

APPENDIX: Y

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JUN 24 2003

Ms. Cathi Mietkiewicz, President
College of Opticians of Ontario
85 Richmond Street West, Suite 902
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SENT VIA FACSIMILE

Dear Ms. Mietkiewicz:

Thank you for your letter dated May 15, 2003 to the Minister regarding the standards of practice for refractometry that were approved in principle by the Council of the College of Opticians of Ontario. The Minister has asked that I respond on his behalf.

I would first like to take this opportunity to thank you and your Council for your hard work on drafting these standards.

You have advised the Minister that it is the intention of the College Council to "lift the prohibition on refraction at the June 25, 2003 Council meeting". While I can understand the College's eagerness to resolve this issue, this is an issue that will have to be carefully reviewed by the ministry prior to any further decisions being made by your Council. As you are aware, it is the Minister's duty to ensure that the regulated health professions are regulated and coordinated in the public interest and that appropriate standards of practice are developed and maintained. Therefore, it will be at the Minister's discretion as to when it is appropriate to remove the prohibition on the performance of refractometry by members of your College.

You have indicated in your letter that you asked the College of Physicians and Surgeons of Ontario (CPSO) and the College of Optometrists of Ontario (COO) to review and comment on your draft standards and that you attached copies of the comments received. I would like to note that the ministry also received copies of those same comments dated February 13 & 14th 2003. It is not clear from your correspondence, however, whether your Council addressed the comments that the Colleges had on the draft standards either in writing to those Colleges or in the draft standards document. I also note that you have provided to the Minister's Office, a document titled "The Public Interest Rationale for the Standards of Practice for Refractometry" which was requested during the mediation session between the three Colleges that took place on May 27, 2002. I would like to draw your attention to the comments made by the CPSO dated February 14th 2003 that indicate it had not received a copy of this "contextual piece." It is unclear from your correspondence whether the other two Colleges received your "public interest rationale" after that date and whether they were afforded an opportunity to provide comments.

After reviewing this document, the ministry has a concern that this rationale appears to suggest that members of other regulatory colleges (i.e. optometrists and physicians) will instruct members of your college to perform this test. As you are aware, the other two Colleges have policies in place related to

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Cathi Mietkiewicz (cont.)

patient-practitioner relationships and prescribing outside of an established physician-patient relationship. Additionally, the COO noted in its comments dated February 13, 2003 that both it and the CPSO have "adopted a common standard of practice that refraction for the purpose of prescribing can be performed by opticians only under the direct (in office) supervision of a physician or an optometrist." The way in which a prescriber will authorize an optician to perform this test while at the same time adhere to their existing College policy and standards is unclear.

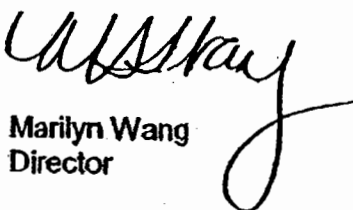
At the mediation session of May 27, 2002 your College agreed to develop standards of practice for the performance of refractometry that included the performance of the test and nothing further ("track one"). It was further agreed that any generating or altering of prescriptions would require the optician to refer the patient to an optometrist or a physician. I understand that at no time during this mediation session was it discussed that a prescriber would instruct an optician to perform this test. It is unclear as to how this approach is both consistent with the conclusions reached at the mediation session and how this is within the public interest. I am enclosing a copy of the notes from the May meeting where "track one" was defined.

Prior to any decision being made on whether the prohibition on performing refractometry is lifted, I am requesting that the ministry receive an explanation from the College as to how the standards of practice for refractometry meet the understanding of the ministry and other stakeholders that your College is pursuing "track one." I am also requesting that the College provide to the ministry its responses to the comments made by the other two Colleges and to confirm that the other two colleges received the "public interest rationale" and were afforded the opportunity to provide comments.

Therefore, the position of the ministry remains. Refractometry is not to be performed by your members until the Minister is assured that it is safe to do so and that there are no public safety issues that require immediate attention. I am requesting that you inform your members at your Council meeting on June 25, 2003 that the ministry's position on this issue remains firm and that the College is to provide to the ministry, copies of its responses to the comments made by the CPSO and the COO. Once the ministry receives this information, it will be reviewed to ensure that the principles of public safety have been considered and upheld. The ministry will advise the College on next steps in the near future.

I apologize for the delay in responding to your correspondence. As I am sure you are aware, there are many competing priorities for the ministry at this time.

Yours truly,


Marilyn Wang
Director

cc: Alison Pilla, Executive Director
Robin Martin, Minister's Office