

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
7.	<p><u>GENERAL</u> In this Part, "assessor" means an assessor appointed under section 81 of the Health Professions Procedural Code;</p> <p>"Committee" means the Quality Assurance Committee;</p> <p>"optician" means a member who holds a certificate as a registered optician.</p>	7.	<p><u>GENERAL</u> In this Part, "assessor" means an assessor appointed under section 81 of the Health Professions Procedural Code;</p> <p>"Committee" means the Quality Assurance Committee;</p> <p>"optician" means a member who holds a certificate as a registered optician.</p>	No changes.
8.	<p>The Committee shall administer the quality assurance program, which shall consist of the following components:</p> <ol style="list-style-type: none"> 1. Credits for continuing education, professional activities and dispensing. 2. Peer assessment and professional improvement. 3. Remediation of inappropriate behaviour and remarks of a sexual nature. 	8.	<p>The Committee shall administer the quality assurance program, which shall consist of the following components:</p> <ol style="list-style-type: none"> 1. continuing education or professional development designed to, <ol style="list-style-type: none"> (i) promote continuing competence and continuing quality improvement among the members, (ii) address changes in practice environments, and (iii) incorporate standards of practice, advances in technology, changes made to entry to practice competencies and other relevant issues in the discretion of the Council; 2. self, peer and practice assessments; and 3. a mechanism for the College to monitor members' participation in, and compliance with, the quality assurance program. 	The changes to this section are intended to ensure that the program components are consistent with the requirements set out in s. 80.1 of the Code.
9.	(1) Every optician shall participate in the quality assurance program and fulfill its requirements.	9.	(1) Every optician shall participate in the quality assurance program and fulfill its requirements.	Subsection (2) has been removed to reflect that ICRC can no longer refer

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	(2) Every member is subject to the component of the quality assurance program referred to in paragraph 3 of section 8.			members to the QA Committee.
10.	<p>CREDITS</p> <p>(1) The Committee shall determine the number of credits to be assigned to a continuing education activity, a professional activity or dispensing activities.</p> <p>(2) The College shall inform opticians on a regular basis of the number of credits assigned to particular continuing education activities, professional activities and dispensing activities.</p> <p>(3) A continuing education activity includes attending courses, lectures, seminars and other similar activities approved by the Committee.</p> <p>(4) A professional activity includes,</p> <p>(a) teaching and research activities, including authoring articles, approved by the Committee; and</p> <p>(b) membership on the Council or a committee of the College or on the executive of an opticianry-related professional association.</p> <p>(5) Dispensing activities include dispensing that is verified in accordance with policy guidelines published by the College and distributed to opticians.</p>	10.	<p><u>SELF-ASSESSMENT AND CONTINUING EDUCATION OR PROFESSIONAL DEVELOPMENT</u></p> <p>(1) Every member shall maintain records of his or her self assessment, continuing education or professional development using tools provided by the College.</p> <p>(2) A member shall, on request,</p> <p>(a) provide accurate information to the College about his or her self assessment, continuing education or professional development activities; and</p> <p>(b) make his or her records available to the College for inspection.</p> <p>(3) Every member shall participate in self assessment, continuing education or professional development activities to a level sufficient to ensure that the member's knowledge, skills and judgment are satisfactory including having the appropriate number and type of continuing education credit hours for each period.</p>	The revisions to section 10 are intended to set out a general requirement for member participation in QA through self-assessment, continuing education and professional development and to provide appropriate mechanisms for the College to monitor member participation and compliance with the QA program. This more generic approach will allow the College to ensure that the specific tools it develops for the QA program reflect changes in practice environments, advances in technology and the other components set out in 80.1 (a).

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>(6) An optician accumulates credits by submitting proof that is satisfactory to the Registrar of having successfully completed continuing education activities, professional activities and dispensing activities to which credits have been assigned.</p>			
11.	<p>(1) An optician who was registered on or before December 31, 1997 shall meet the requirements relating to credits set out in this section.</p> <p>(2) An optician who was first registered on or before December 31, 1993 shall accumulate at least 50 credits before December 31, 1998.</p> <p>(3) An optician who was first registered in 1994 shall accumulate at least 40 credits before December 31, 1998.</p> <p>(4) An optician who was first registered in 1995 shall accumulate at least 30 credits before December 31, 1998.</p> <p>(5) An optician who was first registered in 1996 shall accumulate at least 20 credits before December 31, 1998.</p> <p>(6) An optician who was first registered in 1997 shall accumulate at least 10 credits before December 31, 1998.</p> <p>(7) Subject to subsection (8) and section 15, credits accumulated with respect to a period are not transferable to any other period.</p> <p>(8) An optician is entitled, on his or her request, to apply toward the number of credits to be accumulated under subsections (2) to (6) activities that he or she successfully completed on or after June 1, 1991 to which credits were assigned either</p>		Deleted.	Section 11 has been removed to reflect the more generic approach to the QA program adopted in section 10.

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>by the Board of Ophthalmic Dispensers before December 31, 1993 or by the Committee between December 31, 1993 and the day this section comes into force.</p> <p>(9) Every optician shall accumulate at least 30 credits between January 1, 1999 and December 31, 2001 and in each three- year period after that, beginning with the period starting January 1, 2002.</p>			
12.	<p>(1) An optician who is first registered on or after January 1, 1998 shall meet the requirements relating to credits set out in this section.</p> <p>(2) An optician shall accumulate at least 30 credits in the three-year period starting on January 1 of the year following the year in which he or she is first registered and in each three-year period after that.</p> <p>(3) An optician is entitled, at his or her request, to apply toward the 30 credits to be accumulated during the first three-year period activities that he or she successfully completed from the date he or she is first registered until the end of the calendar year in which he or she is first registered.</p> <p>(4) Subject to subsection (3) and section 15, credits accumulated with respect to a period are not transferable to any other period.</p>		Deleted.	Section 12 has been removed to reflect the approach to the QA program adopted in section 10.
13.	<p>(1) Subject to subsection (7), the rules set out in this section apply with respect to the accumulation of credits for the purposes of any relevant period referred to in sections 11 and 12.</p> <p>(2) A minimum of eight credits shall be accumulated for continuing education</p>		Deleted.	Section 13 has been removed to reflect the approach to the QA program adopted in section 10.

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>activities in eye glasses practice.</p> <p>(3) A minimum of eight credits shall be accumulated for continuing education activities in contact lens practice.</p> <p>(4) An optician is not entitled to more than five credits for continuing education activities relating to general business activities.</p> <p>(5) An optician is not entitled to more than five credits for dispensing activities.</p> <p>(6) An optician is not entitled to more than five credits for professional activities.</p> <p>(7) In accumulating the 10 credits referred to in subsection 11 (6), an optician who was first registered in 1997 shall accumulate a minimum of four credits for continuing education activities in eye glasses practice and a minimum of four credits for continuing education activities in contact lens practice.</p> <p>(8) An optician is only entitled to accumulate credits for a particular continuing education or professional activity once in any relevant period.</p>			
14.	<p>(1) No later than the last day of any relevant period, an optician shall submit to the Registrar proof satisfactory to the Registrar of having accumulated the required number and types of credits for the period, on a form provided by the Registrar.</p> <p>(2) The Registrar shall mail a notice of default to any optician from whom he or she does not receive the required proof in time, at the optician's address on the register.</p> <p>(3) The Registrar shall mail a notice of default to any optician who fails to accumulate the required number and types</p>		Deleted.	Section 14 has been removed to reflect the approach to the QA program adopted in section 10 and to reflect the fact that the remedies for default are now directly addressed in section 80.2 of the Code.

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>of credits within the relevant period, at the optician's address on the register.</p> <p>(4) The notice of default shall state that the Registrar may, if so directed by the Committee, impose terms, conditions or limitations on an optician's certificate of registration for a specified period not exceeding six months if the optician fails, within 60 days after the date of the notice, to provide the required proof or accumulate the number and types of credits required.</p> <p>(5) The Registrar may extend the 60-day period by up to 60 days at any time during the 60 days.</p> <p>(6) If an optician fails to submit the proof required under subsection (1) within the time period specified in the notice of default, the Registrar shall refer the matter to the Committee and notify the optician that the Committee intends to direct the Registrar to impose terms, conditions or limitations on the optician's certificate of registration for a specified period not exceeding six months.</p> <p>(7) An optician who receives a notice under subsection (6) may make written submissions to the Committee within 14 days of receiving the notice.</p> <p>(8) After considering the optician's written submissions, if any, the Committee may,</p> <p style="padding-left: 40px;">(a) grant an extension for a specified period of time during which the optician shall provide the required proof of having accumulated the required number and types of credits;</p>			

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>(b) grant the optician an exemption from some or all of the requirements relating to credits; or</p> <p>(c) direct the Registrar to impose terms, conditions or limitations on the optician's certificate of registration for a specified period not exceeding six months.</p>			
15.	<p>(1) Subject to the maximums set out in subsections 13 (4), (5) and (6), an optician who receives a notice of default or an extension from the Committee under clause 14 (8) (a) may apply any credits accumulated during the notice period or the period of the extension toward the required number and types of credits for the period to which the default relates.</p> <p>(2) Subject to the maximums set out in subsections 13 (4), (5) and (6), an optician whose certificate is subject to terms, conditions or limitations imposed under clause 14 (8) (c) may apply any credits accumulated during the period that such terms, conditions or limitations are in place toward the required number and types of credits for the period to which the imposition relates.</p> <p>(3) Any credits accumulated and applied under this section may only be applied once.</p> <p>(4) The Registrar shall inform the Committee of the fact that an optician whose certificate is subject to terms, conditions or limitations has failed, during the period that such terms, conditions or limitations are in place, to provide the Registrar with satisfactory proof</p>		Deleted.	Section 15 has been removed to reflect the fact that the remedies for default and the notice requirements are now directly addressed in section 80.2 of the Code.

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	that he or she has accumulated the required number and types of credits for the period to which the terms, conditions or limitations relate, in which case the Committee may refer the matter to the Executive Committee for further action.			
16.	The Registrar shall inform the Committee that an optician whose certificate is subject to terms, conditions or limitations has accumulated the required number and types of credits for the period to which the terms, conditions or limitations relate on receiving satisfactory proof to that effect and, on being so informed, the Committee may direct the Registrar to remove the terms, conditions or limitations.		Deleted.	Section 16 has been removed to reflect the fact that the remedies for default and the mechanisms for removing those remedies are now directly addressed in section 80.2 of the Code.
17.	<p><u>PEER ASSESSMENT</u></p> <p>(1) The purpose of peer assessment is to ensure that an optician continues to practise the profession competently and to adhere to its standards of practice.</p> <p>(2) Each year the Committee shall select at random the names of opticians required to undergo a peer assessment.</p> <p>(3) In addition, the Committee may select opticians to undergo peer assessments in accordance with the application of criteria established by the Committee and approved by Council that have been published and distributed to opticians.</p> <p>(4) An optician whose name is selected for peer assessment shall undergo a peer</p>	11.	<p><u>PEER ASSESSMENT</u></p> <p>(1) The purpose of peer and practice assessment is to ensure that an optician continues to practise the profession competently and to adhere to its standards of practice</p> <p>(2) Each year the Committee shall select at random, including by stratified random sampling, the names of members required to undergo an assessment of their knowledge, skills and judgment.</p> <p>(3) A member shall undergo an assessment of his or her knowledge, skills and judgment if his or her name is selected at random or if,</p> <p>(a) a request is made under s. 10 to review the documentation of the member's self-assessment continuing education or professional development activities and</p>	<p>Subsection (1) has been revised to reflect the language of section 80.1 of the Code and to clarify that both peer and practice assessments are part of the QA program.</p> <p>Subsection (2) has been changed to allow the Committee to use stratified random sampling to ensure that the pool from which members are selected for assessment is fairly constituted. Subsection (3) provides a mechanism for the College to further assess the knowledge skill and judgment of those</p>

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	assessment of his or her practice by an assessor.		either insufficient documentation is provided or the documentation does not demonstrate that the member has engaged in adequate self-assessment, continuing education or professional development activities; (b) the member is selected on the basis of other criteria specified by the Committee.	whose documented participation in the QA program demonstrates a potential shortcoming while also providing the Committee with a further mechanism to ensure that it can fulfill its mandate if circumstances that warrant a peer or practice assessment other than those specifically contemplated in section 17 present themselves.
18.	<p>(1) The Registrar shall notify an optician whose practice is to be the subject of a peer assessment of the name of the assessor.</p> <p>(2) Upon being notified, the optician may request that the Committee appoint another assessor as long as the assessor has not started the assessment.</p> <p>(3) The Committee may appoint another assessor on receiving the request.</p> <p>(4) The optician may make only one request for a change of assessor.</p>	12.	<p>(1) The Registrar shall notify an optician whose practice is to be the subject of a peer assessment of the name of the assessor.</p> <p>(2) Upon being notified, the optician may request that the Committee appoint another assessor as long as the assessor has not started the assessment.</p> <p>(3) The Committee may appoint another assessor on receiving the request.</p> <p>(4) The optician may make only one request for a change of assessor.</p>	No change.
19.	<p>(1) On completing the assessment, the assessor shall prepare a written report of the assessment.</p> <p>(2) When the report is complete, the assessor shall forward it to the Committee, along with copies of any relevant records,</p>	13.	<p>(1) On completing the assessment, the assessor shall prepare a written report of the assessment.</p> <p>(2) When the report is complete, the assessor shall forward it to the Committee, along with copies of any relevant records, and provide a copy to the optician.</p>	Subsections (1) and (2) have not changed. Subsection (3) has been revised to reflect that the Committee's options are fully articulated in the Code.

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>and provide a copy to the optician.</p> <p>(3) On receipt of the report, the Committee may take no further action or take one or more of the following actions:</p> <ol style="list-style-type: none"> 1. Recommend improvements in the optician's practice. 2. Give the optician a reasonable opportunity to correct deficiencies in the practice identified through the peer assessment. 3. If the optician's knowledge, skills and judgment are found to be deficient, direct the optician, <ol style="list-style-type: none"> i) to take and successfully complete a remedial or refresher course or courses designed or selected by the Committee in order to eliminate the deficiencies, ii) to acquire particular instruments or equipment which, in the Committee's opinion, are usual or necessary in the practice of opticianry, or iii) to obtain any other assistance that, in the Committee's opinion, is appropriate. <p>(4) The Committee may appoint an assessor to carry out a further assessment to determine whether,</p> <ol style="list-style-type: none"> (a) the improvements recommended by the Committee under paragraph 1 of subsection (3) have been made; or (b) the deficiencies in the optician's knowledge, skills or judgment have been 		<p>(3) After considering the report from an assessor, the Committee may take action under s. 80.2 of the Code.</p>	

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>corrected as directed by the Committee under paragraph 3 of subsection (3).</p> <p>(5) Subsections (1), (2) and (3) apply with respect to a further assessment.</p> <p>(6) Subject to subsection 20 (3), the Committee may direct the Registrar to impose terms, conditions or limitations on an optician's certificate of registration for a specified period not exceeding six months if the optician fails to take and successfully complete a course or courses required under subparagraph i of paragraph 3 of subsection (3).</p>			
20.	<p>(1) The Committee may direct the Registrar to impose terms, conditions or limitations on an optician's certificate of registration for a specified period not exceeding six months.</p> <p>(2) The Committee may make a direction under subsection (1) if a peer assessment or a further assessment has demonstrated that the knowledge, skills or judgment of the optician are deficient to the point that the optician's performance is unsatisfactory and the Committee believes that the deficiencies may expose the optician's patients to harm or injury.</p> <p>(3) Before directing the Registrar to impose any terms, conditions or limitations on an optician's certificate under subsection (1), the Committee shall,</p> <p>(a) notify the optician of its intention to do so;</p> <p>(b) provide the optician with all reports and other documents to be considered by the</p>		Deleted.	Section 20 has been revised to reflect that the Committee's powers are fully articulated in the Code.

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>Committee;</p> <p>(c) offer the optician an opportunity to confer with the Committee; and</p> <p>(d) inform the optician that he or she has 14 days in which to make written submissions.</p> <p>(4) If the Registrar imposes a term, condition or limitation on an optician's certificate of registration pursuant to a direction under subsection (1), the Committee may direct the Registrar to remove it before the end of the specified period if it is satisfied, on the basis of a further assessment carried out in accordance with section 19, that the optician's knowledge, skills and judgment are no longer deficient.</p> <p>(5) If, by the end of the specified period, the optician has failed to satisfy the Committee that his or her knowledge, skills and judgment are no longer deficient, the Committee may refer the matter to the Executive Committee for further action.</p>			
21.	<p>REMEDICATION OF BEHAVIOUR AND REMARKS OF A SEXUAL NATURE</p> <p>(1) This section applies to matters referred to the Committee by,</p> <p>(a) a panel of the Complaints Committee under subsection 26 (3) of the Health Professions Procedural Code; and</p> <p>(b) the Executive Committee, the Complaints Committee or the Board under section 79.1 of the Code.</p> <p>(2) Subject to subsection (7), the Committee may require a member with respect to whom a matter has been referred under subsection (1) to undergo a psychological assessment</p>		Deleted.	Section 21 has been removed to reflect that ICRC can no longer refer members to the QA Committee.

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>or another assessment specified by the Committee.</p> <p>(3) The Committee shall appoint an assessor to conduct the psychological or other assessment referred to in subsection (2), and the assessor shall prepare a written report for the Committee indicating the results.</p> <p>(4) On receiving the report, the Committee may require the member to undertake a specified measure, such as education, therapy or counseling, if the Committee is of the opinion, based on the report, that the specified measure will help the member to refrain from behaviour or remarks of a sexual nature.</p> <p>(5) If a member refuses to undergo an assessment under subsection (2) or to undertake a specified measure under subsection.</p> <p>(4) or fails to complete the measure, the Committee may direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months if,</p> <p>(a) the member has been notified of the Committee's intention to give the direction;</p> <p>(b) the member has been given a copy of all reports and other documents that the Committee has or will consider in connection with the giving of the direction at least 30 days before it is given; and</p> <p>(c) the member has been given 30 days from receipt of the notice and documents under this section in which to make written</p>			

Proposed Quality Assurance Regulation

Reg. Section	Current Regulations	Amend. Reg. Section	Proposed Amendments	Rationale for Changes
	<p>submissions to the Committee.</p> <p>(6) If the Registrar imposes terms, conditions or limitations on a certificate of registration under this section, the Committee may direct the Registrar to remove them before the end of the specified period if the Committee is satisfied that they are no longer needed.</p> <p>(7) The Committee shall take action under this section only if,</p> <p>(a) the member admits to the alleged behaviour or remarks;</p> <p>(b) there is no pending allegation of sexual abuse against the member before the Discipline Committee and no finding of sexual abuse against the member by that Committee; and</p> <p>(c) there is no pending review by the Board of the referral to the Committee and no disposition by the Board inconsistent with the referral to the Committee.</p> <p>(8) If the Committee is unable to take action under this section because the conditions set out in subsection (7) have not been met, it may refer the matter to the Executive Committee.</p>			
22.	<p>A member's admission under section 21 to behaviour or remarks of a sexual nature and the results of any assessment undergone or measure undertaken under that section shall not be used as evidence that the member committed an act of professional misconduct.</p>		Deleted.	Section 22 is no longer relevant given the removal of section 21.