

Briefing Note

TO: Board of Directors

FROM: Registration Committee

DATE: June 3, 2024

SUBJECT: 10.1 Inactive Class Policy
APPENDIX A: Draft Inactive Class Policy

☒ For Decision

☐ For Discussion

☐ Monitoring Report

Purpose:

To approve the Inactive Class Policy stemming from the amendments to the Registration Regulation.

Background:

The amended Registration Regulation that is coming into force on July 1, 2024 establishes a new class of registration intended for non-practising opticians: the Inactive Class. The purpose of the Inactive Class is to allow registrants who do not intend to practise for a period of time to maintain their registration with the College of Opticians of Ontario (COO). Examples may include registrants on parental, sick, or educational leave, those practising outside of Ontario, or in a different profession.

Under the amended Regulation, registrants who hold a certificate of registration as a Registered Optician will have an opportunity to transfer to the Inactive Class provided they meet the requirements for the inactive class set out in the regulation.

For Consideration:

The Registration Committee is proposing a policy to establish a fair and transparent process for registrants who wish to transfer to the Inactive Class. The proposed Inactive Class policy outlines the application process for the Inactive Class certificate of registration, sets the conditions of the Inactive Certificate of Registration and the annual obligations to maintain the certificate under the Registration Regulation, and provides direction for returning to practice.

A draft of the proposed Inactive Class Policy is attached as **Appendix A**.

Public Interest Considerations

The Inactive Class policy protects the public interest by setting out conditions for Inactive Class registrants that accurately reflect their non-practice of the profession and providing transparency to the public regarding optician's non-practising status.

Diversity, Equity, and Inclusion Considerations

The proposed Inactive Class policy considers the needs of non-practising opticians in different life circumstances while allowing them to maintain registration with the COO. The Registration Committee recognizes that, when making a decision, the obligation to uphold professional standards must be balanced against its obligations under the *Ontario Human Rights Code* to avoid practices and policies that directly or indirectly discriminate against registrants based on the protected grounds.

Risk Management Considerations

The Inactive Class policy clarifies the limitations of the inactive status and guides how to convey the non-practising status to the public. The transparency of the policy mitigates potential risks to the COO if/when an optician fails to comply with the conditions imposed on their inactive certificate of registration and engages in unauthorized practice.

Recommendation/Action Required:

That the Board approve the proposed Inactive Class Policy. If approved, the policy will come into effect on July 1, 2024.

REGISTRATION POLICY

Inactive Class

The Inactive Class is a class of registration for opticians who are not currently practising the profession, but who wish to maintain their registration with the College of Opticians of Ontario (the College).

Reasons to apply for an Inactive Class of registration include, but are not exclusive to parental leave, educational leave, medical or personal leave, move to another jurisdiction, change of profession, or retirement.

Applying to the Inactive Class

Opticians, wishing to register in the Inactive Class, must submit a written request to the College and meet the following requirements set out in section 13 of the Registration Regulation:

1. The applicant must hold a certificate of registration as a Registered Optician. The Registered Optician certificate must be in good standing and cannot be suspended (e.g. for non-renewal/non-payment of fees).¹
2. The applicant must undertake not to practise opticianry while holding a certificate of registration as an inactive optician.
3. The applicant must have paid all outstanding fees to the College and have provided all outstanding information requested of the applicant by the College.
4. The applicant must not be subject to any outstanding requirements of the quality assurance program.

Conditions of the Inactive Class of Registration

Opticians registered in the Inactive Class must not:

1. Practice opticianry, including under the supervision, assignment or delegation of a registered optician, optometrist or physician.
2. Supervise the practice of opticianry.
3. Display their certificate of registration at any location that is visible to the public.
4. Use the title “Registered Optician”. Instead, registrants in the Inactive Class may only use the title “Registered Optician (Inactive)”, the abbreviation “RO (inactive)” or a variation of these titles.

¹ Under a temporary Transition Policy that is in place until July 1, 2025, Registered Opticians who have been suspended for non-renewal/non-payment of fees are eligible to apply for a certificate of registration in the Inactive Class. After July 1, 2025, suspended opticians must first reinstate their Registered Optician certificate prior to applying to join the Inactive Class.

5. Represent to the public that they are entitled to practise opticianry.

Annual Renewal, Professional Liability Insurance, and Quality Assurance Program Requirements

Opticians in the Inactive Class must renew their registration on an annual basis and pay the applicable fees.

Inactive Class registrants are not required to carry professional liability insurance and are not required to participate in the quality assurance program while inactive.

Returning To Practice

Registrants wishing to return to active practice must request a class change from the Inactive Class to the Registered Optician class and meet the requirements set out in the [Reinstatement and Changing from Inactive to Active Practice Policy](#).

Registrants returning to active practice will be required to demonstrate that their knowledge and skills are current. For more information see the [Reinstatement and Changing from Inactive to Active Practice Policy](#).