

Bulletin to Ontario Opticians

QUESTION: SHOULD THE COLLEGE OF OPTICIANS HAVE A POLICY ON DELEGATION?

Prohibiting delegation is not an option. The College has had a policy on delegation since 1998. The government has instructed the College of Opticians of Ontario that it *must* develop a more reasonable policy on delegation. Delegation is fundamental to training future opticians and essential to running a retail business. It must be enforceable by the regulatory body and easily understood by the membership. The College of Opticians of Ontario has circulated a draft document and has asked for input from its members and from stakeholder groups. We believe a focus group system would more realistically reflect advice from Ontario opticians. The OOA is prepared to help organize such a group. We have taken time to study the draft so as to avoid rushing to judgment & to be able to make careful comment. In the meantime we offer the following:

DOES DELEGATION TAKE PLACE IN ONTARIO DISPENSARIES?

- Currently it is a fact that delegation of dispensing activities takes place in most dispensaries. This threatens the dispensing regulation only if it is left up to the individual dispensary owner to decide which tasks may be delegated to unregulated individuals. This creates an uneven playing field and makes the delegating optician vulnerable to business decisions of the employer.

HOW DOES A POLICY ON DELEGATION PROTECT ONTARIO OPTICIANS?

- There needs to be a clear policy stating what dispensing tasks can be delegated and under what conditions. This will give rules that will protect the public as well as the opticians who are employed to supervise unregulated individuals. Without a clear policy on delegation there can be liberal interpretations of what constitutes acceptable delegation practice. With a stipulated policy all dispensaries will be required to follow the same set of rules.

DOES THE ONTARIO OPTICIANS ASSOCIATION AGREE WITH THIS DRAFT POLICY?

- The draft document has some fundamental weaknesses that expose consumers to risk of harm and place regulated opticians in the position of endorsing unlicensed practice. The College is seeking advice and the OOA has prepared a formal submission. The following are some of the points addressed.

PROVISION OF ADVICE SHOULD ONLY BE GIVEN BY AN OPTICIAN

- 'Provision of advice' has been identified as a delegated activity. The implication of advice is that it offers a recommendation or a direction for selection. Advice should only be given by the optician. Eyeglasses are now being sold on the Internet. Information gathered by consumers from non-regulated personnel could be construed as professional recommendation with liability issues attached.

SOME TERMS USED ARE CONFUSING

- "...frame suitability with or without reference to a prescription...". A product or a service can be suitable only if it meets a set of requirements – in this case a prescription. Only general information may be delivered without the prescription.

TASKS TARGETED FOR DELEGATION INCLUDE TOO MANY COMPETENCIES

- Contact lenses should be removed from the list of tasks eligible for blanket delegation. Contact lenses are typically dispensed in a closed room and if this

task is delegated to an unlicensed individual the supervising optician could not truly be said to be present and available.

NO BENCHMARKS PROVIDED AS GUIDANCE

- The draft document does not include benchmarks by which members can know whether or not they are in compliance with the policy.

THE DRAFT DOCUMENT IS NOT ORGANIZED TO REFLECT THE NORMAL FLOW OF DISPENSING TASKS

- Dispensing tasks must be performed in a logical sequence. Each step in the dispensing process builds on the previous step. The task list should be re-organized and there should be a requirement that acts of dispensing are performed in that order. This does not preclude dispensing assistants from providing non-specific information to clients who are browsing.

OPTICIAN MUST BE PRESENT AND AVAILABLE

- In a busy dispensary if the optician is fitting contact lenses he/she is not present and available. Where an optician is also a contact lens fitter, acts of dispensing should not take place unless there is a second optician present and available.

REQUIREMENT TO RECORD IS UNMANAGEABLE & SHIFTS ACCOUNTABILITY TO EMPLOYER

- Many orders for products and services are received and delivered in the same day or shift but many others are not. Recording tasks delegated by whom and to whom is an unwieldy task. Also, in suggesting that recording of this information may be done "in a manner that suites the individual location" the College is shifting accountability for record keeping into the hands of the employer over whom the COO has limited authority.

DISPENSARIES NEED TO BE REGISTERED IN SOME FASHION

- There needs to be a method by which the College can exercise influence over corporate decisions that may put pressure on an optician to depart from the College's Standards of Practice. The OOA would be willing to participate in a focus group to develop a reasonable mechanism for discovering such a method.

NO STIPULATION RE: HOW MANY DELEGATES AN OPTICIAN MAY SUPERVISE

- The draft proposes that an optician must notify the patient that the act is being delegated giving the option of refusal to the patient. There is no recommendation as to how many delegates an optician can supervise. In a busy dispensary this would mean the optician might not be aware that intervention is appropriate. This shifts responsibility for requesting intervention onto the patient or the unlicensed person.

NO GUIDELINES RE: WHAT DELEGATES NEED TO BE TAUGHT BEFORE DELEGATION ASSIGNED.

- The optician would be required to make certain the unlicensed person is able to perform the task safely. There are no accompanying guidelines suggesting what competencies or what level of competencies should be used by an optician who is delegating .