

PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE MINISTER OF HEALTH SERVICES

Health Professions Act

Ministerial Order No. M 247

I, George Abbott, Minister of Health Services, order that effective October 17, 2008, the attached Opticians Regulation is made.

October 10, 2008
Date

George Abbott
Minister of Health Services

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Health Professions Act, R.S.B.C. 1996, c. 183, s. 12 (2)

Other (specify):- _____

OPTICIANS REGULATION

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Definitions

1 In this regulation:

“**Act**” means the *Health Professions Act*;

“**contact lens fitter**” means an optician who is authorized under the bylaws to fill a prescription and to fit and dispense contact lenses;

“**eyeglasses**” does not include contact lenses or low vision aids;

“**optician**” means a registrant who is authorized to dispense eyeglasses;

“**optometrist**” means a person authorized to practise optometry under the *Optometrists Act*;

“**prescriber**” means

- (a) an optometrist, or
- (b) a qualified medical practitioner who prepares a prescription;

“**prescription**” means the written record, prepared by a prescriber, of

- (a) the power of a lens to correct the refractive error of an eye, and
- (b) reading add, prisms, back vertex distance and contraindications;

“**qualified medical practitioner**” means a medical practitioner who is permitted to provide vision care services;

“**supervision**” means, if supervision is not governed in accordance with the *Optometrists Act* or the *Medical Practitioners Act*,

- (a) in relation to the services described in section 5 (1), that a prescriber or optician supervises at reasonable intervals and provides regular inspection of the services performed by a non-registrant, and
- (b) in relation to the services described in section 5 (3), that
 - (i) a prescriber or contact lens fitter is normally on the premises, although he or she may be absent from time to time, not including holidays,
 - (ii) a prescriber supervises the fitting or dispensing of contact lenses by a person other than a prescriber or contact lens fitter, and
 - (iii) a contact lens fitter supervises the refilling of a prescription if contact lenses are dispensed by a person other than a contact lens fitter.

College name

- 2 The name “College of Opticians of British Columbia” is the name of the college established under section 15 (1) of the Act for opticianry.

Reserved titles

- 3 (1) The titles “optician” and “dispensing optician” are reserved for exclusive use by opticians.
- (2) The title “contact lens fitter” is reserved for exclusive use by contact lens fitters.

Scope of practice

- 4 (1) An optician may fill a prescription for eyeglasses by dispensing eyeglasses including the fitting, adjustment and adaptation required by the client.
- (2) An optician may duplicate eyeglass lenses without a prescription.
- (3) A contact lens fitter may fill a prescription by fitting and dispensing contact lenses.

Restricted activities

- 5 (1) No person other than an optician may
- (a) fill a prescription by dispensing eyeglasses, or
 - (b) duplicate eyeglass lenses without a prescription.
- (2) Subsection (1) does not apply to a person acting under the supervision of an optician or a prescriber provided that the measurements necessary for the manufacture of the eyeglasses or eyeglass lenses and the power described in the prescription are verified by the optician or prescriber at or before the time of final dispensing of the eyeglasses or eyeglass lenses.
- (3) No person other than a contact lens fitter may fill a prescription by fitting and dispensing contact lenses.
- (4) Subsection (3) does not apply to a person
- (a) filling a prescription by fitting and dispensing contact lenses under supervision,
 - (b) filling a prescription by fitting and dispensing contact lenses under supervision provided that
 - (i) the person is registered in accordance with the bylaws as a student contact lens fitter, and
 - (ii) the contact lens fitter is immediately present at all times, or
 - (c) refilling a prescription by dispensing contact lenses under the supervision of a contact lens fitter or a prescriber provided that person does not fit the contact lenses.

Limits or conditions on services

- 6 (1) No registrant may conduct eye examinations or refractions.
- (2) Subsection (1) does not apply to the examination required for the proper fitting of eyeglasses and contact lenses.

- (3) No registrant may alter a prescription without the express prior authorization of the prescriber.
- (4) Subsection (3) does not apply to the vertex alteration required to fill a prescription using conversion charts or similar formulae.
- (5) A registrant must offer to the client, without charge, a copy of a prescription.

Patient relations program

- 7 The college is designated for the purposes of section 16 (2) (f) of the Act.