



DRAFT UPDATE TO
Professional Standards of
Practice and Practice Guidelines
for Opticians in the Province of
Ontario

Professional Standards of Practice and Practice Guidelines for Opticians in the Province of Ontario

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Introduction

The College of Opticians of Ontario registers opticians in Ontario. All registrants of the College of Opticians of Ontario must meet competency based educational requirements and pass examinations related to dispensing. “Dispensing” is defined as the preparation, adaptation, and delivery of eyeglasses, contact lenses, or subnormal vision devices to a person. Registration also requires that opticians keep their knowledge and skills current through continuing education.

The College of Opticians of Ontario regulates the practice of opticianry and governs ~~its~~ membersopticians in accordance with legislation, regulations and by-laws. In addition, it has among its objects the development, establishment and maintenance of standards of practice to assure the quality of practice of the profession. In carrying out its objects, it has a duty to serve and protect the public interest.

All opticians shall conduct themselves in a manner that is consistent with applicable legislation and the regulations, by-laws and standards of practice of the College of Opticians of Ontario.

Purpose and Scope of the College of Opticians of Ontario Standards

The Standards of Practice serve the following purpose:

1. The Standards of Practice set out the College’s expectations for how membersopticians will conduct themselves in their practice.
2. They provide the College of Opticians of Ontario with benchmarks against which it can measure members’opticians’ conduct in the course of investigating complaints, as well as in peer assessments and quality assurance reviews.
3. They provide the public with a clear understanding of the quality of care they should receive from an Opticianoptician.
4. They are mandatory requirements. The word “shall” indicates an obligation that all opticians must meet. It is professional misconduct to breach or fail to meet a Standard of Practice.

The Standards of Practice are not a step-by-step guide of how to practise opticianry. Rather, they set out expectations for every optician. A core expectation is that opticians use their professional judgment to make appropriate decisions in providing care to patients. When dispensing eyewear, an optician must take full responsibility for meeting these standards and ensuring that the patient’s best interests are met, even if other practitioners were involved earlier in the dispensing process. The concept of “most responsible dispenser” is used to describe this principle.

The College of Opticians of Ontario is legally required to develop, establish and maintain programs and standards of practice to assure the quality of the practice of the profession of Opticianry. The College is also responsible for developing, establishing and maintaining standards of knowledge and skill and programs to promote continuing competence among ~~the~~ membersopticians; and to develop, establish and maintain standards of professional ethics for ~~its~~ membersopticians.

College of Opticians Practice Guidelines

The College of Opticians Practice Guidelines apply to all registered opticians in Ontario, regardless of practice environment.

Guidelines describe best practices for opticians, and explain and interpret standards of practice and other responsibilities of an optician. They are a resource to help opticians understand how to make safe and ethical practice decisions. Where a guideline explains the requirements of a standard, it may indicate that an optician “must” or “shall” do something or refrain from doing something. Where a guideline sets out a best practice, it will indicate that an optician “may” or “should” do something or refrain from doing something.

Review Frequency

The Council of the College of Opticians will review the Standards of Practice and Practice Guidelines every ~~three~~five years or more frequently as required.

Overview

Standard 1: Competence

The An optician shall conduct ~~him or herself~~themselves so that patients receive the optician's most effective performance.

Standard 2: Professional Conduct

The An optician shall meet the ethical and legal requirements of the profession.

Standard 3: Dispensing of Appropriate Optical Devices

The An optician shall dispense optical devices appropriate to the patient.

Standard 4: Safety and Infection Control in the Practice Environment

The An optician ~~must~~shall take reasonable and appropriate measures to minimize the risk of contamination and subsequent transmission of infectious agents within their professional practices. The practice site ~~should~~must be equipped and maintained, and that procedures are in place, to assure health and safety for both patients and staff.

Standard 5: Record Keeping

An optician ~~must~~shall retain complete and accurate patient records: in accordance with these Standards and the Personal Health Information Protection Act, 2004..

Standard 6: Patient Relations

The An optician shall take reasonable steps to ensure patient comprehension of any process. The optician shall ensure that patient confidentiality is maintained at all times and that ~~he or she has~~they have informed consent to provide health care services to a person.

Standard 7: ~~Websites~~Telepractice and ~~Other~~Technology

An optician who engages in telepractice, or who uses or is affiliated with a website or other technology interface as part of ~~his or her~~their opticianry practice, shall ensure that ~~the interface~~their practice complies with the College's Standards of Practice.

Standard 8: Refraction

An optician ~~must~~shall obtain a refracting designation from the College and ~~must~~shall adhere to the Standards of Practice in order to refract.

Standard 9: Advertising and Social Media

An optician shall take reasonable steps to ensure that any advertising relating to the optician's practice is in accordance with the College's advertising regulation and in the public interest.

STANDARDS OF PRACTICE
AND PRACTICE GUIDELINES

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Standard 1: Competence

~~The~~An optician shall conduct ~~him or herself~~themselves so that patients receive the optician's most effective performance.

Criteria

1. Each optician is responsible for maintaining ~~his or her~~their competence.
2. An optician shall exercise professional judgment at all times in their practice.
3. An optician shall always act in the patient's best interest and put the patient's interest above their own personal or commercial interest.
4. An optician shall ensure that they meet the quality assurance requirements as specified in the Quality Assurance Regulation of the College of Opticians.
- ~~2.5.~~ Each optician is responsible for evaluating ~~his or her~~their own educational needs and meeting those needs through programs of continuing education.
- ~~3.6.~~ The~~An~~ optician shall only perform tasks for which ~~he or she has~~they have sufficient knowledge, skill and judgment to perform competently and safely, and shall not engage in tasks that are beyond ~~his or her~~their capacity to perform.
- ~~4.7.~~ The~~An~~ optician ~~will~~shall refer, or assist patients to find the necessary professional help when the condition or status of the patient falls outside ~~his or her~~their scope of practice, education or experience.
- ~~5.8.~~ The~~An~~ optician shall not engage in the practice of opticianry while ~~his or her~~their ability to do so is compromised or impaired.
- ~~6.~~ The optician shall ensure that he or she meets the quality assurance requirements as specified in the Quality Assurance Regulation of the College of Opticians.
- ~~7.9.~~ The~~An~~ optician shall maintain current knowledge of legislation, standards, guidelines and policies pertaining to the delivery of opticianry care.
- ~~8.10.~~ The~~An~~ optician ~~is responsible for inspecting~~shall inspect any product, and ~~determining~~determine the appropriateness of any advice or recommendation that is provided to a patient.

Standard 2: Professional Conduct

TheAn optician shall meet the ethical and legal requirements of the profession.

Criteria

1. ~~The~~An optician shall ~~function in accordance~~comply with the Regulated Health Profession Act, 1991, the Opticianry Act, 1991, and the regulations, bylaws and standards of practice of the College of Opticians of Ontario.
2. ~~The optician is~~An optician shall engage in ethical behaviour and act in a manner that is consistent with the College's Code of Ethics.
- 2.3. ~~An optician shall be~~ responsible for the professional actions and consequences of actions of any student or intern that they have agreed to supervise and of any person to whom they have delegated any task.

Practice Guideline: Supervision and Delegation

An optician who supervises a student or intern must only do so in accordance with the College's **Student and Intern Supervision Policy** and with the patient's consent. The supervising optician must always directly supervise a student or intern's patient contact. Direct supervision means that a member must be on-site, able to intervene, and available to provide in-view observation, formal feedback and guidance while a student or intern performs a controlled act. Any task can be performed under supervision. The amount of supervision a student or intern will need will depend on the type of task assigned and the overall competence of the student or intern.

An optician can also delegate certain tasks to a person other than a student or intern if that person has appropriate training, in accordance with the College's **Delegation Policy** and with the patient's consent. Delegation does not require the same oversight and guidance as supervision, but the optician must remain on site and be able to intervene if necessary.

- 3.4. ~~Opticians are required to~~An optician shall report any incident of unauthorized practice to the College of Opticians of Ontario. Unauthorized practice is defined as dispensing eyeglasses, contact lenses or sub-normal vision devices without being a registered member of the College of Opticians, the College of Optometrists or the College of Physicians and Surgeons.
5. An optician shall maintain appropriate boundaries with patients and former patients.
6. An optician shall not engage in sexual relationships with patients.
7. An optician shall report sexual abuse by any regulated health professional to the appropriate college in accordance with the requirements of the *Health Professions Procedural Code, 1991*.

Practice Resources: Sexual Abuse

The College has a zero tolerance policy towards sexual abuse of patients. Sexual abuse of a patient is defined very broadly to include (a) sexual intercourse or other forms of physical sexual relations between an optician and a patient, (b) touching, of a sexual nature, of a patient by an optician, and (c) behaviour or remarks of a sexual nature by an optician towards a patient (*Health Professions Procedural Code*, s. 1(3)).

A person is considered a patient for the purposes of the sexual abuse provisions of the *Health Professions Procedural Code* if there is direct interaction between the optician and the patient, and any of the following are true:

- i. The optician has, in respect of a health care service provided by the optician to the individual, charged or received payment from the individual or a third party on behalf of the individual.
- ii. The optician has contributed to a health record or file for the individual.
- iii. The individual has consented to the health care service recommended by the optician.

In addition, under the *Health Professions Procedural Code*, a person remains a patient for one year after the optician-patient relationship has ended. This means that an optician cannot enter into an intimate or romantic relationship with a former patient unless at least one year has elapsed since the optician-patient relationship was terminated.

There is an exception to the definition of “patient” where, at the time the optician provides the health care services, a sexual relationship exists between the individual and the optician, the services are provided in an emergency or are minor in nature, and the optician has taken reasonable steps to transfer the care of the individual to another optician or there is no reasonable opportunity to transfer care to another optician (see **O. Reg. 260/18**).

8. An optician shall report unethical, unsafe or incompetent practice by any regulated health professional to the appropriate college.
- 4.9. An optician shall only provide services which they know or believe is appropriate to meet the needs of the patient.
- 5.10. An optician shall only continue to provide services to a patient where such need is indicated and where the services continue to be effective.
- 6.11. ~~The~~An optician shall act in a manner that is consistent with the Human Rights Code and all applicable accessibility legislation.
- 7.12. An optician must be reasonably available to the patient ~~for consultation~~, or take reasonable steps to ensure continuity of care of the patient

Practice Guideline: Providing or Refusing Services

An optician should only provide services that are appropriate in the circumstances, and can refuse to provide a service that the optician believes is not in the patient's best interests or if the optician does not have the knowledge, skill and judgment necessary to provide the service. If an optician refuses to provide a service or discontinues services to a patient for any reason, this should be noted in the patient file.

Continuity of care: An optician who is unable to continue to provide care to a patient for any reason must take reasonable steps to ensure that another health professional can assist the patient. This might include providing information about other available health professionals, or ensuring that adequate information is added to the patient file to ensure that another optician will have sufficient information to assist the patient.

Most Responsible Dispenser: In practices with more than one optician or optometrist, where multiple practitioners may participate in dispensing eyewear to an individual patient, the College considers that the last optician to provide care (e.g. fit, adapt or deliver eyewear) is the most responsible dispenser. This optician is responsible for all preceding steps in the dispensing process, as well as the performance of the eyewear and any potential risk of harm to the patient. Similarly, where opticians practise with optometrists, the most responsible dispenser is the last professional to provide care to the patient. Opticians must ensure that they have sufficient information to dispense the eyewear in accordance with these standards. This will typically mean reviewing the patient file and asking for any additional information that is not included in the patient file. Opticians will generally not be considered the most responsible dispenser when the services they are providing to the patient are merely incidental (e.g. completing the retail transaction), or purely mechanical (e.g. adjusting a loose screw).

Standard 3: Dispensing of Appropriate Optical Devices

The~~An~~ **optician shall dispense optical devices appropriate to the patient.**

1. The Prescription (Rx)

Under subsection 5(1) of the Opticianry Act, ~~a member~~an optician shall not dispense eyeglasses, contact lenses or subnormal vision devices except on the prescription of an optometrist or physician.

Criteria

- a) ~~In order for~~An optician shall only dispense based on a valid prescription ~~to be valid, it must contain~~that contains the following information:
- i) The name of a prescriber;
 - ii) The patient's name;
 - iii) The patient's prescription; and
 - iv) The date of examination

Practice Guidelines: Prescriptions

Opticians are expected to adhere to expiry dates indicated on optical prescriptions when dispensing prescription eyewear. Opticians are required to use professional judgment at all times in their practice. Any divergence from the expiry date indicated on the prescription must be recorded in the patient file, and the optician must communicate the potential risks to the patient and note the conversation in the patient file.

Opticians are also required to use professional judgment when considering other notes or recommendations that may be indicated on an optical prescription. Significant divergence from notes or recommendations must be recorded in the patient file and the optician must communicate the reason for the divergence to the patient and note the conversation in the patient file.

- b) ~~Opticians must~~An optician shall inform their patients of the importance of regular eye examinations and recommend that patients have their eyes tested regularly.
- c) ~~The~~An optician ~~will~~shall retain a copy of the prescription for a period of 7 years. The optician ~~will~~shall make available the original or copy of the prescription, when requested to do so, ~~provided it includes the prescriber name and date of examination.~~
- d) When an optician **duplicates** the prescription currently being worn by a patient, the duplication ~~must~~shall be noted in the patient's file. The optician ~~must~~shall explain to the patient that it is important to have regular eye examinations.

Practice Guideline: Duplications

Duplication should only be used in limited circumstances after reasonable attempts have been made to verify the validity of the prescription, and should not be an optician's standard practice.

A “**duplication**” of a prescription means dispensing prescription eyewear based upon a pair of glasses provided by the patient rather than the prescription (e.g. broken glasses).

- e) An optician must shall communicate with the prescriber if there is any doubt whether the prescription is valid or if the prescription appears to be incomplete.
- f) An optician must shall analyse a patient's optical requirements in conjunction with a prescription issued by a prescriber.

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2. Dispensing Eyeglasses

Dispensing includes the preparation, adaptation, and delivery of eyeglasses, contact lenses and subnormal vision devices

Criteria

When dispensing eyeglasses, ~~the~~an optician ~~must~~shall:

- a) Review with the patient any relevant environmental factors affecting eyeglass wear, including the patient's environment, occupational, ~~avocational~~hobbies, regular activities, and/or physical factors ~~affecting eyeglass wear~~;
- b) Review the details of the prescription in accordance with the standards of practice.
- c) Advise the patient regarding appropriate ophthalmic lenses and frames;
- d) Take appropriate measurements for the eyeglasses being dispensed to ensure proper function;
- e) Verify the accuracy of the completed eyeglasses to ensure they are as ordered and within tolerance (industry standards, i.e., ANSI);
- f) Fit and adapt the eyeglasses to the patient;
- g) Counsel the patient on aspects of eyeglasses wear including, but not limited to the use, expectations, limitations, customary adaptation period and maintenance requirements of the eyeglasses ~~and~~;
- h) In the case of safety eyewear, adhere to appropriate safety standards ~~;~~ and
- i) Ensure that the practice environment has the appropriate tools and equipment.

Practice Guidelines: Delivery of prescription eyeglasses prior to fitting and adapting

In both the telepractice context (see Standard 7) and traditional practice environment, an optician is responsible for the delivery of prescription eyewear.

In most cases, fitting and adapting prescription eyeglasses prior to delivery will be in a patient's best interests. However, the College recognizes that there may be circumstances where an optician can best serve their patient by offering delivery prior to fitting and adapting the eyewear.

Where a patient requires or requests delivery of prescription eyeglasses before they are fitted or adapted for the patient, an optician must exercise professional judgment to determine whether this is in their patient's best interests. It is important to consider factors that include but are not limited to:

- the patient's age and health
- degree of anisometropia
- the prescription details and/or type of lens being dispensed
- whether the measurements were taken in person or remotely
- any other reason where it is in the patient's interest to require an in person meeting.

3. Dispensing Contact Lenses

"Dispensing" includes the preparation, adaptation, and delivery of eyeglasses, contact lenses and subnormal vision devices.

Criteria

3.1 Initial Contact Lens Fitting

- a) ~~The~~An optician ~~must~~shall take a patient history and determine the suitability of the patient for contact lens wear. Special emphasis ~~must~~shall be given to the analysis of:
- i) the health of the cornea, conjunctiva and lids, and the integrity of the tear layer;
 - ii) corneal curvature clarity and integrity; ~~and~~
 - ~~iii)~~ any relevant environmental, occupational, avocational medications; and
 - ~~iii)iv)~~ relevant factors including the patient's environment, work, hobbies, daily activities, and systemic health factors.

- b) **The**An optician **must**shall counsel the patient about the effects that contact lens wear may have on the health of the eye including advantages, risks of complications and limitations of contact lens wear.
- c) In fitting contact lenses, **the**an optician **must**shall determine what lenses are appropriate for the patient. The initial lenses **must**shall be evaluated on the patient's eyes and subsequent modifications of the lens parameters **must**shall be made as required based upon factors that may include:
 - i) lens appearance and fitting;
 - ii) comfort with diagnostic lens in place;
 - iii) corneal clarity and integrity;
 - iv) conjunctival and lid appearance;
 - v) tear characteristics;
 - vi) monocular and binocular visual acuity; and
 - vii) replacement schedule.
- d) **Verify**An optician shall verify the accuracy of the contact lenses to ensure they are as ordered and, where applicable, within tolerance;.
- e) **The**An optician **must**shall provide and record any relevant details of instructions or recommendations to the patient with respect to:
 - i) hygiene;
 - ii) lens insertion and removal;
 - iii) lens care regime;
 - iv) recommended wearing times and replacement schedules;
 - v) normal and abnormal adaptive symptoms;
 - vi) contraindications to lens use;
 - vii) progress evaluations; and
 - viii) how and when to access emergency care.
- f) **The**An optician **must**shall develop an appropriate ongoing patient management plan. This includes determining when the patient should return to the optician for an assessment of lens performance, adaptation and compliance; for contact lens refills; or for further evaluation.
- g) **The**An optician **must**shall record the results of all evaluations performed and all recommendations provided to the patient.

3.2 Continuing Care

In providing continuing care to established contact lens patients, **thean optician **must**shall:**

- a) review the ongoing patient management plan, considering any relevant factors such as:
 - i) any changes in the patient's eye health and other relevant personal circumstances;
 - ii) changes to the patient's occupation; and
 - iii) the time elapsed since the patient last met with an eye care professional in person.

- b) review with the patient (as appropriate):
 - i) the age, wearing and replacement schedule of current contact lenses;
 - ii) the efficacy of the current lens care regime; and
 - iii) any adverse reactions associated with contact lens wear
- c) assess the patient to determine relevant factors, such as:
 - i) lens appearance and fit;
 - ii) wearing time;
 - iii) comfort with lenses in place;
 - iv) corneal clarity and integrity;
 - v) stable corneal curvature;
 - vi) conjunctival and lid appearance;
 - vii) tear characteristics;
 - viii) visual acuity; and
 - ix) compliance with recommendations on lens handling, lens care, and replacement.
- d) provide and implement management plans for any problems identified, making recommendations for further care and counsel the patient as necessary.

3.3 Replacement Contact Lens Services

- a) Where a person seeking replacement contact lenses is not an established contact lens patient, an optician shall treat the patient visit ~~must be treated~~ as an initial fitting.
- b) When providing replacement contact lenses services for an established contact lens patient, ~~the~~an optician ~~must~~shall:
 - i) ensure the patient's clinical information is current and if not, treat the patient visit as an initial fitting to the extent necessary in the circumstances;
 - ii) determine the need for alterations to previous lens specifications and make adjustments accordingly;
 - iii) advise the patient as to the need for and extent of continuing care;
 - iv) confirm the parameters of contact lenses as ordered; and
 - v) provide follow-up services in accordance with the management plan.

Practice Guidelines: Dispensing Contact Lenses

In the case of contact lenses, a physical, in person meeting between an optician and patient is necessary during initial selection and fitting and for required follow up care. An in person meeting may also be necessary when providing continuing care and dispensing refills to established patients, in order to meet the standards of practice and to ensure appropriate patient care.

If the patient previously wore contact lenses, the following details (if known) should be recorded in the patient record at the optician's initial meeting with the patient: the previous type of lens, modality of wear, solutions, base curves, diameter, power, how long the patient has worn contact lenses, and who dispensed them.

In section 3.3 above, "Established contact lens patient" means:

- (a) a patient with whom an optician has an existing patient-practitioner relationship and to whom the optician has previously dispensed contact lenses; or
- (b) a patient with whom another person authorized to dispense in Ontario has an existing patient-practitioner relationship with the patient and has previously dispensed contact lenses to the patient. However, if any relevant information appears to be absent from the patient record or cannot be obtained, an optician must treat the patient visit as an initial fit. An optician can only access a patient record created by another health practitioner with the patient's consent.

3.4 Orthokeratology

An optician shall only perform orthokeratology on the prescription of an optometrist or ophthalmologist. An optician who performs orthokeratology shall, in addition to the requirements for all contact lens patients:

- a) maintain current knowledge, skill and judgment with respect to safe orthokeratology practice;
- b) ensure that the patient is a good candidate for orthokeratology;
- c) obtain informed consent from the patient prior to performing orthokeratology, including explaining the associated risks; and
- d) document the use of orthokeratology in the patient record.

4. Sub-normal Vision Devices (e.g., Low Vision Devices)

"Dispensing" includes the preparation, adaptation, and delivery of eyeglasses, contact lenses and subnormal vision devices.

When assessing a patient for and providing low vision devices, ~~the~~an optician ~~must~~shall:

- a) Review with the patient any relevant ~~environmental, occupational, avocational~~environmental, occupational, avocational factors relating to the patient's environment, work, hobbies, regular activities, and/or physical factors;

- b) Review any referral or prescription details in accordance with the standards of practice.
- c) Advise the patient regarding appropriate ophthalmic appliance(s);
- d) Take appropriate measurements when fabricating any custom appliances;
- e) Verify the accuracy of any completed appliances, to ensure they meet required tolerances;
- f) Fit and adapt the appliance to the patient; and
- g) Counsel the patient on aspects of appliance usage such as expectations, limitations, customary adaptation period and maintenance requirements.

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Practice Guidelines: Low Vision Assessments

A low vision assessment generally will include the following components:

- i) A comprehensive patient history that explores specific visual concerns, risk factors, visual and ocular history, family ocular history, general health, medications, and requirements relating to the patient's work, hobbies, and/or other regular activities.
- ii) A review of the results of the patient's refractive and eye health examination and reassessment as necessary, of visual acuity.
- iii) Binocular and oculomotor status, ocular health and the effectiveness of current spectacles and low vision devices
- iv) Patient education regarding visual status, management options and prognosis.
- v) Management plan individualized for the patient's needs.
- vi) Discussion and/or demonstration of potential optical, non-optical, and electronic aids and devices
- vii) Appropriate follow-up, arranged as needed, to assess the effectiveness of treatment and to monitor the patient's visual condition and needs.

Standard 4: Safety and Infection Control in the Practice Environment

~~The~~An optician ~~must~~shall take reasonable and appropriate measures to minimize the risk of contamination and subsequent transmission of infectious agents within their professional practices. ~~The~~An optician shall ensure that the practice site ~~should be~~is equipped and maintained, and that procedures are in place, to ~~assure~~ensure health and safety for both patients and staff.

Criteria:

1. ~~The~~An optician ~~must~~shall adhere to all federal, provincial and municipal requirements (including health and safety) and ~~must extend~~shall make best efforts to ensure the practice environment is compliant.
 2. ~~The~~An optician ~~should~~shall familiarize themselves with current techniques used to disinfect the office and control transmission of infectious agents.
 3. ~~The~~An optician ~~should~~shall devise and/or follow a protocol that outlines frequency and specific responsibility for disinfection of the practice and instrumentation.
- ~~1.4. Routine~~An optician shall follow routine precautions ~~should be followed~~ at all times (e.g., hand washing and appropriate waste disposal).

2.5. An optician shall take reasonable steps to ensure that workplace safety protocols are followed

~~Health Canada and the Ontario Ministry of Health and Long-Term Care have information specifically regarding infection control guidelines and health alerts, including pandemic plans.~~

~~<http://www.hc-sc.gc.ca/>~~

~~<http://www.health.gov.on.ca/en/>~~

Resources

Health Canada, the Public Health Agency of Canada, and the Ontario Ministry of Health and Long-Term Care have information specifically regarding infection control guidelines and health alerts, including pandemic plans. The following are links to relevant resources:

- The Government of Canada’s National Public Health Notices:
<https://www.canada.ca/en/public-health/services/public-health-notice.html>
- The Province of Ontario’s **Infection Prevention and Control Protocol, 2018:**
http://www.health.gov.on.ca/en/pro/programs/publichealth/oph_standards/docs/protocols_guidelines/Infection_Prevention_And_Control_Protocol_2018_en.pdf
- The Workplace Hazardous Materials Information System (WHMIS) website provides information about hazardous products that may be present in the workforce and how to safely manage them: <http://whmis.org/jurisdictions/on.html>

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Standard 5: Record Keeping

An optician ~~must~~shall retain complete and accurate patient records, in accordance with these Standards and the Personal Health Information Protection Act, 2004.

Criteria:

1. Contents of Records

An optician shall ensure that each patient record ~~must~~ clearly and legibly ~~include~~includes the following information appropriate to the appliance ~~that you are dispensing~~being dispensed:

- a) The patient's contact information
- b) A patient history, including information about the patient's general and optical health, occupation, and ~~avocation~~(s)relevant hobbies or other regular activities
- c) Complete details of a patient's prescription, including a copy of the original prescription in an unaltered form (e.g. photocopy or electronic scan), the name of the prescriber, and the date of examination
- d) All details of the ~~ophthalmic appliance~~eyewear dispensed
- e) All contact lenses dispensed including any trial contact lenses
- ~~e)f)~~ f) The identity of the optician who fit, verified, and delivered the optical appliance
- ~~f)g)~~ g) The ongoing management plan for the patient, including the program or schedule for follow up
- ~~g)h)~~ h) If a patient fails to attend or respond to follow up notifications, a notation to this effect
- i) If an optician discontinues services or refuses to perform a service for an existing patient for any reason, a notation to this effect including the reason
- ~~h)j)~~ j) If eyeglasses were duplicated from those currently worn by the patient, a notation to this effect
- k) Financial records including the optician's fees for services if any, product receipts, and any commercial laboratory costs charged to the patient
- l) A notation of any service provided to an existing patient (e.g., measurement, fitting or adjustment) and the fee, if any, charged for the service
- m) If a patient's services are covered by third party payor, a notation to this effect as well as a copy of any relevant third party payor documentation.

Practice Guidelines: Record Keeping for “a-la-carte” services

If an optician provides a standalone (or “a la carte”) service to a person who is not an existing patient, the optician may be required to create a patient record. Examples of standalone services may include providing an optical measurement, fitting or adjusting eyewear, or repairing eyewear. A patient record should be created if the optician collects, uses, or discloses a person’s personal health information, such as information about the person’s prescription or about the person’s health (e.g., that the person is experiencing blurry vision).

At a minimum, any patient record should always include the patient’s name and contact information (if provided), a notation about the service provided and/or advice given, the fee charged, if any, and any relevant personal health information that was obtained. Additional information may be necessary depending on the circumstances including the nature of the service provided.

2. Retaining Records

- a) An optician ~~must~~shall ensure that all patient records are retained for seven years from the date of the last entry, or for a patient who is under the age of 18, for seven years after the patient’s eighteenth birthday.
- b) An optician ~~must~~shall maintain ~~his or her~~their records in a manner that ensures that a patient or authorized College investigator, assessor or representative has access to the records.
- c) An optician who is a health information custodian ~~must~~shall ensure that files are not abandoned when the optician retires ~~or~~, sells ~~his or her~~their practice, or closes their practice for an extended period. The optician ~~must~~shall ensure that files are transferred securely and in accordance with applicable privacy legislation, or in the case of an extended closure, shall take reasonable steps to ensure that patients can access their files during the closure.

3. Privacy Requirements

An optician ~~must~~shall maintain patient health records in a manner that complies with all applicable privacy legislation.

In order to meet this standard, an optician ~~must~~shall:

- a) Understand who the health information custodian is at each place of practice, and understand ~~his or her~~their legal obligations as either a health information custodian or an agent of a health information custodian.
- b) Collect only personal health information that is necessary in the circumstances.

- c) Collect, use, and disclose personal health information only with consent unless otherwise permitted or required to do so by law.
- d) Ensure that patient personal health information is accurate, complete, and up to date.
- e) Ensure that personal health information is retained, transferred and disposed of securely and in accordance with any legislative requirements.
- f) Ensure Report privacy breaches in accordance with the requirements of the *Personal Health Information Protection Act, 2004*.

Practice Guideline: Transferring Patient Records Between Optical Stores

In circumstances where an optician transfers a patient file from one optical store to another (for example, at the request of a patient who wishes to have their prescription eyewear dispensed at a different location of the same optical chain), the optician must ensure that it is done in a manner that complies with applicable privacy legislation. This includes ensuring that the patient consents to their records being transferred to another health professional and ensuring that the transfer is done in a secure manner that will not breach patient confidentiality.

4. Patient Access to Personal Health Information

- ⌘ An optician shall ensure patients can access, and if necessary, correct their personal health information subject to legislative requirements in accordance with the requirements of the *Personal Health Information Protection Act, 2004*. This includes providing a patient or the patient’s authorized representative with a copy of their personal health information upon request.

Practice Guidelines: Patient Access to Personal Health Information

An optician must provide patient personal health information at the request of the patient or their authorized representative. The *Personal Health Information Protection Act, 2004* (PHIPA) provides that a reasonable cost recovery fee may be charged. If a patient asks their optician to provide information about a measurement such as a pupillary distance, the optician must provide this information in accordance with PHIPA and the College’s **Patient Access to Personal Health Information Policy**.

5. Electronic Record Keeping

An optician who keeps electronic records shall ensure that electronic records are kept in accordance with all record keeping standards of practice. The optician shall ensure that a copy (e.g., scan) of the prescription and all other records are retained securely and in compliance with all applicable privacy legislation. This includes ensuring adequate and timely patient access, reliable backup, privacy and encryption, and enabling amendments and corrections that do not obliterate the original record.

Practice Guidelines: Third Party Storage

Section 14 of the Personal Health Information Protection Act, 2004 (PHIPA) permits opticians to store patient records at secure third-party storage sites only if they obtain patient consent, keep the records in a reasonable manner, and comply with any guidelines published by the College.

The following guidelines apply when an optician stores patient records at a third-party storage site:

- i) The storage facility should have a privacy policy that is consistent with PHIPA and the College's record keeping requirements.
- ii) The optician should obtain written assurance that the facility will safeguard the information and only disclose it if the optician specifically requests this.
- iii) If the facility will destroy the records at a later date, the optician should contract with the facility to retain the records for the period of time required by the College and destroy the records in a secure manner.
- iv) The optician should keep the account with the storage facility current at all times to ensure that records are not destroyed prematurely.
- v) The optician should keep records of what files are retained at the third-party site.
- vi) If the optician is in active practice, the optician's privacy policy should state that the optician uses a third-party storage site.

Practice Guidelines: Record Keeping

Opticians are expected to be familiar with all applicable privacy legislation (e.g., the *Personal Health Information Protection Act, 2004 (PHIPA)*, and the *Personal Information Protection and Electronic Documents Act*).

Collecting only relevant medication information: It is important to ensure that no more patient personal health information is collected than necessary. For example, it may not be necessary for a patient to disclose what medication they are on when dispensing eyeglasses. However, it may be important for an optician to be aware of certain medications when dispensing contact lenses.

Resources: The Information and Privacy Commissioner of Ontario (IPC) website provides many additional resources to assist health professionals to understand their record keeping obligations under PHIPA (www.ipc.on.ca). This includes the following information bulletins:

- Fact Sheet No. 1: Safeguarding Personal Health Information
- Fact Sheet No. 10: Secure Destruction of Personal Information
- Fact Sheet No. 11: Health Information Custodians Working for Non-Health Information Custodians

Standard 6: Patient Relations

~~The~~An optician shall take reasonable steps to ensure patient comprehension of any process. ~~The~~An optician shall ensure that patient confidentiality is maintained at all times and that ~~he or she has~~they have informed consent to provide health care services to a person.

Criteria

1. ~~The~~In order to ensure that consent is informed, an optician ~~will~~shall provide complete, accurate information concerning the steps of procedures to be taken in terms the patient can be reasonably expected to understand.

Practice Guidelines: Consent to provide health care services

Informed consent: Informed consent means understanding relevant risks and benefits as well as alternatives to a proposed action, including collecting information from the patient, providing a service such as taking a measurement, or ordering prescription eyewear. This may include ensuring a patient understands:

- that the optician will need to touch the patient's face to fit and adjust eyeglasses
- the price that will be charged for a service (e.g., taking a measurement) or product
- the reason a particular product is being recommended
- the fact that eyewear may or may not be covered, in full or in part, by a patient's third-party coverage

A la carte services: While opticians are not obliged to provide any service, there are special considerations where an optician provides a limited service such as taking a measurement or adjusting eyewear without dispensing eyewear to the patient. An optician who performs standalone (“*a la carte*”) services must ensure that the patient is aware of the fee to be charged for the service prior to performing the service. Where an optician is asked to provide an optical measurement, the optician should also consider whether the measurement would provide enough information for another health care provider to dispense appropriate eyewear to the patient, or whether additional measurements would be needed based on the patient's prescription. If additional measurements would be necessary, the optician should inform the patient.

Types of consent: Depending on the circumstances, consent may be written or verbal, and may be express or implied. Consent may be *implied* when taking a patient's history, or when transferring a prescription to another optician who is acting on behalf of the patient. In other circumstances, *express* consent may be required. For example, an optician will usually need to obtain express consent before touching a patient's face in order to adjust eyeglasses. As well, express consent is usually needed to disclose a patient's health information to someone who is not in the patient's circle of care. An optician should usually seek express consent from the patient for any individuals, including students, not directly involved in the patient care to be present during assessment or treatment. It may be particularly important to obtain express consent when interacting with vulnerable patients.

Consent legislation: Opticians should be familiar with legislation about consent, including the *Health Care Consent Act* and the *Personal Health Information Protection Act, 2004*.

2. An optician is not permitted to reveal any confidential information about a patient to anyone, except insofar as it is required for the treatment of the patient, and then only to those who have a need to know and with the consent of the patient or as permitted or required by applicable legislation.
3. ~~Case discussion, consultation~~An optician shall ensure that case discussions, consultations, telephone conversations, ~~examination~~examinations and treatment that could reasonably be expected to have an expectation of privacy ~~should be~~carried out in private a manner that preserves confidentiality.

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Standard 7: Websites Telepractice and ~~Other~~ Technology

An optician who engages in telepractice, or who uses or is affiliated with a website or other technology interface as part of his or her~~their~~ opticianry practice, shall ensure that ~~the~~ interfae~~their practice~~ complies with the College's Standards of Practice.

Telepractice

1. An optician shall exercise professional judgment in determining whether it is in a patient's interests to engage in telepractice, including performing any aspect of dispensing in the absence of an in person meeting.

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Practice Guidelines: Telepractice and delivery of optical devices

The College recognizing the importance of ensuring access to opticianry services, and the valuable role telepractice and technology can have in facilitating and improving access. “Telepractice” includes any form of practising remotely from a patient. This may include communicating with and dispensing to patients through the use of telephone calls, email exchanges, video conferences, kiosks, websites, smart phone apps, and other technology.

Regardless of practice methods and whether or not telepractice is used, eyeglasses, contact lenses, and subnormal vision devices cannot be dispensed in the absence of a patient-practitioner relationship. An optician must exercise professional judgment when using or considering any form of telepractice. This includes deciding whether to use a technology during any part of the dispensing process, including the preparation, adaptation and delivery of the eyewear.

Technology, however sophisticated, cannot substitute the professional judgment and oversight of an optician. Used properly, technology can be a useful tool. It can help opticians to meet their patients' needs, including by enabling opticians to communicate and interact with patients remotely, and to take more accurate measurements. However, an optician cannot hand over responsibility to a machine to dispense on his or her behalf. An optician must continue to take responsibility for all dispensing steps, exercising professional judgment in the patient's best interests at all times. Regardless of the technology or means used, the optician is responsible for ensuring appropriate patient care and outcomes in accordance with the standards of practice. As noted in the **Delivery Guidelines**, in most cases, fitting and adapting prescription eyeglasses prior to delivery will be in a patient's best interests. However, the College recognizes that there may be circumstances where an optician can best serve their patient by offering delivery prior to fitting and adapting the eyewear. This should only occur where the optician is confident that this is in the patient's interests, in light of all the circumstances.

Where a patient requires or requests delivery of prescription eyeglasses before they are fitted or adapted for the patient, an optician must exercise professional judgment to determine whether it is in their patient's best interests. It is important to consider factors that include but are not limited to:

- the patient's age and health
- degree of anisometropia
- the prescription details and/or type of lens being dispensed
- whether the measurements were taken in person or remotely
- any other reason where it is in the patient's interest to require an in person meeting.

Websites and Other Interfaces

2. If ~~thean~~ optician uses or is affiliated with a website, or other technology as part of ~~his or her~~their opticianry practice, ~~thean~~ optician ~~must~~shall ensure that the website or interface:

- a) complies with the College's ~~advertising regulation (O. Reg. 219/94);~~ advertising regulation (O. Reg. 219/94);
- b) provides reasonable and timely access to an optician;
- c) identifies the full name and registration number of any optician who interacts with a

- patient through the website or interface;
- d) only collects, records or transmits patient information if it can be done in a private and secure manner and in compliance with the College's standards of practice and applicable privacy and anti-spam legislation;
 - e) complies with all applicable standards of practice.

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Standard 8: Refraction

An optician **must**shall obtain a refracting designation from the College and **must**shall adhere to the following criteria in order to refract.

These criteria have been developed to ensure the highest possible level of patient care and to maximize patient choice and access to services within current legislation. The three scenarios outlined in clause 7 reflect the diversity in models of interprofessional collaboration in Ontario's vision care sector and allow opticians and prescribers to choose the approach that best serves their patients' as well as their own needs in varying circumstances.

1. An optician must have successfully completed a training program, which includes an examination component that meets the most current refracting competencies established by College of Opticians of Ontario (COO). The respective training program will not be included within the general curriculum of the opticianry program, but will be available as a post-graduate course. COO will provide a list of all accredited education programs.
2. Each optician intending to refract must first apply to COO for 'refracting designation' through a process established by COO. Each optician who receives refracting designation will be issued a seal by the COO that is to be affixed to the optician's certificate of registration.
3. An optician who has obtained refracting designation must also accumulate annually an additional two (2) accredited continuing education hours related to refraction.
4. Each refracting optician must complete the Patient Acknowledgment Form attached to this Standard of Practice for each patient and send a copy/facsimile of all completed forms to the COO on a quarterly basis.
5. An optician must ensure that ~~he or she has~~they have the appropriate equipment to perform refraction such as, but not necessarily limited to, automated refraction equipment, phoropter, trial lenses, retinoscope and visual acuity charts.
6. An optician must not prepare and dispense vision devices based on the results of the refraction performed without a prescription, as set out in clause 7.
7. An optician may dispense vision devices when the optician has a prescription from an authorized prescriber. Dispensing may occur under three generic scenarios:
 - (a) The patient has seen an authorized prescriber for a full oculo visual assessment within the last 365 days. The authorized prescriber has issued a written prescription for the patient indicating that the patient requires an optical appliance subject to determination of the refractive error of the eye by an optician.

In this circumstance, the optician may perform refraction and dispense the appropriate eyewear based on the results of the refraction. The results of the refraction and information on the **optical**

~~appliance~~optical appliance dispensed must be provided to the authorized prescriber as soon as possible, but no later than 30 days from the date that the refraction was conducted.

- (b) The patient has seen an authorized prescriber for a full oculo visual assessment within the last 365 days. Pursuant to the patient's health status meeting a set of predetermined conditions, the prescriber has authorized the optician to dispense an optical appliance based on the optician's determination of the refractive status of the eye and on any other information the prescriber may have provided.

In this circumstance, the authorized prescriber has determined that the health of a patient satisfies certain predetermined health standards, where the prescriber has then authorized the optician to perform the refraction and dispense the appropriate eyewear based on the results of that refraction and any other additional information that the prescriber has provided. The results of the refractive error determination and information on the optical appliance dispensed must be provided to the authorized prescriber as soon as possible, but no later than 30 days from the date that the refraction was conducted.

- (c) The patient has seen an authorized prescriber for a full oculo visual assessment within the last 365 days. The optician receives a referral from a prescriber to perform a refraction- on a patient in order to assist the prescriber in preparing a prescription.

In this circumstance, the optician may perform the refraction and must provide the results of that refraction to the referring practitioner as soon as possible. The optician may subsequently receive a prescription from the authorized prescriber reflecting the results of the refraction, whereupon the optician may dispense appropriate eyewear to the patient.

- 8. An optician must use ~~her or his~~their knowledge, skills and judgment to refer to a physician or optometrist any indication or complications in the patient's visual or general health that comes to the attention of the optician as a result of performing the refraction.
- 9. In addition to the patient's file, the refraction health record for every patient upon whom an optician has performed a refraction must contain:
 - (a) The date of the refraction,
 - (b) Name of optician performing refraction and College registration number,
 - (c) Patient Acknowledgment Form (one completed copy per patient must be provided to the College by mail or facsimile on March 31, June 30, Sept 30 and Dec 31 of each year),
 - (d) Results of the refraction,
 - (e) Name of the prescriber, date and details of the prescription, as well as any other instructions.

- 10 ___ The optician must expend ~~her or his~~their best efforts, in conjunction with the authorized prescriber, to ensure that the Canadian Ophthalmological Society evidence-based Clinical Practice Guidelines for periodic eye examinations in adults in Canada are adhered to.
11. ___ An optician is prohibited from performing refractions other than ~~in~~ accordance ~~with~~ the provisions of this standard of practice.
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Standard 9: Advertising and Social Media

An optician shall take reasonable steps to ensure that any advertising and social media communications relating to the optician's practice is in accordance with the College's regulations and in the public interest.

Criteria:

1. An optician shall review any advertising prepared on their behalf or in relation to their practice for compliance with the College's regulations.
2. Where an optician becomes aware of an advertisement in relation to their practice that is inconsistent with the College's regulations, the optician shall take reasonable steps to remove that advertisement.
3. An optician shall ensure that public communications via social media or other public forums such as review websites are conducted in accordance with the standards of practice, and in particular, that such communications do not breach patient confidentiality or violate patient boundaries.

Practice Guidelines: Advertising

The College of Opticians of Ontario's regulations prohibit advertising with respect to an optician's practice or place of practice that contains:

- (a) anything false or misleading,
- (b) anything that, because of its nature, cannot be verified,
- (c) a claim of specialization, if the optician does not hold a specialty certificate issued by the College, or
- (d) the optician's name or photograph or other likeness, in an advertisement that implies, or could reasonably be interpreted to imply, that the professional expertise of the optician is relevant to the subject matter of the advertisement, if, in fact, it is not (O. Reg. 219/94, subsections 6(a),(b)).

Types of advertising may include:

- Websites, kiosks, and other electronic interfaces
- Internet, television, and radio advertisements
- Pre-recorded telephone messages
- Posters or billboards
- Business cards
- Social media platforms
- "Deal" websites (e.g., Groupon, WagJag, Buytopia, Living Social)

The College expects that advertising by an optician will be professional and serve the public's interest. Advertisements:

1. May contain information such as a list of services offered, fees and product prices, and the names and images of the health professionals.
2. Must not contain anything false or misleading, or that cannot be verified.

This includes anything that could reasonably be perceived to mislead the public, including superlatives (e.g., "best", "greatest", "most effective", etc.) or direct or implied comparisons (e.g., "We provide better care than ..."). It also includes inaccurate or misleading advertising about prices (e.g., advertising a deal but not making it clear that it only applies to a certain product; an advertisement about "free eye exams" that implies that an optician can perform an eye exam).

3. Must not include a claim of specialization.

The College of Opticians currently does not recognize any specializations. As such, advertisements cannot include any claim of an optician's specialization (e.g., "contact lens specialist." Advertising may, however, indicate designations (e.g., "contact lens mentor" or "certified contact lens fitter"), as well as practice information such as areas of practice (e.g., low vision aids, safety glasses), categories of patients (e.g., children), and languages of service.

4. Must not include the optician's name or photograph or other likeness, in an advertisement that implies, or could reasonably be interpreted to imply, that the professional expertise of the optician is relevant to the subject matter of the advertisement, if, in fact, it is not.

Examples include advertising optometric services alongside the name or photo of an optician, or advertising other services that are outside of an optician's knowledge, skill or judgment, next to that optician's name or image.

APPLICATION: These guidelines apply to all advertisements that can be viewed, heard, or otherwise accessed in Ontario. The College recognizes that opticians are not always responsible for advertising of their services. Opticians who are employees within an opticianry practice must make reasonable efforts to ensure that advertising by their employers regarding their services complies with these guidelines.