

College of Opticians of Ontario

The College of Opticians regulates and improves the practice of Opticians in the public interest



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College Office Hours
8:30 a.m. to 4:30 p.m.

CONTACT US!

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What's Going On?!

ANNUAL GENERAL MEETING

Saturday, March 29, 2003 1:15 p.m. to 2:15 p.m. at the Metro Toronto Convention Centre during Vision Canada 2003. Please note that Members attending the **AGM ONLY** will not be required to pay admission to the Convention Centre and will earn the following credits:

1 EG credit
1 CL credit
1 GB or PA credit

PRIZES AND SURPRISES!!

Visit the College's booth at Vision Canada 2003 and enter our draw by filling out a ballot or leaving your business card and try your luck at winning one of two wonderful gift baskets!!! Winners will be contacted by telephone and their prize will be sent via courier! See you there!!!

Enclosures:
Unauthorized Practice Complaint form & Contact Lens Mentor form

UPCOMING CONTINUING EDUCATION ACTIVITIES

The Khan Group– One Day Seminar

March 2, 2003
 Premiere Banquet Hall
 Richmond Hill, Ontario
 Website: www.thekhangroup.com
 E-mail Address: info@thekhangroup.com
 Phone: 1-866-417-0004

Vision Canada 2003

March 29 & 30, 2003
 Metro Toronto Convention Centre
 Toronto, Ontario
 Website: www.vision-canada.ca
 Phone: 1-800-847-3155
College of Opticians AGM March 29



WHEN ARE YOUR CREDITS DUE?

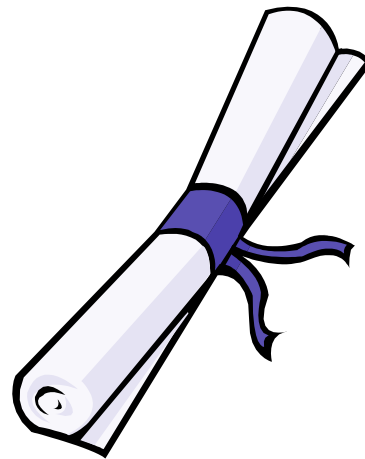
Did you know that not every Optician has the same Quality Assurance cycle? Opticians who were first registered with the College in 1998 or before, are in the second year of their current cycle. This cycle will end on December 31, 2004 and Members will be required to submit their package by this date. *Please refer to the table on the right.* Additionally, a total of **30** credits must be accumulated in each three-year cycle. If you would like further clarification please contact Belinda Forrest, Manager of Quality Assurance at bforrest@coptont.org or (416)368-3616 ext. 207.

First Registered (Year)	First Cycle Start (Jan 1)	Cycle End (Dec 31)	Next Cycle Start (Jan 1)
Prior to and including 1998	1999	2001	2002
1999	2000	2002	2003
2000	2001	2003	2004
2001	2002	2004	2005
2002	2003	2005	2006
2003	2004	2006	2007
AND SO ON!			

CONGRATULATIONS!!

*The College of Opticians is pleased to welcome
the following 38 newly Registered Opticians
(November 1, 2001 to June 30, 2002)*

C-2682 Mr. Feisal Jhuboo
C-2683 Ms. M Luisa Roviezzo
C-2684 Ms. Suzanne Raynuka Sookhoo
C-2685 Mr. Anil Kumar Kareer
C-2686 Mr. M Kazem Moazen
C-2687 Mr. Kulwinder Singh Garcha
C-2688 Ms. Janet Mou
C-2689 Mr. David Wei Dong Xie
C-2690 Ms. Aylin Safati
C-2691 Ms. Susan Rumsey Lochan
C-2692 Mr. Mark Grygiel
C-2693 Ms. Mehrangiz Baratazadeh
C-2694 Ms. Erin Michelle Walter
C-2695 Mr. Jordon Daniel Yeomans
C-2696 Mr. Alexander Cheng
C-2697 Ms. Christine Chavenia Regalado
C-2698 Mr. Michael James Mcgrath
C-2699 Ms. Yin Hing Chan
C-2700 Ms. Sukaina Keshavji
C-2701 Ms. Angela Marie Alderson
C-2702 Mr. Jeffrey David Massicotte
C-2703 Mr. Edmund Chung Yin Hung



C-2704 Ms. Denise Pala
C-2705 Ms. Bahereh Bahe Naderi
C-2706 Mr. Larry Lin
C-2707 Mr. Harish Kumar Sharma
C-2708 Ms. Fisola Ayo Turton
C-2709 Ms. Jennafer Amanda Hill
C-2710 Ms. Sari Baili Gold
C-2711 Ms. Sally Elsayegh
C-2712 Ms. Florence Man-Fong Wu
C-2713 Ms. Sofia Perelman
C-2714 Ms. Elaine MarieBastien
C-2715 Ms. Alfonzina Fortunato
C-2716 Ms. Svetlana Dinaburgsky
C-2717 Mr. Shabbir Kurban Kapasi
C-2718 Mr. Sukhminder Singh Dhillon
C-2719 Ms. Cristine Losacco

Unauthorised Practice Convictions

On October 22, 2002, two individuals, Luisa Disalvo and Connie Medeiros, pled guilty to performing the controlled act of dispensing without being registered Members of the College of Opticians of Ontario. In accordance with a joint submission, the court suspended the sentences of both individuals and placed them on probation for one year. In accordance with both the *Regulated Health Professions Act* and the terms of the probations, the individuals are not permitted to dispense.

Professional Optical Services Ltd, carrying on business as **Cristall Opticians**, located in the city of Toronto (and North York) pled guilty to charges of being the employer of the two above named individuals on October 22, 2002. In accordance with a joint submission, the court sentenced Professional Optical Services Ltd. to a fine of \$2,300.00 for each offence, for a total of \$4,600. On December 12, 2002, Professional Optical Services pled guilty to the offence of being the employer of another individual who performed the controlled act of dispensing without being a registered Member of the College of Opticians of Ontario. The court sentenced the corporation to a fine of \$1840.00. The corporation also signed an undertaking that they will educate all of their employees who are not registered Members of the College of Opticians of Ontario about the limitations and the restrictions in respect of dispensing eyeglasses, contact lenses and subnormal vision devices in accordance with the *Regulated Health Professions Act* and the *Opticianry Act*.

On November 12, 2002, Mr. Primcham Samaroo pled guilty to performing the controlled act of dispensing without being a registered Member of the College of Opticians of Ontario. On the same date, **Sam's Optical Lab Inc.**, located in the city of Toronto, pled guilty to charges of being the employer of the above individual. Based on a joint submission, the court gave Mr. Samaroo a suspended sentence with one year's probation and fined the corporation \$2,000.00. In addition to the statutory conditions on the probation order, the court included the following two conditions:

- 1) Mr. Samaroo shall place a sign on the front door of the premises known as Sam's Optical Lab Inc, stating "Wholesale only. No public access"
- 2) While Mr. Samaroo is on the premises known as Sam's Optical Lab Inc., the front door will be locked, save and accept for deliveries.

On December 17, 2002 Ms. Sandra Nadir pled guilty to performing the controlled act of dispensing without being a registered Member of the College of Opticians of Ontario. Ms. Nadir was working at **Optical 20/20 of Whitby** at the time of the offence. The court heard arguments from the College's legal counsel and from Ms. Nadir. After the College's Legal Counsel read an Agreed Statement of Facts into the record, the court ordered a suspended sentence and one-year probation. Along with the statutory conditions on the probation order, the court included the additional condition that Ms Nadir is not permitted to be on the premises of either Optical 20/20 of Whitby or Optical 20/20 of Scarborough without a registered Optician on the premises.

ALL FINES ARE PAYABLE TO THE GOVERNMENT OF ONTARIO

~See enclosed Unauthorized Practice Complaint Form~

Council and Committee Compositions for 2003

Executive

Jean Warbucks, RO, President
Cathi Mietkiewicz, RO, Vice-President
Rick Hayward, RO
John Lescard
Jane Rowe

**Registration &
Fitness to Practice**

Rick Hayward, RO
Frances-Clare Fraboni
Brian Kavanagh, RO
Cathi Mietkiewicz, RO
Maria Peart

Patient Relations

Jeff Fernandes, RO
Frances-Clare Fraboni
Sulakhan Hundal
John Lescard

Discipline

Jeff Fernandes, RO
Rick Hayward, RO
Janice Schmidt, RO
Mike Smart, RO
Jean Warbucks, RO
Frances-Clare Fraboni
Sulakhan Hundal
John Lescard
Maria Peart
Jane Rowe
Bhajan Singh
Susan Borins, RO
Colleen Karir, RO
Fazal Khan, RO
Dana Sacco, RO
Bryan Todd, RO
Rob Vezina, RO

Quality Assurance

Susan Borins, RO
Jeff Fernandes, RO
Maria Peart
Jane Rowe
Jean Warbucks, RO

Exams

Rick Hayward, RO
Brian Kavanagh, RO
John Lescard
Jane Rowe
Janice Schmidt, RO
Mike Smart, RO

**Complaints &
Unauthorized Practice**

John Lescard
Cathi Mietkiewicz, RO
Janice Schmidt, RO
Bhajan Singh
Bryan Todd, RO

ELECTION RESULTS

Congratulations!

District 4 by Acclamation

Mr. Thomas Michael Smart, RO

Rx's: TO FILL OR NOT TO FILL?

Dear Fellow Members,

The Quality Assurance Committee would like to extend their sincere appreciation to those Members who submitted comments on the Draft Eyeglass Standards of Practice and Draft Contact Lens Standards of Practice. Your comments have been received with gratitude and reviewed by our Committee. It is always beneficial to get feedback from our Members! Thank you again for your helpful comments and suggestions.



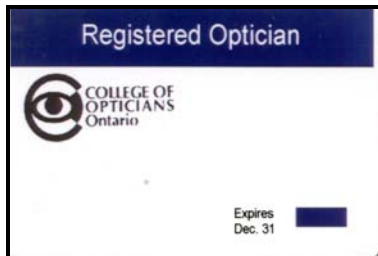
One of the issues raised among members who responded, was the validity of a "stale dated" prescription. The Quality Assurance Committee will revisit the best approach to use when dealing with a prescription, which has a date of issue that is beyond a reasonable amount of time for effective dispensing. This will be a topic for discussion at one of our first meetings. Please look for information to follow in an upcoming edition of our Newsletter.

Again, thank you to the members who took the time to review the Draft Eyeglass Standards of Practice and Draft Contact Lens Standards of Practice.

Respectfully Submitted,
Susan Borins, Chairperson Quality Assurance Committee 2002

IMPORTANT NOTICE!

IMPORTANT NOTICE!



The College of Opticians of Ontario is pleased to announce that all Registered Opticians who meet the following criteria will be receiving a new Identification Badge:

- ◆ new Optician
- ◆ five-years have passed since your last submission of photos and new photos were requested
- ◆ a replacement badge was ordered
- ◆ new photos were voluntarily submitted with the 2003 application for
- ◆ renewal

When you receive your new Identification Badge for 2003, you are required to destroy your old Identification Badge immediately.

BY-LAW NUMBER 21, AMENDMENT OF SECTION 19 - Election of Optician Council Members, dated November 29, 2002

The following amendment (see page 7) was made to the College of Opticians By-Law Number 21, under the Opticianry Act, 1991. This amendment was passed at the November 2002 Council Meeting.



**BY-LAW NUMBER 21, AMENDMENT OF SECTION 19 -
Election of Optician Council Members, dated November 29, 2002**

RESOLUTION OF THE COUNCIL
OF
THE COLLEGE OF OPTICIANS
(the "College")

ELECTION OF OPTICIAN COUNCIL MEMBERS

WHEREAS subsection 7(1) of the *Opticianry Act, 1991* (the "Opticianry Act") provides that the Council of the College shall be comprised of at least seven and no more than ten persons who are members of the College and elected in the prescribed manner;

WHEREAS the Council of the College currently operates with the minimum number of elected members required under the Opticianry Act for reasons of fiscal constraint;

WHEREAS it is desirous to prevent a situation from arising whereby the death or resignation of an elected Council member results in the number of elected Council members falling below the minimum requirement under the Act;

WHEREAS the Council would like to amend the by-laws of the College (the "By-Laws") to put into place a procedure in such circumstances to conduct an abbreviated nomination and election procedure to fill a vacancy on the Council;

NOW THEREFORE BE IT RESOLVED THAT:

1. The By-Laws be amended to add paragraphs 17 and 18 of Section 19 of the By-Laws ("Election of Optician Council Members") as follows:

17(1) Where vacancy in the seat of an elected Council member results or will result in the number of elected Council members falling below the minimum number required by the Opticianry Act and the vacancy cannot be filled in accordance with subparagraph 16(1)(a), the Registrar, in consultation with the Executive Committee, shall conduct an abbreviated nomination and election procedure in accordance with the provisions of this paragraph 17.

(2) A date for the election shall be scheduled no later than forty days after the date that the seat becomes or will become vacant.

(3) No later than thirty five days before the date of the election, the Registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure.

(4)(a) The nomination of a candidate for election as a member of Council shall be writing, in a form supplied by the Registrar, and shall be given to the Registrar, along with a publishable photograph of the nomination procedure

(b) The nomination shall be signed by the candidate and by at least five members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

(c) A candidate may withdraw his or her nomination for election to the Council by written notice to the Registrar.

(d) No later than fifteen days before the date of the election, the Registrar shall send to every member eligible to vote in the electoral district in the electoral district in which the election is to take place a list of the candidates in the electoral district, a ballot and an explanation of the voting procedure.

(5)(a) If no nomination is received for a district at least twenty days before the date of the scheduled election, there shall be a supplementary nomination and election process, and the Registrar shall again notify every member who is eligible to vote of a new date, time and place of the election and the nomination procedure.

(b) The process of the supplementary nomination and election procedures is the same as those set out in subparagraph (4) above.

(6) The following paragraphs of Section 19 will also apply to an election that is conducted in accordance with this paragraph 17: 1,2,4, 5,8,9(1), 10, 11, 12 and 13.

18. The term of a member who has been elected under paragraph 17 of this Section 19 to fill a vacancy shall continue until the time that the term of the former Council member(s) would have expired.

Delegation Issues

The College receives many inquiries regarding the issue of delegation, more specifically the circumstances in which an unregistered person can perform tasks in dispensing under delegation from an Optician. Under the *Regulated Health Professions Act, 1991* (RHPA) the "...dispensing, for vision or eye problems, subnormal vision devices, contact lenses or eye glasses other than simple magnifiers" is a controlled act as defined by the RHPA. To give a little history on the subject, the College of Opticians and the College of Optometrists and various other stakeholders met several times to develop a policy on delegation. The two Colleges produced a Joint Report on Delegation in 1998. A summary of the report outlining the agreed upon rules for delegation was printed in the College of Opticians' June 1998 newsletter and sent to all Members. The two Colleges agreed that "dispensing" is defined as the preparation, adaptation, and delivery of eye glasses, contact lenses or subnormal vision devices to a person. The two Colleges further agreed that all functions of dispensing may be delegated to an unregistered person with the **exception** of three core cognitive functions (printed here in bold type) and behaviours. An Optician **may not** delegate the following:

1. **The determination and recording of the specifications of the eyeglasses, contact lenses, or subnormal vision devices to be provided to a patient.** This means that an Optician must personally review the order as well as the patient's prescription. The Optician must determine whether the appliance that has been ordered is suitable for the patient, meets the patient's needs and will best achieve the visual correction that the patient requires. The Optician must also decide on the final parameters, and technical specifications of the appliance that is to be ordered. The Optician must sign the order and record the specifications of the appliance on the patient health record.
2. **The confirmation and recording of the appropriateness of the eyeglasses, contact lenses or subnormal vision devices to be provided or delivered to the patient.** This means that the Optician must confirm the visual appliance after it has been fabricated according to his or her specifications, such that it is in conformance with the prescription, is suitable for the patient, and best achieves the visual correction that the patient requires. Also, part of this core cognitive function is any testing of the patient's visual acuity after the appliance has been fit to the patient's face. The Optician must record these determinations on the patient health record.
3. **The provision and recording of the necessary advice, counselling, and associated care to the patient about the use of the eye glasses, contact lenses or subnormal vision devices.** This means that the Optician must personally instruct the patient in the use and care of the particular visual appliance as well as advice about when to come back for a check-up or realignment. This advice must be recorded on the patient health record.

The two Colleges also agreed on common rules for delegation as follows:

1. A member must have established a professional relationship with a person prior to delegating any part of dispensing for that person (hereinafter the "patient").
2. A member delegating and the person receiving delegation must each be identified in the record of care made by the member about the patient.
3. A member must ensure that the standards of practice of the member's profession are maintained by the person receiving delegation.
4. A member is responsible for any failure on the part of a person receiving delegation to maintain the standards of practice.
5. A member must be physically present in the same facility with the person receiving delegation at the time the member delegates tasks in dispensing to that person.
6. A member must be physically present in the same facility and available to intervene when a delegated act of dispensing is being performed on a patient.
7. A member must ensure that the tasks which the member delegates be patient-specific and appropriate.
8. A member must identify to the College, at its request, any person to whom a task of dispensing has been delegated.
9. A member must ensure that any person receiving delegation has received training appropriate to the delegated tasks to be performed.

It is clear from the rules that an Optician **must** be on the premises both at the time of the delegation and at the time that the delegated act is being performed. The College of Opticians will not accept that any tasks in dispensing be performed by an unregistered person without the Optician being physically present. Members should be very aware that the decision of whether or not to delegate tasks in dispensing to unregistered personnel lies **solely** with the Optician and is **at all times** at his or her discretion. A member should not delegate if, in the member's professional judgement, it is not appropriate to do so, would be contrary to the standards of practice, or would place the member in a conflict of interest.

Please feel free to contact the College for further clarification on delegation.



*College Staff
and
Departments*



<i>NAME & DEPARTMENT</i>	<i>EXTENSION</i>	<i>E-MAIL ADDRESS</i>
Bev Sloan, Chief Administrative Officer & Interim Registrar	208	bsloan@coptont.org
Simone Carriere, Manager of Registration & Fitness to Practice	209	scarriere@coptont.org
Nicole Thompson, BAA PA Manager of Education, Standards of Practice & Discipline	212	nthompson@coptont.org
Belinda Forrest, BA Soc Manager of Quality Assurance	207	bforrest@coptont.org
Denise Bailey Registration & Patient Relations Consultant	201	dbailey@coptont.org
Karen Campbell, Administrative Assistant	203	kcampbell@coptont.org
Maria Bisko Receptionist	200	mail@coptont.org

COUNCIL MEETING DATES

- ◇ *Monday , March 17, 2003* *9 a.m. – 5 p.m.*
- ◇ *Wednesday, June 25, 2003* *9 a.m. – 5 p.m.*
- ◇ *Friday, September 12, 2003* *9 a.m. – 5 p.m.*
- ◇ *Wednesday, November 26, 2003* *9 a.m. – 5 p.m.*

*~ Council meetings are conducted at the office of the
College of Opticians of Ontario~*

