

TO: Council

FROM: Executive Committee

DATE: May 28, 2018

SUBJECT: Reviewing and Updating the Standards of Practice

PURPOSE:

1. To inform Council that the Standards of Practice are due for review.
2. If Council agrees to update the Standards, select a committee to undertake this review.

BACKGROUND

The College is legally required to develop, establish and maintain programs and standards of practice to assure the quality of the practice of the profession of opticianry. To that end, the College has published and regularly reviews and updates a document entitled *Professional Standards of Practice for Opticians in the Province of Ontario* (the “Standards”).

The most recent review of the Standards was completed in 2015 by an ad hoc committee that was struck for that purpose. The Safety Standards Ad Hoc Committee was established in 2014 and remained in effect for 2014 and 2015. The Committee composition was as follows:

Janice Schmidt, elected member of Council (2014, 2015)
Mike Smart, elected member of Council (2014, 2015)
Rob Vezina, elected member of Council (2014, 2015)
Omar Farouk, Public Member of Council (2015)

The Standards state that they are to be reviewed every three years or more frequently as required. Accordingly they are due to be reviewed in 2018. As noted above, in the past an ad hoc committee has been convened for the purpose of carrying out the review.

A comprehensive review and update to the Standards typically takes 18 months to two years, and would involve consultations with various stakeholders, including the College of Optometrists, the OCC, the educational institutions, associations, members and the public.

For Consideration:

An initial review of the current Standards has identified several areas for potential review, update and/or expansion. In particular, as follows:

- Areas of professional conduct that are commonly the subject of complaints or reports, but which are not currently (or perhaps adequately) addressed in the Standards; and
- Areas of professional conduct that have been the focus of the Bill 87 amendments.

Specifically, the following is a non-exhaustive list of areas to consider updating or expanding in the current Standards document:

Standard 1: Competence

- Adding in a statement that opticians always act in the patient's best interest and put the patient's interest above their own personal or commercial interest

Standard 2: Professional Conduct

- Adding a general statement regarding ethical behaviour

Standard 3: Dispensing of Appropriate Optical Devices

- Addressing prescription expiry dates
- Specific requirements to perform Orthokeratology

Standard 5: Record Keeping

- Adding a requirement to maintain financial records that include the member's fees for services and any commercial laboratory costs charged to the member
- Adding a requirement that patient files include all lab work orders and product receipts
- Adding specific requirements for electronic records, including adequate access, reliable backup, privacy/encryption, permits amendments/corrections without obliterating original record
- Adding in the requirement to report privacy breaches in accordance with PHIPA
- Adding in requirements for providing copies of records to patients or their authorized representatives upon request (and what fee is appropriate)
- Adding in standard for preserving files/ensuring access to records during sudden or extended closures (currently the standards cover succession planning where the Optician retires or sells his/her practice, but does not address extended closures of the office due to illness/emergency, etc.)

Standard 6: Patient Relations

- Adding a requirement to obtain informed patient consent (this is currently stated in the preamble but not listed in the criteria)

Standard 7: Websites and Other Technology

- Adding in standards with respect to advertising jointly with Optometrists

Delegation

- The College does not currently have a Delegation Standard (although there is a Delegation Policy)
- This Standard would address both delegation to Opticians and delegation by Opticians

Maintaining Professional Boundaries/Preventing Sexual Abuse

- While these issues are addressed in policy and guidelines, the College does not currently have a standard with respect to maintaining professional boundaries and preventing sexual abuse.
- This Standard would address:
 - o The requirement that members maintain appropriate professional boundaries with patients (in person, by phone and online)
 - o The prohibition of sexual relationships between members and patients
 - o The requirement to make mandatory reports of sexual abuse
- A significant number of Colleges currently have a standard with respect to professional boundaries and/or sexual abuse, including Massage Therapists, Occupational Therapists, Chiropractors, Physiotherapists, and Naturopaths.

EXECUTIVE RECOMMENDATIONS

1. That an adhoc committee be struck consisting of four professional members and two public members to begin reviewing the Standards of Practice in 2018/2019.
2. That the Committee be composed of the following members:
 - Peggy Dreyer
 - David Milne
 - Trudy Mauth
 - Daniela Celi
 - Bryan Todd
 - John Battaglia

ACTION REQUIRED

1. Does Council wish to engage in updating the Standards of Practice?
2. Does the Council wish to accept the Executive's recommendation that an adhoc committee be struck and that its composition consist of four professional and two public members?
3. Does Council wish to ratify the proposed committee slate as put forth by the Executive?