

BRIEFING NOTE

TO: Board of Directors

FROM: Patient Relations Committee

DATE: October 4, 2021

SUBJECT: 11.0 Stakeholder Feedback on the Proposed Regulatory Amendment for Treating Spouses Exemption

For Decision

For Information

Monitoring Report

Purpose:

To review the stakeholder feedback on a proposed amendment to the General Regulation (O. Reg. 219/94) under the *Opticianry Act, 1991* that would exempt spouses from the definition of “patient” for the purposes of the sexual abuse provisions of the *Regulated Health Professions Act (RHPA)*.

Background:

General prohibition on treating spouses

Ontario law prohibits regulated health professionals from treating their spouses. It is considered sexual abuse for a health professional to engage in any form of relationship, contact, behaviour or remarks of a sexual nature with a person that meets the definition of “patient” under the *Regulated Health Professions Act, 1991 (RHPA)*.

In 2013, however, the RHPA was amended to permit colleges to make a regulation permitting their registrants to treat spouses, as long as no sexual conduct, behaviour or remarks occur during the treatment. “Spouse” is defined to include both married spouses and common law spouses, but the exemption would not apply to persons who are in other forms of intimate or committed relationships.

Proposed regulations are being approved/considered

In 2014, a number of health regulatory colleges submitted proposed regulations that would grant an exemption for their registrants to treat their spouses. In December 2014, the COO Board approved, in principle, a proposed regulation that would permit opticians to treat their spouses.

In 2020, the Ontario Government approved spousal exemption regulations for three additional colleges, including the College of Optometrists of Ontario. A further three proposed regulations were circulated for public feedback in December 2020 and are now being considered for approval. The COO was advised that the Ministry will consider further new submissions for spousal exemption regulations.

On May 17, 2021, the Patient Relations Committee brought a draft regulatory amendment to the Board with a recommendation to approve the proposal for stakeholder feedback. The Board approved the recommendation and invited registrants and other stakeholders to provide feedback on the proposed regulatory amendment. The survey was circulated for 60 days using notification via eblast, Facebook and Twitter. In addition, links to the proposed amendments, background information and the survey were posted to the College's website. A second survey was also circulated to members of the Citizens' Advisory Group (CAG).

For Consideration:

COO Survey

A total of 194 responses were received to the primary survey circulated by the COO. This represents 6% of the College's membership (although 3 responses were not registrants of the College). A summary of the survey results, together with comments, is attached for review and consideration (**Appendix A**).

Although the response rate was relatively low, most of the respondents were in favour of the proposed amendment. Some feedback/suggestions included:

- A general sense that opticians are already treating their spouses without knowledge of how the regulation applies to them
- Dispensing eyewear is not the same as other health professions; the exemption should be allowed
- Opticians should mirror what the optometrists are doing
- The rule should extend beyond spouses to all significant others
- The status quo should remain because treating spouses will lead to conflicts, poor decision making and loss of professional objectivity
- One registrant feels this is a waste of the college's time/money which should be instead spent on lowering fees
- As long as there is a proper Rx, measurements and record keeping, treating your spouse should be allowed
- There is no perceived power or control between spouses so the exemption should be permitted
- There could be potential for insurance fraud that would never be reported

CAG Survey

A total of 24 respondents answered the survey. Responses were mixed, with 75% in favour to 25% not in favour of opticians treating their spouses. but there were no major concerns with respect the proposed amendment moving forward. A summary of the survey results, together with comments is attached for review and consideration (**Appendix B**). Some feedback/suggestions included:

- Some respondents expressed surprise that the exemption wasn't already in place
- There could be a conflict of interest or power imbalance between an optician and spouse
 - A vulnerable spouse could be taken advantage of leading to poor or inadequate treatment

- A spouse may fear reprisal if they complain
- This would be helpful to rural areas in Ontario that only have one healthcare provider
- There is the potential for collusion and fraud
- As long as opticians adhere to the Code of ethics, the exemption should be allowed
- There are conflicting ideas with respect to optometrists treating their spouses vs. opticians
- The risks to this exemption are not beneficial for patients or the general public
- If spouses, why not extend this to children, other family members

The issues that informed the Governance Committee's discussions and recommendation are outlined below:

1. This regulatory amendment would provide consistency in the field of opticianry and align with the College of Optometrists.
2. The possible risks attributed to this exemption could be alleviated by developing additional Standards and/or guidelines that protect the public interest
3. An outreach to registrants reminding them that they should not be treating their spouses (Eblast)

Public Interest Considerations:

It is recommended that the Board articulate its public interest rationale for its decision on whether the proposed spousal exemption regulation is consistent with public interest considerations.

It is important to note that there is an inherent power imbalance that exists between a health care practitioner and a patient, which is why it is crucial that there be strong legislative protections against any form of sexual abuse. Treating spouses, however, gives risk to unique considerations that may be better addressed outside the scope of the existing sexual abuse provisions of the RHPA. A spousal exemption regulation does not mean that opticians should routinely treat their spouses (or other family members). Standards and/or guidelines would need to be developed to set parameters around when it would be appropriate for an optician to treat their spouse.

Diversity, Equity and Inclusion Considerations:

It is incumbent on the Committee to consider whether the proposed amendment to the regulation is consistent with the COO's organizational values relating to diversity, equity and inclusion.

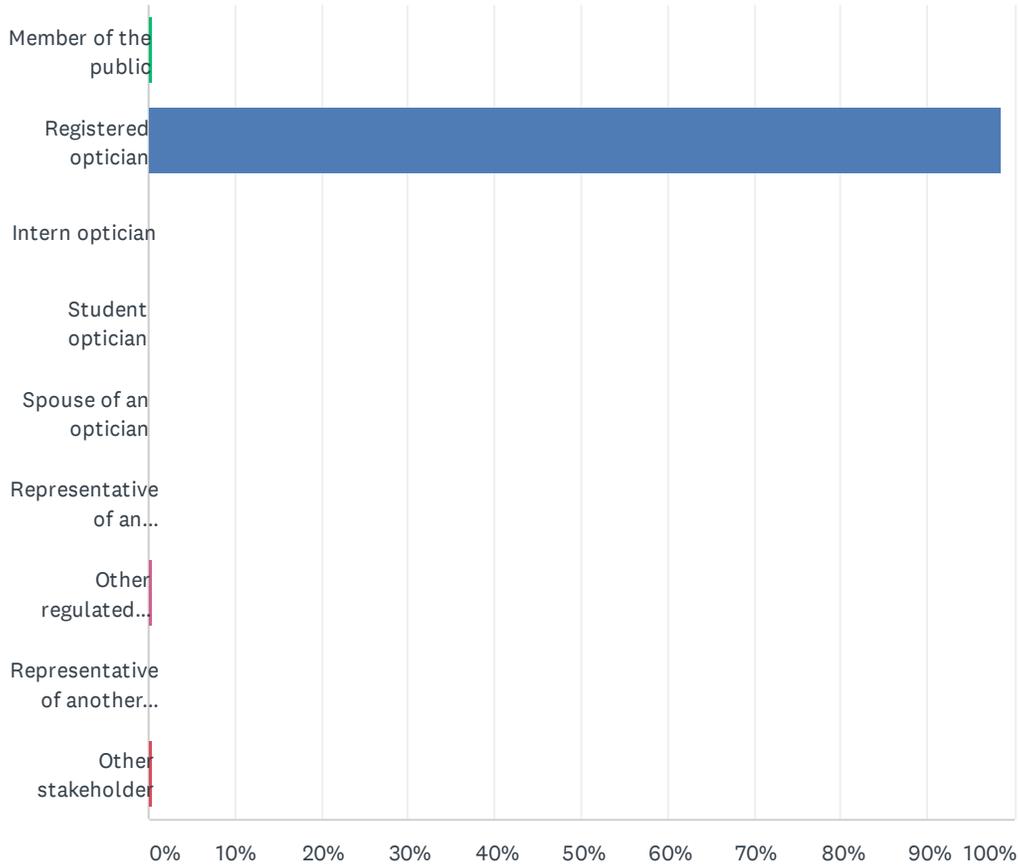
Recommendations:

That the Board move forward with the proposed regulatory amendment and submit it to the Ministry of Health for review and consideration as recommended by the Patient Relations Committee

That the Board approve the development of additional Standards and/or guidelines to set out parameters around when it would be appropriate for an optician to treat their spouse

Q1 Please indicate whether you are a:

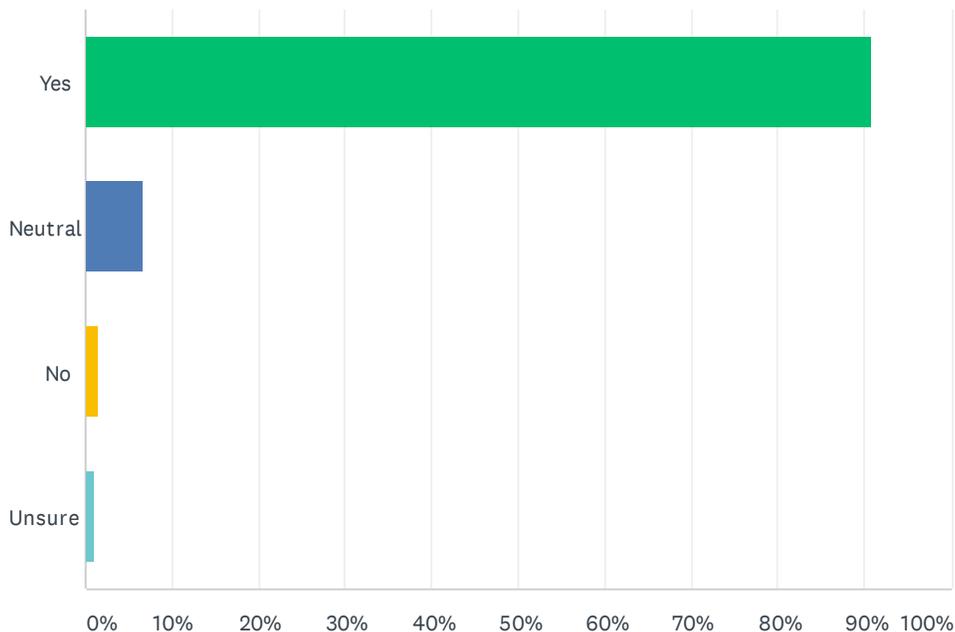
Answered: 194 Skipped: 0



ANSWER CHOICES	RESPONSES	
Member of the public	0.52%	1
Registered optician	98.45%	191
Intern optician	0.00%	0
Student optician	0.00%	0
Spouse of an optician	0.00%	0
Representative of an opticianry association	0.00%	0
Other regulated health professional	0.52%	1
Representative of another regulatory body	0.00%	0
Other stakeholder	0.52%	1
TOTAL		194

Q2 Do you believe that opticians in Ontario should be permitted to treat their spouse?

Answered: 194 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	90.72%	176
Neutral	6.70%	13
No	1.55%	3
Unsure	1.03%	2
TOTAL		194

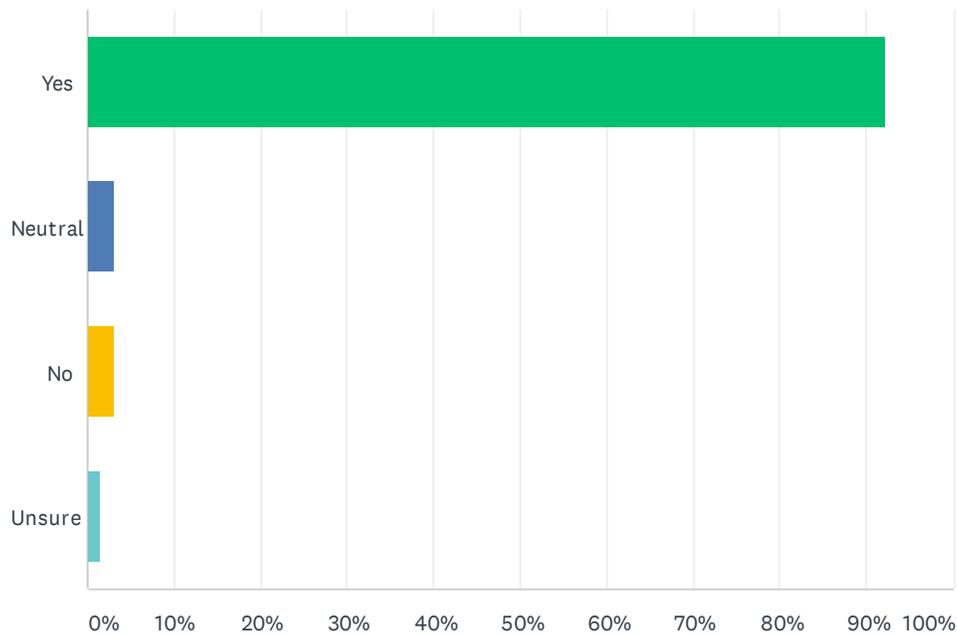
#	COMMENTS	DATE
1	I'm sorry, but seriously?! We are not performing an operation on our significant other! We are fitting eyewear. A pair of glasses - is not the same as diagnosing our significant other with an actual disease. For goodness sakes, let's put this in perspective. It's a pair of glasses people.	7/25/2021 9:34 PM
2	Of course!	6/22/2021 10:30 PM
3	The identification of spouse doesn't make the husband/wife not regular persons anymore. As long as all informations are taken like other patients from the public including valid Rx, measurement personal informations ect, everybody should be treated the same including the spouse.	6/21/2021 8:05 PM
4	Most of us treat our spouses despite the regulation and most opticians are likely not even aware of how the regulation applies to them.	6/9/2021 10:46 AM
5	Once you are married, you have a relationship that is not illicit.	6/3/2021 12:17 PM
6	I don't think it makes any sense to not to be able to give a pair of eyeglasses to you spouse.	5/31/2021 2:24 PM
7	most have been doing it for years	5/31/2021 2:18 PM

Spousal Exemption Regulation

8	Yes it's stupid not to. Imagine you have a business or work at an optical and you have to send them somewhere else to be taken care of.	5/30/2021 2:24 PM
9	This question should not be asked in this 2021 time or for any period of dealing with the opposite sex ? The penalty should be revocation of licence ! We should not even consider this as we should be respectful to all.	5/29/2021 8:41 PM
10	Who better to look after our loved ones than ourselves. We have their best interest at heart.	5/29/2021 1:14 PM
11	You go to bed every night with them , in my opinion what is the problem. We are not dispensing prescription medication.	5/29/2021 6:42 AM
12	I feel the legislation as it stands offers a certain degree of professional objectivity when treating patients. It can be far too easy to succumb to temptation and make financial or treatment decisions that are not in the best interest of the patient simply because they are the spouse of a Registered Health Care Practitioner. I believe changing this legislation will leave a large number of practitioners open to new and career-threatening liabilities that can easily be avoided by referring to another professional - including those in the same office or practice.	5/28/2021 4:28 PM
13	Absolutely	5/28/2021 4:03 PM
14	For billing purposes, no. As there could be fraudulent activities that would never be reported. Adjustments are done for anyone anytime anywhere anyways	5/28/2021 3:54 PM
15	No reason in the world NOT to	5/28/2021 3:23 PM
16	There was s nothing in the dispensing of eyewear or contact lens that would supersede the already intimate relationship that already exists between married couples, wed, common-law etc.	5/28/2021 3:09 PM
17	This shouldn't even be an issue based on common sense.	5/28/2021 2:59 PM

Q3 Do you agree with the College’s proposal to request an amendment to its regulations that will permit Ontario opticians to treat their spouse?

Answered: 193 Skipped: 1

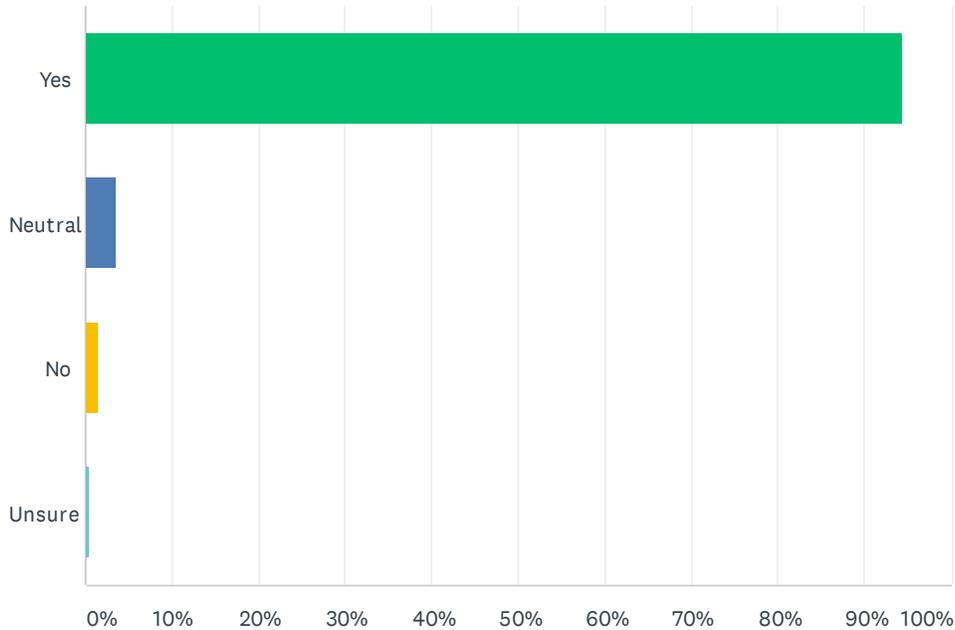


ANSWER CHOICES	RESPONSES	
Yes	92.23%	178
Neutral	3.11%	6
No	3.11%	6
Unsure	1.55%	3
TOTAL		193

#	COMMENTS	DATE
1	What the hell are opticians "treating" our spouses with? We are "fitting" them with a pair of spectacles - it's not brain surgery!!! Again, let's put this in perspective. They are eyeglasses. People can order spectacles online for goodness sake! I think we can "fit" out significant others with a pair of eyeglasses.	7/25/2021 9:34 PM
2	This amendment presupposes (it goes on?) Wipe it out .	5/29/2021 8:41 PM
3	We are filling prescriptions and as a professional registered opticians we are highly skilled and capable of providing professional services.	5/28/2021 6:27 PM
4	Stop wasting money and lower our registration fees. It won't change our lives if we can't fit our spouse. There is more important matters , none of which the college does.	5/28/2021 4:53 PM
5	Long over due!	5/28/2021 3:09 PM

Q4 An exemption was recently granted to registrants of the College of Optometrists of Ontario that permits optometrists to treat their spouse. Optometrists and Opticians often work in shared practice environments. Do you think it is important for the same rule to apply to opticians?

Answered: 194 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	94.33%	183
Neutral	3.61%	7
No	1.55%	3
Unsure	0.52%	1
TOTAL		194

#	COMMENTS	DATE
1	Spouses also feel more comfortable dealing with their spouses as 9-10 times it's their approval they want	5/30/2021 10:03 AM
2	It applies to all, allow all , are equal ?	5/29/2021 8:41 PM
3	100% in agreement.	5/28/2021 6:27 PM
4	I don't think ANY health care provider should treat their spouse. The moment there is a change in relationship status or health status of the patient an inevitable shift in objectivity will follow and the health care professional now has a very challenging temptation to overcome.	5/28/2021 4:28 PM
5	It should makes sense. Remember we are not saying it be compulsory, just if it is the wish of the spouse, there should be no problem.	5/28/2021 3:09 PM

Q5 Do you have any other comments or suggestions about the proposed amendment to the regulation?

Answered: 46 Skipped: 148

#	RESPONSES	DATE
1	None	7/20/2021 6:22 PM
2	What a waste of time and money, its just logical that you can make a pair of glasses for your spouse.	6/22/2021 10:30 PM
3	No but I believe we should pass this	6/22/2021 9:23 AM
4	As long as there is proper documentation just as we do for all patients, it should not be an issue to treat spouses	6/11/2021 5:45 PM
5	N/a	6/7/2021 12:01 PM
6	Spouses are responsible and grown up mature people...they can decide from whom they wish to receive service from. There is no harm in them choosing to go to their spouses if it will be in the best of their interest.	6/6/2021 9:22 AM
7	Consider granting special approval for opticians who own there own business to treat spouses sooner under the condition another optician does not work at the practice.	6/5/2021 2:18 PM
8	Its seems pointless to refer your spouse to another optician when you will have the best interest of that person.	6/1/2021 4:03 PM
9	Not at this time	5/31/2021 3:01 PM
10	it just is funny	5/31/2021 2:24 PM
11	No. Thanks	5/31/2021 3:27 AM
12	No	5/30/2021 4:27 PM
13	Do it.	5/30/2021 2:24 PM
14	No.	5/30/2021 1:20 PM
15	Please allow this!	5/30/2021 10:03 AM
16	No	5/30/2021 9:21 AM
17	This is what you send a survey out for	5/30/2021 7:28 AM
18	An optician is equally concerned about the health of his/her spouse so in my opinion "existence of inherent power imbalance" has no meaning in this relationship. In fact, many times patients do not completely trust the recommendation of opticians, which will not be the case in spousal treatment.	5/29/2021 6:08 PM
19	N/A	5/29/2021 5:01 PM
20	Greetings When i was married , it was a pleasure to treat my spouse and my children with eyeglasses and all were happy. What is this world comming to?????	5/29/2021 2:44 PM
21	No	5/29/2021 9:51 AM
22	I don't see the problem treating a family member, whether they are our spouse, children, parents or even friends. We are providing a profesional service to our patients regardless of the personal relationship! Providing care to those you care for even incentivizes practicing the highest quality work.	5/29/2021 9:25 AM
23	I strongly believe that opticians should be able to treat their spouses. The intent of the current legislation is based on perceived power and control. I do not believe that opticians hold power or control over their spouses due to their status of health care professionals.	5/29/2021 7:18 AM

Spousal Exemption Regulation

24	No	5/29/2021 6:12 AM
25	It's ridiculous opticians aren't allowed to treat their spouses in the first place.	5/28/2021 9:35 PM
26	Common knowledge: Opticians have been treating their spouses as patients for years it's time to finally make it legal.	5/28/2021 9:28 PM
27	No	5/28/2021 9:10 PM
28	Thank you for taking an active role in making positive changes for our profession.	5/28/2021 6:27 PM
29	No	5/28/2021 6:09 PM
30	I think that we should go beyond spousal and include significant others of longer than 1 year.	5/28/2021 5:16 PM
31	None	5/28/2021 4:56 PM
32	Reduce our fees . Even after the pandemic people are recovering from hard ships we don't have full time jobs .	5/28/2021 4:53 PM
33	No	5/28/2021 4:51 PM
34	No	5/28/2021 4:35 PM
35	It should never have been considered. Professional objectivity is required to protect the patient from the desperation of a loved one trying to help and the professional from having to do more than they should in an effort to help.	5/28/2021 4:28 PM
36	No	5/28/2021 4:25 PM
37	I think that we need to move forward and allow this proposed amendment take place.	5/28/2021 4:23 PM
38	No	5/28/2021 4:20 PM
39	Absolutely should not allow as opticians will abuse this - Health regulators should not serve spouse - it will affect our industry negatively- and negatively affects co workers	5/28/2021 4:05 PM
40	no	5/28/2021 3:54 PM
41	No comments	5/28/2021 3:41 PM
42	Absolutely should be able to treat ur spouse !	5/28/2021 3:23 PM
43	ABOUT BLOODY TIME.	5/28/2021 3:10 PM
44	The public & all of us are far more educated than ever before & should have the right to choose who we get are service from. Dispensing of eyewear products is not the same as invasive as surgery, medical or other medical issues .	5/28/2021 3:09 PM
45	The chances of having some sort of serial harassment over a pair of glasses is pretty remote therefore I support the motion to allow Opticians to supply and fir their spouses with Eyewear.	5/28/2021 2:59 PM
46	We need to mirror parts of the optometry act abs stop creating or instilling barriers	5/28/2021 2:48 PM

Default Report

Citizen Advisory Group (CAG) - Opticians Survey

August 18th, 2021, 7:36 am EDT

24 Respondents

Q1 - General: Do you think that opticians in Ontario should be allowed to treat their spouse?

#	Question	False		True		Total
4	Strongly agree	0.00%	0	100.00%	10	10
5	Somewhat agree	0.00%	0	100.00%	8	8
6	Neither agree nor disagree	0.00%	0	0.00%	0	0
7	Somewhat disagree	0.00%	0	100.00%	3	3
8	Strongly disagree	0.00%	0	100.00%	3	3

Q2 - Please expand on your answer below. Why or why not? What benefits (or concerns) do you see?

I don't believe there are other regulated Healthcare Professionals who are legally allowed to treat family/spouses and get paid for it. What is the reasoning or logic that opticians are different

I was not aware they were not allowed to treat their spouse. Opticians do not expect their patients to take their clothes off so I am not sure why an eye exam or fitting for prescription glasses or contact lenses would not be permitted. It would seem advantageous to have your spouse treat you since they would even have a more intimate knowledge of any eye or sight related issues their spouse might be experiencing that might not come forward in a routine exam with another practitioner.

I don't understand why it should be an option. What is the context for which they would treat a spouse?

Convenience and trust would be two reasons to allow this.

As long to opticians are clearly able to document as evidence the service provided, treat in an unbiased way and a consent form is signed by the spouse than I don't see an issue. However, the guidelines should clearly state the type of care provided, limit the number of yearly consultations given and follow to Code of Ethics.

i do not have any objection to this

My answer is based on the risk involved in receiving treatments from opticians. I consider this to be a low risk situation as compared to treatment involving surgical procedures, invasive testing, etc. For this reason I'm not opposed to allowing opticians to treat their spouses. For benefits, in remote areas there could be very few opticians or opticians whom the client may consider to not be as competent as their spouse. It is the client's right to seek the best healthcare available.

An optical treating their spouse just does not sit well with me. There is always an opportunity for collusion in latter days, weeks, months or years with a disgruntled partner and or employees. By not treating a spouse or partner it also keeps their life private. A professional may or may not offer the service required of their spouse or partner for some reason. If in fact they do say things that are sexual in nature and someone outside of the examination room hears what is said and is triggered by that what are the consequences if any and is it difficult to prove in a complaint process. I believe to uphold the integrity of the profession a spouse or partner is better served attending to a neutral optician especially to keep continuity in case of a separation and/ or divorce.

I would be in agreement under specific guidelines in treating ones spouse.

As long as appropriate Standards by which opticians need to abide, accompany this change in practice.

I disagree because it can also be conflict of interest, power imbalance that would not support the spouse ...the optician could force their opinion on the vulnerable spouse...who is there is see how/what kind of treatment the spouse is being provided....who/how will this be policed...it feels like opening up another can of worms especially for the vulnerable etc

As long as the optician is providing their professional service to their spouse and not cutting corners it should be fine

If the spouse is treated with the same respect and dignity as other clients, I do not see any problem with these individuals to receive care from their spouse who is an optician. I also do not see a problem if a new spouse comes into the relationship if the optician has separated or divorce his/her

current mate. As long as the optician operates under the expected code of conduct with all his clients, this should not be an issue in my view.

I think there is obviously a strong conflict of interest and personal relationship that would interfere with an optician's ability to offer impartial medical advice.

I personally do not see the harm in an optician treating their spouse, however, if we consider opticians to be fully fledged members of the medical profession and additionally consider that we do not allow doctors to treat their spouses, family members or even close friends - I am forced to ask why would we carve out an exception for opticians?

Having spent time in rural Ontario I know that sometimes there may be only one health care prof. in a small town and distances are great and so expensive to travel and of course now with the lockdowns even more barriers exist.

An optician may be in a better position to treat their spouse as they know their health conditions and personalities best. I do not fully grasp the notion of imbalance of power between an optician and their clients as it is easy to move from one optician to another - unlike a medical doctor. However, having a spouse as a client could cause marital issues if the spouse is dissatisfied with the optician.

I think it would be okay for an optometrist to treat a spouse. I think for an annual exam or initial treatment it would be fine. I could see how it would be easy to treat a spouse as that person would be comfortable with each other. I can also understand the concern in having a doctor treat a spouse in terms of Re spy and potential fraud.

The only reason I can think of as to why an optician should not treat his/her spouse is in the case of dominance. The spouse should not be made to feel that they do not have the choice to see another optician.

A quick search returns "The Regulated Health Professions Act, 1991, states sexual abuse of a patient occurs when a regulated health professional: ... behaves in a sexual manner toward a patient (for example, touching a patient's shoulder or hand unnecessarily and in a manner that implies a sexual interest in the patient)" Treatment of pre-existing spouse (including pre-existing common-law) does not increase the risks, compare to non-spousal patients, of expression of implied sexual interests. There is no justification to exclude them.

I think a professional is able to compartmentalize, and treat his or her spouse with the same objectivity as another client.

I honestly see nothing negative here. Why shouldn't one be able to treat their spouse? Saves money. They trust their spouse etc

I do not have an issue with opticians treating spouse. The benefit is they see their spouse on a daily basis and therefore are well aware of the changes. Treatment would be very timely and prevent the possibility of complications due to time frame.

Professional separation exists as a preventative measure to protect patients, in this case spouses (who may or may not have the same knowledge, expertise, education, or some other equivalency) that may be subject to some dependency.

Q3 - Opticians & Optometrists A small number of other health regulatory colleges have now made regulations permitting their members to treat spouses, including the College of Optometrists of Ontario. Optometrists and opticians often work together in shared practice environments: Optometrists diagnose, treat, and manage conditions related to eyes and vision and can prescribe glasses, contacts, and drugs or treatments for certain eye conditions.¹ Opticians fit and adjust eyeglasses, contact lenses, or subnormal vision devices based on a prescription by an optometrist or a doctor. An exemption was recently granted to optometrists in Ontario that permits optometrists to treat their spouse. Do you think it's important for this same rule to apply to opticians?

#	Question	False		True		Total
1	Yes	0.00%	0	100.00%	17	17
2	Neutral	0.00%	0	100.00%	3	3
3	No	0.00%	0	100.00%	2	2
4	Unsure	0.00%	0	100.00%	2	2

Q4 - Please expand on your answer below. Why or why not? Are there similarities or differences?

I would like to know the reasoning for the exemption. Why were the optometrist exempt

I understand the difference between an optician and an optometrist but it doesn't seem to make sense that an optometrist can treat their spouse by writing the prescription and performing an eye exam but an optician is unable to help their spouse with the fitting and adjusting of eyeglasses and contact lenses.

I'm sorry, now I'm confused. I didn't know that Optometrists could treat their spouse Perhaps I missed this information in your introduction. I don't agree that Optometrists should treat a spouse. But if optometrists already have this right, Opticians should as well.

Equal treatment for both areas of professional treatment should exist.

N/A

yes agree to this amendment

In a shared practice environment the client should have the option of receiving all their care from the same "team".

My answer to this question contradicts my answer from the previous question. I believe that if Optometrists are granted permission to treat their spouses than Opticians must be permitted to treat their spouses.

Fitting someone for glasses, contacts is a bit different in my opinion and more at arms length. With an optometrist they are dealing with not only vision but health of the eye and my concern is when emotionally involved may make decisions regarding treatment on a more personal and emotional level which my possibly not be in the best interest of the patient.

Given opticians and optometrists often work together, it seems appropriate that the same rules/exemptions would pertain to both.

Unsure...not sure what the argument was and to my previous point..were those kinds of issues addressed etc?

Optometrists are medical practitioners and if they are allowed to treat their spouse so why not allow opticians to do the same.

I cannot see why a distinction should be made as both optometrists and opticians are professionals who must adhere to a similar code of conduct and both of these disciplines should have the same rights within their practice. As long as everyone is treated equitably and the code of ethics is followed, I am all for both of these disciplines to have this right.

I disagree with this exemption but if it's been offered to optometrists then opticians should receive it as well given their tendency to work in shared practice environments.

Although I find it to difficult to back up my opinion - I feel that my relationship with my optometrist is more intimate than my relationship with my optician, and thus, personally, I would be more comfortable with opticians treating their spouses than optometrists treating their spouses. However, I understand the issue of fairness when considering that one is able to treat spouses and not the other. But again, I have to go back to the general rule that if all doctors are discouraged from treating spouses, family or even friends - why the exception for optometrists and potentially opticians? Is there a greater vision to change this rule throughout the entire medical profession? If not -- why is it different for optometrists and opticians?

This is a supporting level to the optometrist so should be covered as well.

Since I may not be aware of other subtleties on the issue, I have no objections nor strong convictions on the topic.

I think the treatment is fairly similar and therefore they should also be allowed to treat spouses

If it has been considered appropriate to actually diagnose/treat a spouse, I cannot see where it would be inappropriate to provide vision aids.

I believe this rule should extend to all regulated health care professionals. The exclusion of spouses as patients is not from the essence of the RHPA. Treating pre-existing spouses does not involve sexual 'abuse' assuming a healthy spousal relationship. The spousal exclusion was added more likely for easier administration of the law. To answer the question of the rule for optometrists should apply to opticians, the answer is yes. Optometrists and opticians often work in the same workplace, uniform rules improve the consistency of the environment.

I don't really see the danger for either group; it should be allowed for both groups.

To me they are very similar definition wise as healthcare practitioners. There shouldn't be any difference in the rules

The only reason I say neutral is that I feel it is necessary to deal with this area on a case by case decision.

Differentiating regulated health professions as having exemptions implies a lesser or greater level of health professionalism. It is acknowledged that regulated health professionals vary in their scope and capacity but they are no lesser or greater, merely different.

Q5 - Closing & Next Steps: Do you have any other comments or feedback about the proposed spousal exemption regulation?

I'm trying to understand why people would want their spouse to do the eye exams is it just for convenience? I suppose there's also an ethical piece if are doing something for family should you keep get paid?

If my husband was an optician I would feel more comfortable having him fit me or help me find glasses that I would like.

I found this section of the survey confusing.

Nothing at this time.

N/A

no

I think that is reasonable, especially if optometrists have allowed it.

The wording of the proposed exemption regulation must be thorough, written and expressed in ways that there is not any room for misinterpretation of the exemption and no place for a loophole or a technicality.

Maybe in the guidelines it should be made clear what an optometrist can treat a spouse for and what they cannot treat for.

I feel this exemption is appropriate if it is clearly documented and regulated.

No

Not that I can think of

I believe that I have expressed my views very clearly in my previous responses and I have nothing further to add at this point in time.

I have no additional feedback to provide at this time

Personally - this is not an issue I have given much thought over the years, however I recognize the potential for negative outcomes and experiences. I think it is equally important to have some sense of uniformity and cohesion throughout the medical profession as a whole. Therefore when we consider spousal exemption it is important to reflect on why it is ok for one group and not others. I think a deep dive needs to be undertaken to study all the potential ramifications of having this spousal exemption put into effect.

No

No

I mostly feel that it is a good idea to let people treat their spouse. But the college must be mindful of the potential issues that can arise.

No. This exemption makes sense to me.

I do not

No, it seems clear.

At this point, I do not

Not at this time. The information in this section gave me a clearer picture of the reasoning behind spousal exemption. I

Strongly disagree that [insert health profession] should be exempt from the broader regulation. It sets a poor precedent with potential unforeseen complications within this and potentially across other health professions -- these risks are not beneficial for patients or the general public for whom health professions serve to support.

Q6 - If COO's Board moves forward with the proposed spousal exemption regulation, what should the COO keep in mind when developing future Standards of Practice and/or Guidelines?

I still think the sexual misconduct piece is critical and shouldn't be exempt under any circumstances

Not sure

I don't agree that medical experts should treat their spouse.

No recommendations at this time.

N/A

to allow for this practice to be given more consideration

I would provide a strong rationale as to why the spousal exemption was enacted.

Ask yourself, do these developing Standards of Practice and /or Guidelines align with our core Code of Ethics.? Do they produce a healthier and /or comforting patient result? Continue to reach out to professionals in your College, continue to partner with CAG, keep an open mind. Most of all how do these changes affect our patients?

I think the lines could possibly get very muddy when it comes to treating ones spouse and this must be thought through very carefully.

I believe the COO should always be looking to evolve and to establish leading best practices when developing future Standards of Practice and/or Guidelines.

How will it be monitored...who/how will the vulnerable be protected?

If spouses are allowed to be treated, what about other family members? Are they allowed to treat their children?

I would recommend that both the optometrists and opticians receive the same consideration as long as they adhere to the code of ethics outlined above. Our society continues to evolve and I do not see any problem in including a spouse in their practice. I also do not see a problem if these professionals would like to treat their children or other family members.

In future Standards of Practice, it should be stressed that a spouse needs to be treated the same as other patients and not afforded special privileges.

I would question if it's going to be permissible to treat spouses - why not children and other family members? I believe we need to fully understand how this spousal exemption would be ok for optometrists and opticians and yet not acceptable for all or any other medial professionals.

Should be same as for all others. Should they have to report that they are doing this? Not sure -

Provide enough details to address any situations that may arise and need a resolution. Be sure to have well detailed redress mechanisms..

That being a spouse is a different relationship that comes with its own challenges that differ from that of a regular patient. There could be concerns of abuse in the home that could transfer to the practice.

As previously stated, a spouse should have the choice as to whether or not they chose to work with their spouse on a professional level.

Make sure that the health care professionals, opticians here, do not use the occasion of treating pre-existing spouses to express sexual interests

Perhaps a focus on the optician/optometrist lean heavily on his or her professionalism.

They should keep in mind that sometimes rules and regulations need to be adjusted to keep up with the times. Archaic rules and regulations become more trouble than if they are changed and altered. I feel that if the present procedure is carried forward with future standards of practice and guidelines using this team approach to implement changes, all will go well.

Conduct a detailed, thoughtful and representative 3rd party assessment with public consultation on the concern of precedent and the potential for unforeseen risks from allowing any exemption to regulation.