

BRIEFING NOTE

TO: Board of Directors

FROM: Registration Committee

DATE: March 4, 2024

SUBJECT: **7.3 Reinstatement and Changing from Inactive to Active Practice Policy**
Appendix A: Reinstatement and Changing from Inactive to Active Practice Policy

☒ For Decision

☐ For Information

☐ Monitoring Report

Purpose:

To consider extending the timeframe for the transition period for opticians whose certificate was suspended for non-payment of fees or non-renewal for more than three years.

Background

Under the new [Registration Regulation](#), opticians whose certificate of registration has been suspended for non-payment of fees may remain suspended for a maximum of three years. Opticians who do not reinstate their registration will have their certificate of registration revoked at the end of the three-year period.

The above-noted changes to the suspension status and the establishment of a new inactive class of registration identified the need to create a process for registrants wishing to reinstate their certificate of registration and/or return to active practice.

On June 5, 2023, the Board approved the Reinstatement and Changing from Inactive to Active Practice policy (see **Appendix A**), which covers all circumstances where an optician is seeking to return to practice after they have been out of practice for some time. The policy also includes a transitional provision for opticians whose certificate of registration was suspended more than three years ago and who wish to reinstate their certificate of registration to avoid revocation.

For Consideration:

At the time of approval of the policy, the Registration Committee recommended that the transitional policy remain in effect until January 31, 2025. It was anticipated that the new Registration Regulation would be approved on August 31, 2023, and the duration of the transition was set accordingly.

As the approval of the regulation was delayed until 2024, the Registration Committee is recommending extending the transitional period until July 1, 2025, to allow a reasonable timeframe for individuals to reinstate their registration.

Public Interest Considerations

When setting return-to-practice requirements for opticians who have been out of practice for an extended time, the policy accounts for the fact that skills may deteriorate after a prolonged absence from the profession. The policy also protects the public by striking a balance between the need for opticianry services and ensuring that opticians will practise safely and according to the Standards of Practice.

Diversity, Equity and Inclusion Considerations

The Registration Committee monitors the way that registration processes and policies impact opticians who take leaves from practice. By providing individuals with a reasonable timeframe to reinstate their registration and flexible options for reinstatement (e.g. transfer immediately into the inactive class), the policy ensures that opticians transitioning back into the profession do not face unnecessary barriers.

Action Required:

That the Board approve extension of the transitional policy until July 1, 2025.

REGISTRATION POLICY

Reinstatement and Changing from Inactive to Active Practice

This policy applies to all registrants who wish to reinstate a certificate of registration that has been suspended for non-payment of fees (non-renewal), or to change their status from Inactive to Registered Optician.

Reinstatement

Reinstatement refers to the process for re-issuing a certificate of registration that has been suspended for non-payment of fees/non-renewal.

The process for reinstatement of a certificate of registration that has been suspended for non-payment of fees is outlined below. It is important to note the following:

- **Registrants must meet all requirements and pay fees:** For reinstatement to occur, registrants must meet the requirements for reinstatement outlined below and pay any required fees. This includes demonstrating that their knowledge and skills are current. A refresher program is available for registrants who are not able to demonstrate the minimum number of recent practice hours.
- **Reinstatement must be to the same class as before:** A registrant may only be re-issued the same certificate that they held prior to being suspended. In other words, a registrant who held a certificate of registration in the Registered Optician class must be reinstated into the Registered Optician class and a registrant who held a certificate of registration in the Inactive class must be reinstated into the Inactive class. Once reinstated, registrants will be permitted to change into a different registration class.
- **Certificates suspended for more than 3 years will be revoked:** Under the Registration Regulation, opticians whose certificates of registration have been suspended for non-payment of fees have a three-year window in which they can apply for reinstatement. Opticians who do not reinstate their registration within the three-year period will have their certificate of registration revoked and will be required to re-apply for registration and go through the same process as new applicants.

Registered Optician certificate suspended for non-payment of fees (under 3 years)

This section applies to registrants who held a certificate of registration as a **Registered Optician** and that certificate was suspended for non-payment of fees/non-renewal within the last 3 years.

Registrants in this category are only eligible to reinstate back into the Registered Optician class. Opticians wishing to transfer to the Inactive class may do so after they reinstate their certificate of registration as a Registered Optician.

In order to have the suspension lifted, Registered Opticians whose certificate of registration has been suspended for less than three years must:

1. Submit a completed application form to the College.
2. Be in compliance with any outstanding orders of the College's Committees or Board of Directors.
3. Provide proof of professional liability insurance.
4. Provide any outstanding information and pay any outstanding fees to the College.
5. Pay the reinstatement fee and the registration fee for the Registered Optician class of registration.

Inactive Class certificate suspended for non-payment (under 3 years)

This section applies to registrants who held a certificate of registration as an **Inactive Optician** and that certificate was suspended for non-payment of fees/non-renewal within the last 3 years.

Registrants in this category are only eligible to reinstate back into the Inactive registration class. Once their Inactive certificate is re-issued, any opticians wishing to transition to the certificate of registration as a Registered Optician may follow the process outlined below for returning to active practice from Inactive to Registered Optician class.

In order to have the suspension lifted, Inactive Class registrants whose certificate of registration has been suspended for less than three years must:

1. Submit a completed application form to the College.
2. Be in compliance with any outstanding orders of the College's Committees or Board of Directors.
3. Provide any outstanding information and pay outstanding fees to the College.
4. Pay the reinstatement fee and the registration fee for the Inactive class of registration.

Registered Optician certificate Suspended for non-payment of fees (over 3 years) - TRANSITION POLICY

This section applies to registrants who held a certificate of registration as a **Registered Optician** and that certificate was suspended for non-payment of fees/non-renewal more than 3 years ago.

Under the Registration Regulation, opticians whose certificate of registration has been suspended for non-payment of fees may remain suspended for a maximum of three years. Opticians who do not reinstate their registration will have their certificate of registration revoked at the end of the three-year period.

As a transitional provision, the College will accept applications for reinstatement from individuals whose certificate of registration was suspended more than 3 years ago and who wish to avoid revocation.

Individuals who are not reinstated by July 1, 2025 will be revoked.

Registrants in this category are only eligible to reinstate back into the Registered Optician class.

Registrants who wish to remain in the Registered Optician class must take the following steps to have their suspension lifted:

1. Submit a completed application form to the College.

2. Complete a competency assessment as set or approved by the Registration Committee.
3. Be in compliance with any outstanding orders of the College's Committees or Board of Directors.
4. Provide proof of professional liability insurance.
5. Provide any outstanding information and pay outstanding fees to the College.
6. Pay the reinstatement fee and the registration fee for the Registered Optician class of registration.

Registrants who wish to immediately transfer to the Inactive class must take the following steps to have their suspension lifted:

1. Submit a completed application form to the College.
2. Be in compliance with any outstanding orders of the College's Committees or Board of Directors.
3. Sign an undertaking not to practise opticianry while holding a certificate of registration as Inactive Optician.
4. Provide any outstanding information and pay outstanding fees to the College.
5. Pay the reinstatement fee and the registration fee for the Inactive Optician class of registration.

This Transition Policy will remain in effect until July 1, 2025.

Changing from the Inactive Class to the Registered Optician Class

This section applies to registrants who hold a certificate as an **Inactive Optician**. The certificate must be current and cannot be suspended for non-payment of fees/non-renewal. Inactive Opticians holding a certificate that has been suspended must first reinstate their certificate before requesting to change to the Registered Optician class (see the section on Reinstatement, above).

To change from the Inactive Class to the Registered Optician class, registrants must:

1. Submit a completed application form to the College.
2. Demonstrate that their opticianry knowledge and skills are current (see *Knowledge and Skill Requirement* section below).
3. Pay any outstanding fees to the College.
4. Provide evidence of professional liability insurance.
5. Pay a status change fee and registration fee (a prorated Registered Optician fee will apply).

Knowledge and Skill Requirement

In order to resume active practice, Inactive Opticians will be required to demonstrate that their knowledge and skills are current. This can be demonstrated by meeting at least one of the following requirements:

1. **Practice Hours:** Providing evidence of having engaged in at least 500 practice hours within the last three years. Opticians who have been inactive for less than 3 years can include practice hours that were acquired while they held a certificate as a Registered Optician.

Practice hours acquired as a Registered Optician in Ontario within the last 3 years can include:

- a. Dispensing of eyeglasses, contact lenses and subnormal vision devices, and related duties (e.g. record keeping, laboratory work, cleaning and disinfecting eyewear, optical appliances, tools or equipment).
- b. Teaching opticianry at an accredited opticianry program in Canada.
- c. Supervising student and/or intern opticians.
- d. Directly supervising, managing or assuring the quality of services of opticianry staff engaged in dispensing.
- e. Completing advanced learning courses (including certificate programs) in opticianry or optical sciences at an educational institution accredited by the College (see [website](#) for a list of institutions).
- f. Completing continuing education activities accredited by the College.
- g. Presenting continuing education activities that have been accredited by the College (presentations that are delivered on multiple occasions may only be counted once).
- h. Completing up to a maximum of 4 hours per year of self-directed continuing education activities annually.

Practice hours acquired as an Inactive Optician* can include:

- a. Dispensing of eyeglasses, contact lenses and subnormal vision devices, and related duties (e.g. record keeping, laboratory work, cleaning and disinfecting eyewear, optical appliances, tools or equipment) in another jurisdiction.
- b. Teaching opticianry at an accredited opticianry program in Canada.
- c. Supervising student and/or intern opticians in another jurisdiction
- d. Directly supervising, managing or assuring the quality of services of opticianry staff engaged in dispensing in another jurisdiction.
- e. Completing advanced learning courses (including certificate programs) in opticianry or optical sciences at an educational institution accredited by the College (see [website](#) for a list of institutions).
- f. Completing continuing education activities accredited by the College.
- g. Presenting continuing education activities that have been accredited by the College (presentations that are delivered on multiple occasions may only be counted once).
- h. Completing up to a maximum of 4 hours per year of self-directed continuing education activities annually.

2. **Refresher/Upgrading:** Completing a refresher or upgrading program that the Registration Committee has set and approved.
3. **Professional Competency Assessment:** Undergoing a professional competency assessment and completing any refresher or upgrading courses assigned by the Registration Committee as a result of the competency assessment.

*In Ontario, Inactive Opticians are not permitted to dispense prescription eyewear (including under the supervision or delegation of another optician, optometrist or ophthalmologist) or supervise student/intern opticians.