

APPENDIX: H

Reports

Court File No. RE 5560/95

ONTARIO COURT OF JUSTICE
(General Division)

IN THE MATTER OF AN APPLICATION PURSUANT TO SECTION 87 OF THE REGULATED HEALTH PROFESSIONS ACT, 1991, S.O. 1991, c. 18, as am.

THE HONOURABLE
MR. JUSTICE BORINS

) WEDNESDAY, THE 30th DAY OF
) AUGUST, 1995
)

BETWEEN:

THE COLLEGE OF OPTICIANS OF ONTARIO

Applicant

- and -

HENRY KARREMAN and KARREMAN ENTERPRISES INC.

Respondents

ORDER

THIS APPLICATION brought by the applicant for:

1. An order directing the respondent, Henry Karreman ("Karreman"), to comply with section 27 of the *Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended* (the "RHPA");
2. A permanent injunction restraining Karreman, from dispensing for vision or eye problems, subnormal vision devices, contact lenses of eye glasses other than simple magnifiers until such time as Karreman becomes a registered optician pursuant to the *RHPA, the Opticianry Act, 1991, S.O. 1991, Vol. 2, c. 34* and the regulations promulgated pursuant to those Acts (hereinafter referred to collectively as the "Acts");
3. A permanent injunction restraining the respondents from operating a retail store at 45 Queen Street South, Mississauga, or at any other location, for the purpose of dispensing for vision or eye problems subnormal vision devices, contact lenses or eyeglasses, other than simple magnifiers until such time as any such retail store has available to serve all customers of such retail store an optician registered pursuant to the Acts;

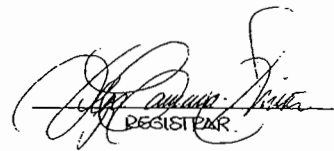
was heard this day at the Courthouse, 130 Queen Street West, Toronto.

UPON READING the consent of the parties by their solicitors and upon hearing the submissions of counsel for the applicant, no one appearing for the respondents although properly served,



Reports

1. **THIS COURT ORDERS** that Karreman shall comply with section 27 of the *RHPA*;
2. **THIS COURT ORDERS** that Karreman, until such time as he becomes a registered optician pursuant to the Acts, is enjoined and restrained from dispensing for vision or eye problems, subnormal vision devices, contact lenses or eye glasses. Such dispensing includes:
 - (a) interpretation of a prescription of a physician or optometrist;
 - (b) provision of advice to a person regarding frame suitability with or without reference to a prescription of a physician or optometrist;
 - (c) provision of advice to a person regarding lens and lens coating suitability with or without reference to a prescription of a physician or optometrist;
 - (d) evaluation of a person's needs with reference to the provision of subnormal vision devices, contact lenses or eye glasses;
 - (e) taking of all measurements necessary in providing subnormal vision devices, contact lenses or eye glasses;
 - (f) preparation of the final design of subnormal vision devices, contact lenses or eye glasses;
 - (g) verification of completed and/or repaired subnormal vision devices, contact lenses or eye glasses;
 - (h) fitting of subnormal vision devices, contact lenses or eye glasses to the human face, eyes and/or head;
 - (i) the adapting of subnormal vision devices, contact lenses or eye glasses to the human face, eyes and/or head;
 - (j) adjusting of subnormal vision devices, contact lenses or eye glasses; and
 - (k) the provision of follow-up care relating to subnormal vision devices, contact lenses or eye glasses.
3. **THIS COURT ORDERS** that the respondents are enjoined and restrained from operating a retail store at 45 Queen Street South, Mississauga, or at any other location, for the purpose of dispensing for vision or eye problems, subnormal vision devices, contact lenses or eye glasses unless any such retail store has available to dispense to all customers of such retail store an optician registered pursuant to the Acts.


REGISTRAR

INSCRIT A'ENTERED AT TORONTO

IN FILM No: 785
DANS FILM No:

ON/LE: 04:1995

AS DOCUMENT No.
A TITRE DE DOCUMENT No. 571
PER/PAR: 8