

Ministry of Health
and Long-Term Care

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JUL 16 2009

Jeff Fernandes, President
Caroline Maclsaac-Power, Registrar
Members of the Executive Committee
College of Opticians of Ontario
85 Richmond Street West, Suite 902
Toronto ON M5H 2C9

Dear Mr. Fernandes, Ms. Maclsaac-Power and Executive Committee Members:

Further to your meeting with Abid Malik from my office and members of ministry staff on February 27, 2009, I am asking you, as the President, Executive Committee and the Registrar, the leaders in the regulation of the opticianry profession, to work with the ministry on the issue of refractometry performance by opticians.

The concern, as the ministry has indicated to you on numerous occasions, is that performance of this procedure by your members has the potential for opticians to alter or prescribe corrective eyewear without the statutory requirement under the *Opticianry Act, 1991* of a prescription from an optometrist or a physician.

I am aware that late last year the Council of the College approved in principle three documents which included a substantially revised standard of practice pertaining to opticians performing refractions and a document setting out some principles with respect to collaboration between the professions of opticianry and optometry.

It is troubling that the Council felt this step was sufficient to direct that the administrative hold on approving applications for refraction status, in place following Mr Fernandes' meeting with ministry officials in June 2008, be removed before the standard of practice for refractometry and agreements with the Colleges of Optometry and Physicians and Surgeons were finalized.

Further, the College received no direction from the ministry that the administrative hold could be removed. Council should understand that its actions have raised serious concerns, given the clear requirements under the *Opticianry Act, 1991*, and the longstanding questions surrounding this issue. I consider this issue to be a matter that involves the College serving and protecting the public interest.

As you know, I received the March 2008 interim report of the Health Professions Regulatory Advisory Council (HPRAC) on Interprofessional Collaboration in which it expressed very serious concerns on matters relating to eye care professionals. While phase two of its review of interprofessional collaboration *Critical Links: Transforming and Supporting Patient Care* was released on February 2, 2009, HPRAC will make further recommendations to me on eye care issues in the Fall.

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As indicated to you on February 27th, I requested that the College immediately take steps to prohibit the performance of refractometry and the altering or generation of a prescription by its members.

To summarize, you were asked to ensure that the following measures be taken immediately. It is some months later and no action has been taken. I am now requesting that

- **The College accepts no further applications from its members as of the date of this letter for approval as a “refracting optician” (refraction status) to enable the performance of refractometry and the altering or generation of a prescription.**
- **No further members are accorded refraction status by the College as of the date of this letter.**
- **The College post on its website within 10 days of the date of this letter, a message from the President and Executive Committee to all members of the College indicating that the College will no longer accept applications for refraction status to enable a member to perform refractometry until further notice and agreement by the ministry.**
- **The College inform in writing, within 10 days of the date of this letter, those members with applications in progress that their applications are no longer being considered.**

Members who have received approval to refract as of the date of this letter may continue to perform refractions. I ask that the President provide Dr. Joshua Tepper, Assistant Deputy Minister of the Health Human Resources Strategy Division, within the next 30 days, with a list of the names of all members who were granted refraction status by the College, including their business addresses and the date refraction status was granted.

You must also indicate whether or not these members are performing refractions and if they are, what steps the College is taking to ensure that the procedure is being performed in accordance with the Act.

Further, the administrative hold on approving any further members as a “refracting optician” shall remain in place until the ministry has had the opportunity to review HPRAC’s advice regarding eye care professionals and has determined the appropriate next steps.

HPRAC is carrying out its work on its report now. I suggest that you contact HPRAC and work closely with the Advisory Council as it develops its advice on the issue of eye care in Ontario.

I reiterate that no further members of the College are to be granted “refraction status” until further notice and no further applications for refraction status may be accepted or considered. We expect that you will communicate this message to your members immediately.

In closing, I would point out that the involvement of all Executive Committee members in leading this issue to resolution is very crucial.

Yours sincerely,



David Caplan
Minister