

Draft Registration Regulation

Opticianry Act, 1991
Loi de 1991 sur les opticiens

ONTARIO REGULATION 869/93 REGISTRATION

CLASSES

1. The following are prescribed as classes of certificates of registration:
 1. Registered Optician.
 2. Registered Intern Optician.
 3. Registered Student Optician.

GENERAL

- 2.(1) The following are registration requirements for a certificate of registration of any class:
 1. The applicant must complete fully the application form provided by the Registrar.
 2. The applicant must pay the application and registration fees specified in the by-laws.
 3. The applicant must, both at the time of initial application and continuously thereafter, immediately after the information becomes known to the applicant, provide details in writing of any of the following that relate to the applicant,
 - i. a finding of guilt, whether pardoned or unpardoned, for any of the following:
 - (a) an offence under the *Criminal Code of Canada*;
 - (b) an offence related to prescribing, compounding, selling or administering drugs;
 - (c) an offence that occurred while the applicant was practicing the profession or that was related to the applicant's practice of the profession (other than a municipal by-law infraction or offence under the *Highway Traffic Act*);
 - (d) an offence in which the applicant was impaired or intoxicated; or
 - (e) any other offence relevant to the applicant's suitability to practice opticianry,
 - ii. a finding of professional misconduct, incompetency or incapacity, or any similar finding by any regulatory body,
 - iii. a current proceeding for professional misconduct, incompetency or incapacity, or any similar proceeding before any regulatory body,
 - iv. a finding of professional negligence or malpractice, which may or may not relate to the applicant's suitability to practice opticianry, made against the applicant,
 - v. a refusal by any regulatory body to register or licence the applicant,

- vi. whether the applicant is and has been in good standing, fulfilling all requirements with any regulatory body with which he or she has been registered, at the time when the applicant ceased being regulated with that regulatory body, at the time of the application and continuously thereafter until the applicant is registered in Ontario,
 - vii. any other event that would provide reasonable grounds for the belief that the applicant may lack the knowledge, skill or judgment to practise safely and ethically.
4. Nothing in the applicant's previous conduct affords reasonable grounds for the belief that he or she lacks the knowledge, skill or judgment to practise safely and ethically.
 5. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration and Refugee Protection Act* (Canada) to work in Canada.
 6. The applicant must be able to speak, read and write either English or French with reasonable fluency.
 7. The applicant's certificate of registration must not be under suspension.
 8. The applicant must not be incapacitated, as that term is defined in the *Regulated Health Professions Act, 1991*.
 9. The applicant must be in good standing, fulfilling all requirements with any regulatory body with which he or she is or has been registered, at the time when the applicant ceased being registered with that regulatory body, at the time of the application and continuously thereafter until the applicant is registered in Ontario.
- (2) The following are conditions of a certificate of registration of any class:
1. The member shall within 30 days provide the College with details in writing of any of the information described in paragraph 3 of subsection (1) relating to the member that occur or arise after the application or the registration of the member.
 2. The member shall wear a current photographic identification badge, supplied by the Registrar, prominently displayed, at all times when engaged in the practice of opticianry.
 3. The member shall promptly provide the College with details in writing of any change in status under the *Immigration and Refugee Protection Act* (Canada) that could affect his or her ability to engage in the practice of the profession.
 4. The Registrar may suspend the member's certificate of registration if the member's immigration status under the *Immigration and Refugee Protection Act* (Canada) is inconsistent with the member's certificate of registration.
 5. The member shall promptly provide the College with details in writing if the member does not have the professional liability insurance coverage specified in the by-laws of the College.
 6. The Registrar may suspend the member's certificate of registration if the member does not have the professional liability insurance coverage specified in the by-laws of the College.
 7. The Registrar may suspend the member's certificate of registration if the member does not provide the information required to be provided by the member under the by-laws or on the annual renewal form when required or, if there is no time by which it is required, within 30 days of being requested by the College to provide the information.

8. The member shall practise opticianry only if he or she is in compliance with the requirements of the College's quality assurance program.
 9. The member may use the title "Registered Optician", the abbreviation "RO" or a variation of them or an equivalent in another language only if the member holds a certificate of registration as a registered optician.
 10. The member shall surrender his or her certificate of registration to the Registrar upon revocation.
- (3) The Registrar may reinstate a certificate of registration that is suspended under subsection (2) if the former member cures the default causing the suspension and cures any other default that may have occurred and the former member pays all outstanding and applicable fees.
- (4) If a certificate of registration is suspended under subsection (2) and if the former member does not cure the default or defaults and pay all outstanding and applicable fees within three years of the suspension, the former member must satisfy the Registration Committee that his or her knowledge, skill and judgment remains current before the Registrar may reinstate the certificate of registration.

CERTIFICATE OF REGISTRATION AS A REGISTERED OPTICIAN

3(1) The following are non-exemptible registration requirements for a certificate of registration as a registered optician:

1. The applicant must,
 - i. have successfully completed an Ontario opticianry program that is at a minimum at a College diploma level and that has been approved by the Registration Committee or a body designated by the Registration Committee,
 - ii. have successfully completed an opticianry program which is deemed equivalent by the Registration Committee to a program referred to in subparagraph i, or
 - iii. have successfully completed a prior learning assessment approved by the Registration Committee, if there is one, demonstrating that the applicant has obtained the entry-to-practice competencies possessed by a graduate of an opticianry program referred to in subparagraph i.
2. The applicant must have successfully completed the registration examinations, including examinations about contact lenses, set or approved by the Registration Committee.
3. The applicant must,
 - i. have successfully completed the opticianry program described in subparagraphs i or ii of paragraph 1 or the examinations described in paragraph 2 within the twelve months prior to his or her application,
 - ii. have practised opticianry for at least 1,000 hours within the twenty-four months prior to his or her application, or
 - iii. have successfully completed a refresher program approved by the Registration Committee within the twelve months prior to his or her application or after his or her application.

(2) An applicant shall be deemed to have met the requirements of paragraphs 1 and 2 of subsection (1) if the applicant has been certified as having the qualifications to be a registered optician for dispensing both eyeglasses and contact lenses, without terms, conditions and limitations, in another jurisdiction in Canada within the meaning of the Agreement on Internal Trade and no legitimate objective exception is under consideration or has been accepted by the government of Ontario.

(3) An applicant shall be deemed to have met the requirements of paragraph 3 of subsection (1) if the applicant has practised opticianry within the twenty-four months prior to his or her application and if the applicant has been certified as having the qualifications to be a registered optician for dispensing both eyeglasses and contact lenses, without terms, conditions and limitations, in another jurisdiction in Canada within the meaning of the Agreement on Internal Trade and no legitimate objective exception is under consideration or has been accepted by the government of Ontario.

CERTIFICATE OF REGISTRATION AS A REGISTERED INTERN OPTICIAN

4.(1) The following are non-exemptible registration requirements for a certificate of registration as a registered intern optician:

1. The applicant must,
 - i. have successfully completed an Ontario opticianry program that is at a minimum at a College diploma level and that has been approved by the Registration Committee or a body designated by the Registration Committee,
 - ii. have successfully completed an opticianry program which is deemed equivalent by the Registration Committee to a program referred to in subparagraph i, or
 - iii. have successfully completed a prior learning assessment approved by the Registration Committee, if there is one, demonstrating that the applicant has obtained the entry-to-practice competencies possessed by a graduate of an opticianry program referred to in subparagraph i.
2. The applicant must be registered to take or awaiting the results of a registration examination, including examinations about contact lenses, set or approved by the Registration Committee.

(2) The following are conditions of a certificate of registration as a registered intern optician:

1. The registered intern optician shall dispense subnormal vision devices, contact lenses or eyeglasses only under the supervision of a registered optician, optometrist or physician who is physically present in the place in which the dispensing takes place at the time it takes place in accordance with the standards of practice for supervision.
2. The certificate of registration expires if the registered intern optician does not actively pursue, sitting the registration examinations at least once in each twelve month period, unless the Registrar has provided written permission to interrupt them.
3. The certificate of registration expires three years after it is issued unless the Registration Committee is satisfied that exceptional circumstances exist warranting an extension of the certificate, which extension is subject to any terms, conditions or limitations directed by the Registration Committee.

4. If the registered intern optician fails an examination three or more times, he or she shall complete the upgrading measures specified by the Registration Committee before attempting the examination again.
5. The certificate of registration expires upon the registered intern optician obtaining a certificate of registration of a different class.

CERTIFICATE OF REGISTRATION AS A REGISTERED STUDENT OPTICIAN

5.(1) The following are non-exemptible registration requirements for a certificate of registration as a registered student optician:

1. The applicant must,
 - i. be enrolled in an opticianry program that has been approved by the Registration Committee or a body designated by the Registration Committee,
 - ii. be in the process of completing contact lens educational requirements in an opticianry program that has been approved by the Registration Committee or a body designated by the Registration Committee, or
 - iii. be in the process of completing additional training, as ordered by a panel of the Registration Committee under subsection 18 (2) of the Health Professions Procedural Code.
2. The applicant has not previously held a certificate of registration as a student optician unless the Registration Committee concludes that there are exceptional circumstances for the applicant failing to complete his or her training.

(2) The following are conditions of a certificate of registration as a registered student optician:

1. The registered student optician shall dispense subnormal vision devices, contact lenses or eyeglasses, only under the supervision of a registered optician, optometrist or physician who is physically present in the place in which the dispensing takes place at the time it takes place in accordance with the standards of practice for supervision.
2. The certificate of registration expires if the registered student optician is not, at all times, enrolled in and actively pursuing his or her training unless the Registrar has provided written permission to interrupt the training.
3. The certificate of registration expires five years after it is issued unless the Registration Committee is satisfied that exceptional circumstances exist warranting an extension of the certificate, which extension is subject to any terms, conditions or limitations directed by the Registration Committee.
4. The certificate of registration expires upon the registered student optician obtaining a certificate of registration of a different class.

(3) The Registrar may issue a certificate of registration as a registered intern optician to a holder of a certificate as a registered student optician who otherwise meets the requirements for such a certificate without the completion of an application form or the payment of additional fees.