Optician^{OM}.

I am an optician employed by an optical store. What has changed for me?

If you are a registrant of the College, you will be able to differentiate yourself to employers by guaranteeing you are a regulated professional that is properly trained, follows a standard of care, and behaves ethically. You have the choice of continuing your registration as an optician. If you work under the supervision of an optometrist or physician, your employer will continue to ensure that you comply with the standards required by his or her College.

I'm already a sight testing optician. How does this new regulation change my practice?

You will be registered as a sight testing optician. Under the new regulations, registered sight testing opticians are permitted to use the full extent of their skills, independently providing clients with an assessment of their visual acuity using an automated refraction system. There is no longer a requirement to obtain an approval of that assessment from an optometrist or ophthalmologist. You may conduct assessments as a stand-alone service (you may charge a fee), and subject to certain limits, to fit and dispense eyeglasses and contact lenses using the results of the assessment.

I am a student optician at Douglas College. How will these regulations affect me?

If you are like most people entering the profession, you did so because you believed the profession would provide you with an interesting and rewarding career and not because you knew or understood the legislation. The new regulations provide you with greater career choices than you might have imagined when you began your course.

What if the Minister's announcement had not addressed the matter of Internet sales?

Internet sales were available before the Minister's announcement and they continue to be available after the Minister's announcement.

Didn't the COBC know this announcement was going to be made?

While the College and all other stakeholders had been consulted over a lengthy period of time, the College received notification of these changes at the same time as all other stakeholders and the public.

When does this regulation come into effect?

The regulatory changes are scheduled to come into effect on May 1st, 2010. The government will accept comments regarding the regulations in the intervening time.