

Health Professions Act
OPTICIANS REGULATION

PROPOSED

**TO REPLACE
B.C. REG. 118/2018**

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Definitions

1 In this regulation:

"**Act**" means the *Health Professions Act*;

"**assessment record**" means the record produced by an independent automated refraction conducted by a person who is authorized under the Act to conduct independent automated refractions;

"**authorizing document**" means

- (a) a prescription for a corrective eyeglass lens, or
- (b) an assessment record;

"**automated refraction**" means a refraction conducted only for the purpose of assessing visual acuity, by using an automated refraction system comprised of one or more computerized components, including an autorefractor or autophoropter or a lensometer, or a similar device;

"**contact lens**" means a lens or mold designed or offered for the purposes of being placed on the surface of the cornea or other anterior surface of an eye to correct the refractive error of, or induce physiological change in, the eye;

"**contact lens fitter**" means a registrant authorized under the bylaws to fit contact lenses;

"**contact lens record**" means

- (a) the record, prepared by a person authorized under the Act to fit a contact lens, of the contact lens specifications derived from fitting a contact lens using information contained in an authorizing document, or
- (b) the equivalent of a record described in paragraph (a) of this definition, prepared in another province or a foreign jurisdiction by a person who is the equivalent, in that other province or foreign jurisdiction, of a person authorized under the Act to fit a contact lens;

"dispense" means to design, prepare, fit, adjust, verify or supply;

"electronic" has the same meaning as in the *Electronic Transactions Act*;

"fit" means, in respect of a contact lens,

- (a) to select or recommend the design and type required, or
- (b) to perform any test related to assessing physiological safety or suitability;

"independent automated refraction" means an automated refraction conducted without the involvement of a prescriber;

"interpupillary distance" means one or more measurements of the distance between the pupils of the eyes, as will be required for the proper fitting of eyeglasses;

"opticianry" means the health profession in which a person provides the services of

- (a) dispensing vision appliances by
 - (i) using information contained in prescriptions, contact lens records and assessment records, and
 - (ii) duplicating corrective eyeglass lenses, with no change in refractive value, using a lensometer or similar device,
- (b) conducting automated refractions on the request of prescribers,
- (c) conducting independent automated refractions, and
- (d) promoting eye health and proper use of vision appliances;

"optometrist" means a person who is authorized under the Act to practise optometry;

"prescriber" means

- (a) an optometrist, or
- (b) a qualified medical practitioner

who prepares

- (c) a prescription, or
- (d) a contact lens record;

"prescription" means the record of an authorization to dispense a vision appliance for use by a named individual but does not include an assessment record or a contact lens record;

"prescription for a corrective eyeglass lens" means

(a) the record, derived from an eye health examination and prepared by a prescriber, of an authorization to dispense a corrective eyeglass lens for use by a named individual, or

(b) the equivalent of a record described in paragraph (a) of this definition, prepared in another province or a foreign jurisdiction by a person who is the equivalent, in that other province or foreign jurisdiction, of a person authorized under the Act to prescribe a corrective eyeglass lens,

that sets out

(c) the lens power required to correct the refractive error of an eye, and

(d) reading add, prisms, back vertex distance and contraindications;

"qualified medical practitioner" means a medical practitioner who is authorized under the Act to provide eye and vision system health services;

"registrant" means a registrant who is authorized under the bylaws to practise opticianry;

"supply" does not include a wholesale transaction;

"verify" means to inspect and confirm, before supplying to the named individual, that the following specifications are met:

(a) in the case of a corrective eyeglass lens, the specifications set out in

(i) the authorizing document, or

(ii) the information contained in an authorizing document and provided by the individual as described in section 5 (3) (a) (ii);

(b) in the case of a contact lens, the specifications set out in

(i) the contact lens record, or

(ii) the information contained in a contact lens record and provided by the individual as described in section 5 (3) (b) (ii);

"vision appliance" means an appliance or a device designed or offered for a vision condition,

(a) including a corrective eyeglass lens, contact lens or low vision aid, and

(b) excluding complete ready-to-wear eyeglasses not designed or offered for use by a named individual.

College name

~~2 The name "College of Opticians of British Columbia" is the name of the college established under section 15 (1) of the Act for opticianry.~~

2 The name of the college responsible for carrying out the objects of the Act in respect of opticianry is "College of Health and Care Professionals of British Columbia".

Reserved titles

- 3** (1) The titles "optician" and "dispensing optician" are reserved for exclusive use by registrants.
(2) The title "contact lens fitter" is reserved for exclusive use by contact lens fitters.

Scope of practice

- 4** A registrant may practise opticianry.

Restricted activities

- 5** (1) A contact lens fitter in the course of practising opticianry may
- (a) fit a contact lens, or
 - (b) supply a contact lens for the purpose of fitting a contact lens.
- (2) The following services may be provided only by contact lens fitters or under the supervision of a contact lens fitter by persons who are not contact lens fitters:
- (a) fitting a contact lens;
 - (b) supplying a contact lens for the purpose of fitting a contact lens.
- (3) Subject to sections 6 and 8 of the Schedule to this regulation, nothing in this regulation prevents a person from
- (a) dispensing a corrective eyeglass lens, if the person who dispenses it has possession of
 - (i) an electronic or a written copy of an authorizing document in respect of the individual for whose use the corrective eyeglass lens is to be dispensed, or
 - (ii) information contained in an authorizing document and provided to the person, in written or electronic form, by or on behalf of the individual for whose use the corrective eyeglass lens is to be dispensed, accompanied by a statement from that individual certifying the existence and validity of the authorizing document and the accuracy of the information provided,and if the person dispenses the corrective eyeglass lens in accordance with the authorizing document described in subparagraph (i) or the information described in subparagraph (ii), as applicable;
 - (b) dispensing a contact lens, if the person who dispenses it has possession of
 - (i) an electronic or a written copy of a contact lens record in respect of the individual for whose use the contact lens is to be dispensed, or
 - (ii) information contained in a contact lens record and provided to the person, in written or electronic form, by or on behalf of the individual for whose use the contact lens is to be dispensed, accompanied by a statement from that individual certifying the existence and validity of the contact lens record and the accuracy of the information provided,

and if the person dispenses the contact lens in accordance with the contact lens record described in subparagraph (i), or the information described in subparagraph (ii), as applicable;

(c) dispensing a duplicate of a corrective eyeglass lens, with no change in refractive value, using a lensometer or similar device.

Limits or conditions on services and restricted activities

- 6 (1) A registrant who is not a contact lens fitter may conduct only the examination required for the proper fitting of eyeglasses.
- (2) A contact lens fitter may conduct only the examination required for the proper fitting of eyeglasses or contact lenses.
- (3) A registrant may alter a prescription only with the express prior authorization of the prescriber who prepared the prescription.
- (4) Subsection (3) does not apply to the vertex alteration required for the proper fitting of eyeglasses or contact lenses using conversion charts or similar formulae.
- (5) Subject to subsections (3) and (4), a registrant may dispense
 - (a) a corrective eyeglass lens only in accordance with a prescription for a corrective lens or an assessment record, and
 - (b) a contact lens only in accordance with a contact lens record.
- (6) A registrant may conduct an independent automated refraction
 - (a) only in accordance with the limits and conditions set out in the Schedule to this regulation, and
 - (b) only if the registrant has successfully completed a certification program established, required or approved under the bylaws to ensure that registrants are qualified and competent to conduct independent automated refractions.
- (7) A contact lens fitter must provide, free of charge, a legible written or electronic copy of the contact lens record, on completion of the fitting, to
 - (a) the client, whether or not requested by the client, and
 - (b) another person specified by the client, if requested by the client.
- (8) A registrant must provide to a client, free of charge and whether or not requested by the client, a legible written or electronic copy of any prescription, contact lens record or assessment record provided to the registrant by the client for the purpose of dispensing a vision appliance.

Patient relations program

- 7 The college is designated for the purposes of section 16 (2) (f) of the Act.