

APPENDIX: U



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May 18, 2001

Dr. John Bonn
Registrar,
College of Physicians & Surgeons of
Ontario
80 College Street
Toronto ON M5G 2E2

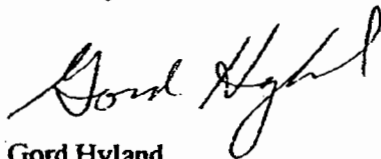
Dr. Murray J Turnour
Registrar,
College of Optometrists of Ontario
6 Crescent Road
3rd Floor
Toronto ON M4W 1T1

Dear Colleagues:

As you are aware, the former Minister of Health and Long Term Care, The Honorable Ms. Elizabeth Witmer, has directed that all three Vision Care Colleges collaborate on the development and adoption of Standards of Practice for the Performance of Refractometry by Opticians in Ontario. The Minister also noted in her letter to the College of Optometrists that they should take a leadership role in this effort. To that end our Council, on March 9, 2001, has directed our Quality Assurance Committee to begin drafting such Standards for consideration. This Committee process began on April 17th, 2001, and is making much progress.

Consequently, we wish to meet with you, as the Ministry of Health directed, and we therefore invite you to a meeting to start the collaboration process. Please respond as soon as convenient with dates in June or July which would be most suitable for you.

Sincerely,



Gord Hyland
Executive Director & Registrar

c: Mary Beth Valentine, MOHLTC
The Honorable Tony Clement, MOHLTC
Council & Committee Members, College of Opticians of Ontario



THE
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AND
SURGEONS
OF
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May 23, 2001

DN
01/05/30

Mr. Gord Hyland
Executive Director & Registrar
College of Opticians of Ontario
85 Richmond St. W.
Suite 902
Toronto, ON M5H 2C9

Dear Gord:

Re: Standards of Practice for the Performance of Refractometry by Opticians

Thank you for the opportunity of reviewing your correspondence of May 18, 2001, wherein you invited our participation in a collaborative process of developing Standards of Practice for the Performance of Refractometry by Opticians.

You indicated that The Honorable Ms. Elizabeth Witmer, former Minister of Health and Long-Term Care, *directed* that all three *Vision Care Colleges* collaborate in this effort. The correspondence we received *recommended* such collaboration.

The current policy of the College of Physicians and Surgeons of Ontario is that our members may participate in the prescribing of corrective lenses by opticians only when the process occurs under the direct supervision and with the appropriate clinical contact by our member. This reflects the opinion expressed by HPRAC, and confirmed by the Minister, that opticians may not perform refractometry or alter prescriptions when dispensing.

We appreciate being advised that your Quality Assurance Committee is drafting Standards of Practice for your members. We would be pleased to review these standards and provide comments as to their applicability to the interactions between our members. Perhaps we could meet, along with the College of Optometrists of Ontario, once we have reviewed your draft standards.

Yours sincerely,

John M. Bonn MD LLB

Registrar

JB/dk

- c: Dr. Murray J. Turnour, Registrar, College of Optometrists of Ontario
- The Honorable Tony Clement, MOHLTC
- Mary Beth Valentine, Director, Program Policy Branch, MOHLTC

Protecting the public . . . guiding the profession

FOR YOUR INFORMATION

New Public Member of Council

Mr. R. A. (Dick) Dodds

Kathryn Clarke
ASSOCIATE EDITOR

The College is pleased to announce the appointment of Mr. Dick Dodds to Council effective February 1, 2001.

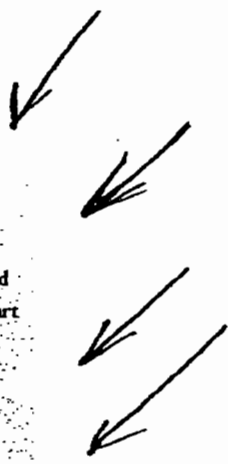
Mr. Dodds earned a Bachelor of Arts degree from Queen's University, and both a Bachelor of Education and a Masters of Education from the University of Toronto.

He served as a teacher, a consultant in special education and guidance, a Vice-Principal, and a Principal in Kingston, Ontario. From 1969-1977, Mr. Dodds was the Superintendent of Schools for Lennox and Addington County, and he held this position for the Peel Board of Education from 1977-1979. He then became the Superintendent of Programs for the Peel Board of Education before serving as the Director of Education and Secretary-Treasurer for the East York Board of Education from 1980-1992.

Having gained extensive experience in the public school system, Mr. Dodds began a consulting career, and currently acts as

President of International Education Services in Kingston. He provides advice on government relations, business planning, communications, marketing and public-private partnerships to provincial, national and international educational organizations. He also serves as a Special Advisor to the Vancouver School Board and the Guangzhou Education Committee, People's Republic of China. Mr. Dodds helped to establish a joint venture school in Guangzhou where students will graduate with a dual certificate from both school boards.

Mr. Dodds sits on the College's Discipline Committee. ☺



Refractometry Statement

The College was notified in February 2001 that the Minister of Health and Long-Term Care has accepted the advice of the Health Professions Regulatory Advisory Council (HPRAC) that refractometry is not part of the scope of practice for opticians. The Minister has requested that the College of Opticians notify its members accordingly.

As well, the Minister in correspondence to the College highlighted the need for physicians to personally assess patients when prescribing corrective lenses. This is in keeping with previous statements published by the College on this topic (*Members Dialogue*, March/April 1999), the College's policy on Prescribing Outside an Established Physician-Patient Relationship (*Members Dialogue*, January/February 2001) and The Delegation of Controlled Acts (*Members Dialogue*, March/April 2000).

Proposed Meeting

Subject: Proposed Meeting *MJA*
Date: Mon, 4 Jun 2001 07:52:07 -0400
From: "Murray Turnour" <registrar@on.aibn.com>
To: "Gord Hyland" <ghyland@coptont.org>

Good morning, Gord.

I am in receipt of your fax transmission of June 1st concerning a meeting to discuss standards of practice for opticians performing refractometry. This matter is on the agenda for our Executive Committee's meeting on Friday this week. I expect that a decision will be made at that time, and I will be advising you what that decision is the following week.

Best regards,

Murray J. Turnour, O.D., M.Sc.
 Registrar
 College of Optometrists of Ontario
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June 11, 2001

College of Opticians of Ontario
85 Richmond Street, Suite 902
Toronto, ON M5H 2C9

GH
01/06/12

Attn.: Gord Hyland,
Executive Director & Registrar

Dear Mr. Hyland,

**Re.: Standard Setting for Performance of
Simple Sight Testing by Opticians**

We are in receipt of your letter of May 18, 2001 inviting representatives of this College to meet with representatives of your College and the College of Physicians and Surgeons of Ontario. You have articulated the purpose of the proposed meeting as being to "start the collaboration process" relating to developing standards of practice for the performance of simple sight testing by opticians. The members of our Executive Committee considered your invitation at their meeting last week.

With regard to setting standards of practice, the College of Optometrists fully accepts its legislated responsibility to "develop establish and maintain programs and standards of practice to assure the quality of practice of the profession" of optometry. Over the years, we have published a number of documents to make our members and the public aware of what expectations the College places on optometrists. In fact, you will recall that our two Colleges recently worked collaboratively on standards of practice for dispensing.

This College appreciates the effort your Quality Assurance Committee is making in preparing draft standards to assist both the College of Physicians and Surgeons and this College in determining what the appropriate standards of practice should be relating to physicians and optometrists permitting third parties to perform simple sight testing for their patients. I am sure that this College's Clinical

Practice Committee will be happy to receive, review and comment on the results of your Quality Assurance Committee's efforts once they are available to it. This College is also looking forward to reviewing the professional and scientific literature to determine how simple sight testing can appropriately be used by optometrists; however, the development of standards of practice in this area will be prioritized by our Clinical Practice Committee in the context of the other tasks that have been assigned to it by Council.

We look forward to receiving your draft standards and will notify you once the Clinical Practice Committee has progressed in respect of this issue to the point where it feels that a meeting would be in productive.

Best regards,



Murray J. Turnour, O.D., M.Sc.
Registrar

c.c.: The Honourable Tony Clement, Minister
Dr. John Bonn, Registrar, College of Physicians and Surgeons
Mary Beth Valentine, Director, Program Policy Branch



**COLLEGE OF
OPTICIANS
Ontario**

COPY

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June 29, 2001

**DR. MURRAY TURNOUR, REGISTRAR
COLLEGE OF OPTOMETRISTS OF ONTARIO
6 CRESCENT ROAD, 3RD FLOOR
TORONTO ON M4W 1T1**

Dear Dr. Turnour:

Re: Standards of Practice for the Performance of Refractometry by Opticians

I acknowledge receipt of your letter of June 11, 2001, giving the decision of your Executive Committee in response to our letter of May 18, inviting your College and the CPSO to an initial meeting, to begin the collaboration on the above issue.

We believe that it is important to note that, in the letter of February 7 from the Minister to the College of Opticians, which was copied to your College, Ms. Witmer stated "I expect that all Colleges will strive to work collaboratively on these issues." (emphasis added). Given this statement by the Minister, which to us implies a collaboration of a high priority for all three Colleges, our Executive Committee has a concern about the meaning of your statement that the work of your Clinical Practice Committee on this issue will be "...prioritized by [the Committee] in the context of other tasks that have been assigned to it by Council". Does this mean that this issue has not been given a high priority by your Executive Committee or Council?

In reviewing your letter, the Executive Committee of the College of Opticians has a number of other concerns. You have noted, quite appropriately, the recent efforts of our two Colleges to work collaboratively on joint standards of practice for dispensing. This work, however, now appears to be at a standstill, as we have had no response from your College to our invitation earlier this year to continue these efforts. We are still committed, despite areas of disagreement with your working group, to finalising some form of joint approach to dispensing, which was a recommendation of the Red Tape Commission and a Ministry directive. We request your response to this point, as we are unsure of the reason for this delay.

In regards to refractometry (please note that this is the term used by the Minister and HPRAC, rather than "simple sight testing", and it serves to differentiate the measurement of refractive error from a full eye health examination), we note that you believe we are preparing draft standards:

"to assist both the College of Physicians and Surgeons and this College [Optometrists] in determining what the appropriate standards of practice should be relating to physicians and optometrists permitting third parties to perform [refractometry] for their patients".

.../2

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In the respectful view of our Executive Committee, this is not a correct interpretation of the request by the Minister. We are preparing Standards of Practice for Opticians (which is the mandate of this College), not "third parties", to perform refractometry, in order to ensure that the patients of Opticians, (who will also be the patients of physicians and optometrists) are served in a competent, safe and effective manner. Since the Minister and HPRAC have agreed that refractometry is not a controlled act, but rather is in the public domain, there is no requirement for physicians or optometrists to "permit" Opticians to perform this function for the patients of Opticians, within Opticians' practices. We certainly understand that permission would be needed for unregistered persons to perform this function within the practice of physicians or optometrists.

We would submit that the question of determining how refractometry can be appropriately used by optometrists is certainly a matter for your College, but that is not the purpose of the directive of the Minister to our College. We have been directed to develop standards for the performance of refractometry by Opticians, in the public interest. This follows from the views of both the Minister and HPRAC that, while refractometry is not currently within the scope of practice of Opticianry, Colleges have the authority to govern activities that are not within the scope of practice, provided they are reasonably related to the practice of the profession.

We respectfully point out that your new President, Dr. Paul Chris, in a statement made to our Council at a special meeting on March 9, 2001, committed the College of Optometrists to working in fully co-operative manner with the College of Opticians on this issue.

In closing, therefore, we would ask that your Executive Committee and/or Council reconsider the priority of collaborating on Standards of Practice for the performance of refractometry by Opticians that are in the public interest. We repeat our invitation to both your College and the CPSO to meet in the near future to set up the format for such collaboration.

Yours sincerely,



Gord Hyland
Executive Director & Registrar

cc: The Honourable Tony Clement, Minister
Mary Beth Valentine, MOHLTC
Dr. John Bonn, Registrar, CPSO



COLLEGE OF OPTICIANS Ontario

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EMAIL ghyland@coptont.org

FACSIMILE COVER PAGE

To: DR MURRAY TURNOUR
Fax #: 4169624073
Company: OPTOMETRISTS

From: Gord Hyland, Registrar

Subject: STANDARDS OF PRACTICE FOR REFRACTOMETRY BY OPTICIANS

Sent: 7/26/2001 at 12:43:22 PM

Pages: 1 (including cover)

MESSAGE:

TO DR. MURRAY TURNOUR, REGISTRAR, COLLEGE OF OPTOMETRISTS:

GOOD DAY, MURRAY:

I AM FOLLOWING UP ON YOUR REPLY TO US OF JULY 4, REGARDING OUR LETTER OF JUNE 29, WHICH DEALT WITH PROPOSED MEETINGS ON STANDARDS OF PRACTICE FOR REFRACTOMETRY BY OPTICIANS AND JOINT STANDARDS OF PRACTICE FOR DISPENSING. IN YOUR REPLY, YOU HAD INDICATED THAT YOUR EXECUTIVE WOULD BE DISCUSSING OUR LETTER WITH RESPECT TO A RESPONSE, AT THEIR MEETING OF JULY 20. TO DATE WE HAVE RECEIVED NO RESPONSE.

AS WE HAVE AN EXECUTIVE COMMITTEE MEETING NEXT TUESDAY, JULY 31, WE WOULD APPRECIATE RECEIVING THE RESPONSE OF YOUR EXECUTIVE TO OUR LETTER, SO THAT WE CAN APPRISE OUR COMMITTEE OF THIS INFORMATION. THANK YOU FOR YOUR ATTENTION TO THIS REQUEST.

REGARDS,

GORD HYLAND, EXECUTIVE DIRECTOR AND REGISTRAR

**CC: EXECUTIVE COMMITTEE, COLLEGE OF OPTICIANS
MARY BETH VALENTINE, MOHLTC
THE HONOURABLE TONY CLEMENT, MINISTER
DR. JOHN CARLISLE, DEPUTY REGISTRAR, CPSO**

College of Optometrists of Ontario
L'Ordre des optométristes de l'Ontario

Memo 5/4/6.8

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July 26, 2001

PH 01/07/27

College of Opticians of Ontario
85 Richmond Street West, Suite 902
Toronto, ON M5H 2C9

Attn.: Gord Hyland
Executive Director & Registrar

Dear Mr. Hyland,

Re: Request to Meet to Discuss Standards

Our Executive Committee has now reviewed your letter of June 29, 2001 and other related correspondence. I have been asked to reply to you.

The Executive Committee has re-confirmed this College's commitment to ensuring that the public of Ontario receives high quality eye and vision care services. In this regard, the College of Optometrists is looking forward to receiving signs that the College of Opticians is prepared to comply with Minister Witmer's direction that your members observe the restriction against performing simple sight testing. When such signs are apparent, be assured that we will be devoting a reasonable level of resources to reviewing any document, and supporting or background materials, that the College of Opticians may wish to provide to us. Our review and analysis will be done in a timely manner given the many other commitments that every College is faced with.

In order to assist your Quality Assurance Committee in its task, one principle that appears to be a common requirement of both the College of Physicians and Surgeons and this College is the expectation that there be a pre-existing patient-optometrist or patient-physician relationship before it would be considered appropriate for our members to participate in any simple sight testing arrangement. Other provisions necessary to protect the public will also likely be identified.

As this matter develops, a number of issues will have to be addressed by this College. For instance, current Conflict of Interest Regulations prevent an optometrist from practising in "partnership, association or otherwise" with opticians, and from sharing fees with a person who has referred a patient or to whom a patient has been referred. Depending on what is ultimately determined to be in the public interest in regard to opticians performing simple sight testing, these Regulations may need to be amended. Certain policy matters would also likely need to be addressed.

In closing, Gord, we look forward to receiving material from you at your earliest convenience. We will then be in a position to advise how long it may take to analyze it. As noted in my earlier correspondence, it would be at that point that a meeting might be productive.

Best regards,



Murray J. Turnour, O.D., M.Sc.
Registrar

c.c. The Honourable Tony Clement, Minister
Mary Beth Valentine, Program Policy Branch
Dr. Rocco Gerace, CPSO



COLLEGE OF
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August 1, 2001

DR. MURRAY TURNOUR, REGISTRAR
COLLEGE OF OPTOMETRISTS OF ONTARIO
6 CRESCENT ROAD, 3RD FLOOR
TORONTO ON M4W 1T1

Dear Dr. Turnour:

Re: Standards of Practice for the Performance of Refractometry by Opticians in Ontario

I acknowledge receipt of your letter of July 26, 2001, giving the views of your Executive Committee. Your letter was referred to our Executive Committee at its meeting on July 31.

The College of Opticians of Ontario is extremely disappointed in your response, and regrets that the College of Optometrists has chosen to set inappropriate pre-conditions for the collaboration in which Ms. Witmer expected your College to engage. For your information, the College of Opticians has fully complied, in good faith, with Ms. Witmer's requests.

Secondly, you have noted that the prohibition, in your current Conflict of Interest Regulation (which we understand was made prior to the RHPA, under the previous *Health Disciplines Act*, now called the *Drug and Pharmacies Regulation Act*) on Optometrists from practising in any kind of arrangement with Opticians, will have to be addressed by your College as this matter develops. We are also disappointed that you have made no further efforts to amend this Regulation since 1994, when our College agreed with the amendment your College proposed at that time, to allow the employment of Opticians by Optometrists. The Report of the Primary Eye Care Committee, then the Red Tape Commission, and finally the subsequent Ministry directive, all concluded that this type of prohibition against professional association was a barrier to the public's ability to access health care services.

Notwithstanding the above, Murray, you have indicated that you are prepared to receive material from us regarding this issue, and review it prior to a meeting. We will send this material to your College and the College of Physicians and Surgeons as soon as possible. We look forward to meeting with you on this matter.

Yours sincerely,

Gord Hyland
Executive Director & Registrar

cc: The Honourable Tony Clement, Minister
Mary Beth Valentine, MOHLTC
Dr. Rocco Gerace, CPSO