

Proposed Public Register By-Law Amendment

Feedback Requested

The College is seeking your feedback on proposed changes to the by-laws.

The Board of the College met on December 7, 2020 to consider amendments to the by-law relating to the information to be kept in the public register.

The purpose of these amendments are as follows:

- To ensure that the information in the public register is inclusive of individuals who, for reasons such as gender identity, language or ethnicity, wish for the register to list a preferred name that differs from their legal name.
- To provide greater clarity regarding the dates of any suspensions or practice restrictions that are or were in place on a registrant’s certificate of registration.

Please complete this short survey to share your feedback. The survey will be open until February 19, 2021.

Proposed By-Law Amendments

Current Language	Proposed Language	Rationale
ARTICLE 15: THE REGISTER		
15.6 Other Information in the Register		
<p>15.6 In addition to the information set out in subsection 23(2) of the Code, the register shall contain the following information with respect to each Registrant:</p> <p>(xxi) Any nicknames or abbreviations that the Registrant uses in any place of practice;</p>	<p>15.6 In addition to the information set out in subsection 23(2) of the Code, the register shall contain the following information with respect to each Registrant:</p> <p>(xxi) Any <u>preferred names</u>, nicknames or abbreviations that the Registrant uses in any place of practice;</p>	<p>The purpose of this amendment is to ensure that the College is inclusive of individuals who go by a name in practice that differs from their legal name. For example, a transgender person may go by a name that corresponds to their affirmed gender instead of their legal name.</p>
<p>(xiv) Where the Registrant’s certificate of registration is subject to an administrative suspension (e.g., for failure to pay a fee), the fact that the suspension is an administrative</p>	<p>(xiv) Where the Registrant’s certificate of registration is subject to a n-administrative suspension:</p> <p style="padding-left: 40px;"><u>(a) the fact of the suspension</u></p>	<p>The purpose of this amendment is to provide greater transparency and clarity to the information that is posted to the public register about suspensions.</p>

Current Language	Proposed Language	Rationale
<p>one and the date of the suspension in addition to the fact of the suspension;</p>	<p>(a)(b) <u>where the suspension is an administrative one (e.g. for failure to pay a fee),</u> (e.g., for failure to pay a fee), the fact that the suspension is an administrative one and</p> <p>(c) <u>the date of the suspension</u> in addition to the fact of the suspension; <u>and</u></p> <p>(b)(d) <u>Where applicable, the date that the suspension is lifted or otherwise removed.</u></p>	<p>Reference has been added to the date that any suspension (whether it is disciplinary, the result of an interim order, or administrative) is lifted or otherwise removed.</p> <p>The amendment will ensure that a member of the public can ascertain from the register whether a registrant was subject to a suspension on any date during the period of the optician's registration with the College.</p>
<p>n/a</p>	<p><u>(xxxii) Where the Registrant's certificate of registration is subject to a restriction on the Registrant's right to practice resulting from an undertaking given by the Registrant to the College or an agreement entered into between the Registrant and the College:</u></p> <p>(a) <u>a notation of the fact;</u></p> <p>(b) <u>a summary of the restriction;</u></p> <p>(c) <u>the effective date of the restriction; and</u></p> <p>(d) <u>where applicable, the effective date that the restricted is lifted or removed.</u></p>	<p>The Health Professions Procedural Code requires the College to post information about undertakings and acknowledgements that relate to matters that are before the Inquiries, Complaints and Reports Committee while those undertakings are in effect.</p> <p>The addition of this provision to the by-laws would permit the College to post information about any undertaking or agreement between a registrant and the College that places a restriction on the registrant's certificate of registration. This addition will permit the public to ascertain whether a registrant's certificate of registration was subject to a restriction on a given date.</p>

Current Language	Proposed Language	Rationale
n/a	<p><u>(xxxiii) Where the College is aware of a restriction on the Registrant's right to practice that has been imposed by a court or other lawful authority:</u></p> <p><u>(a) a notation of the fact;</u></p> <p><u>(b) a summary of the restriction;</u></p> <p><u>(c) the source of the restriction;</u></p> <p><u>(d) the effective date of the restriction; and</u></p> <p><u>(e) where applicable, the effective date that the restriction is lifted or removed.</u></p>	<p>Similar to the previous addition, this addition will permit the public to ascertain whether a registrant's right to practice was restricted on a given date.</p>