



# COLLEGE OF OPTOMETRISTS OF BRITISH COLUMBIA

Board Meeting December 6, 2009  
Approved February 6, 2010

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## **1. CALL TO ORDER AND INTRODUCTIONS (9:00am)**

### **Present:**

Dr. Gerald S. Komarnicky, Chair  
Dr. Dale Dergousoff, Inquiry Committee Chair  
Dr. Mario Pozza, Registration Committee Chair  
Dr. Rebecca Counts, Quality Assurance Chair (left at 10:30am)  
Dr. Michael Dennis, Discipline Committee Chair  
Dr. Murray Hurlbert  
Mr. David MacPherson, Public Member  
Mr. Thomas Beasley, Public Member, Patient Committee Chair  
Ms. Barbara Buchanan, Public member  
Dr. Lawrence MacAulay, Registrar  
Stanka Jovicevic, CAO/Assistant to the Registrar

- The Chair, Dr. G. Komarnicky called the meeting to order at 9:00am.
- A quorum was present, and the meeting, having been duly convened, was ready to proceed with business.
- Chair reminded the Board members that special rules were adopted that limit discussion to 3 minutes per person during the first round of debate and to 2 minutes per person during the second round.
- Duty of the College is to be fair, objective, unbiased and transparent in all of our considerations. We make policies to serve the regulatory functions of the College and act in the public interest. The Board works in courteous spirit and majority prevails, we speak with one voice and all discussions are directed towards the Chair.

### **1.1 CONFIRMATION OF AGENDA:**

#### **It was moved, seconded and carried that:**

The Board adds the following item to the Agenda:

- Under Unfinished business "to continue to seek a new logo for the College of Optometrists incorporating the current shield of the College of Optometrists."
- The Agenda was approved with the noted additions.

### **1.2 APPROVAL OF MINUTES:**

#### **It was moved that:**

The Board of the College approves the Minutes of the September 13, 2009 meeting as presented:

## **2. CORRESPONDENCE RECEIVED:**

### **It was moved and carried that:**

the Board of the College adopts correspondence received as submitted.

#### **2.1 Moved and carried that:**

the Board of the College will not donate funds for CEO reserve.

#### **2.2 Moved and carried that:**

Dr. M. Hurlbert and Stanka present a copy of their research regarding the foreign trained optometrists who passed the IOBP.

#### **2.3 It was moved and carried that:**

The board of the College invites Members of the HRO to our AGM.



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## **2.4 It was moved and carried that:**

The College legal council, Ms. Angie Westmacott reviews the recent Court decision on Coastal/Clearly Contacts.

## **2.5 Moved and carried that:**

Reply to correspondence received be included in Agenda.

## **Amendment to the motion:**

Reading file to be brought in for review.

## **It was moved and carried that:**

The Board of the College approves the motion with noted amendments.

## **3. REPORTS:**

### **Moved and carried that"**

All reports be adopted as presented.

## **4. FINANCIAL REVIEW:**

4.1 Income Statement

4.2 Balance Sheet

Moved and carried that the above be moved as submitted.

## **5. MOTIONS**

### **5.1 It was moved and carried that:**

the Board approves the appointment of Dr. Bart McRoberts as Deputy Registrar, as recommended by the Deputy Registrar Advisory group.

Dr. M. Dennis requested that vote be recorded.

Dr. M. Dennis voted against the motion.

Dr. G. Komarnicky, Dr. M. Hurlbert, Dr. M. Pozza, Dr. D. Dergousoff, Mr. T. Beasley, Mr. D. MacPherson, Ms. B. Buchanan voted in favour of the motion:

Dr. R. Counts abstained.

### **5.2 It was moved and carried that,**

the policy 7.8 from the September 13, 2009 meeting is amended to read that the Board of the College accepts the Registration Committee recommendations that it become the policy of the College to accept the NBEO as equivalent to the CSAO, as per Bylaw 50.

### **5.3 It was resolved:**

by the Board of the College to amend Section 73(1) of the Bylaws of the College of Optometrists of BC to be "Full Registrants, Academic and Non-Practicing Registrants must each year complete at least 20 hours of approved continuing education programs to the satisfaction of the registration committee

### **5.4 – Moved that:**

A Registrant who is not practicing in BC may only be registered in the Non Practicing Class  
Motion withdrawn

### **5.5 It was resolved:**



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by the Board of the College to replace the word "board" with "Registrar" in the Section 106(1), 106 (1)(c) and 106(2) of the Bylaws of the College of Optometrists of BC to be "

### **5.6 –It was resolved:**

That the Board of the College amends Schedule E of the Bylaws of the College of Optometrists to be "Late fee for registration renewal (section 63), \$500.

5.7 Moved and carried that,  
Motion of reinstatement of a registrant (in camera session) has been withdrawn; registration committee needs to make decision.

### **5.8 Moved and carried that,**

Applicants who are applying for initial registration or a change in registration class, that have been out of practice for more than three years or are currently registered as Non-Practising Registrants in BC, and are not currently registered in another Canadian Jurisdiction, must provide the Registrar with proof of completing a minimum of 750 practice hours within the 36 months immediately preceding their application in order to be eligible for registration.

### **5.9 Moved and carried that,**

Full Registrants of the College, who have graduated from a school of optometry listed in Schedule F of the Bylaws more than three years before their registration renewal date, must complete a minimum of 750 practice hours within the 36 months immediately preceding their application in order to be eligible for registration renewal. "

### **5.10 - RESOLVED THAT,**

In accordance with the authority established in section 19(1) of the *Health Professions Act*, and subject to filing with the Minister as required by section 19 of the *Health Professions Act*, the board amends the Bylaws of the College of Optometrists of BC as in the Schedule (20091206), as submitted.

### **5.11 It was moved and carried that:**

An IOBP applicant who comes from another jurisdiction where the profession is not regulated by a regulatory body must, in addition to sections 53(a), 54(a) and 55(1) of the Bylaws, must provide two reference letters from former employers, colleagues or professors.

### **5.12 - It was moved and carried that:**

Further to Bylaw 63(2):

- 1) A Registrant who does not intend to renew registration under Bylaw 63 must ensure that written notification is received by the Registrar on or before October 31.
- 2) Failure to notify the Registrar on or before October 31 will result in a \$500 penalty.
- 3) Failure to notify the Registrar on or before November 30 will result in a loss of good standing with the college and registration being revoked.

### **5.13 Moved that:**

That the Registration Committee be given the authority to waive fines normally issues in the registration and registration renewal process only if the committee finds just cause. These



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exceptions to the standard College bylaws must be presented and confirmed by the College board at the next College board meeting.

**Amendment to the motion:**

To strike "Registration Committee" and insert "Registrar"

**It was moved and carried that:**

The Board of the College approves the motion with noted amendments.

**5.14 Moved that,**

The Board approves the adoption of a revised Place of Practice Assessment checklist as recommended and approved by the QA Committee, for use in 2010.

**Amendment to the motion**

To strike "for use in 2010"

**It was moved and carried that:**

The Board of the College approves the motion with noted amendments.

**5.15 It was moved and carried that,**

The Board shall replace Section 10 of Part 3 of the Standards of Practice section of the Policies with the following sections:

- Consent: Except as provided by the Optometrists Regulation and Bylaw 93, registrants must only release personal patient information, including but not limited to a prescription, to a third party, with the express consent of the patient or patient representative as defined in Bylaw 85,
- Release of prescriptions: Registrants must only release copies of prescriptions to the patient, the patient representative, a registrant of a recognized optometry, opticianry or pharmacy college, a registered optometric corporation, a qualified medical practitioner, or other as defined in Bylaw 93,
- Release of examination records: Registrants must only release copies of examination records to the patient, the patient representative, a registrant of a recognized optometry college, a registered optometric corporation, a qualified medical practitioner, or other as defined in Bylaw 93. and
- renumbering subsequent sections as necessary.

**5.16 It was move and carried that,**

the Board of the College delete Bylaw 144.

**5.17 It was resolved that,**

the board of the College amends Bylaw 97(1)(a) of the College of Optometrists of BC to read: A registrant must ensure that records containing personal information are disposed of only by transferring the records with the consent of the patient, to another registrant of the College of Optometrists of British Columbia, a BC optometric corporation, an ophthalmologist registered with the College of Physicians and Surgeons of British Columbia, a hospital as defined in section 1 of the *Hospital Act*, or the Armed Forces of Canada."

**5.18 It was resolved that,**

the board of the College amends Bylaw 98 (2) **of the College of Optometrists of BC** pertaining to Registrant ceasing to practise. To strike the words "'or an ophthalmologist



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registered in British Columbia." and to add "a BC optometric corporation, an ophthalmologist registered with the College of Physicians and Surgeons of British Columbia, a hospital as defined in section 1 of the Hospital Act, or the Armed Forces of Canada."

### **5.19 It was resolved that,**

the board of the College amends Bylaw 98 (3) pertaining to Registrant ceasing to practise. To strike the words "or health care practitioner to whom the personal information may be transferred." and to add " a BC optometric corporation, an ophthalmologist registered with the College of Physicians and Surgeons of British Columbia, a hospital as defined in section 1 of the *Hospital Act*, or the Armed Forces of Canada."

### **6. UNFINISHED BUSINESS**

#### 6.1 Policy on conflict

Action:

- Mr. Beasley/Dr. Hurlbert to bring it back at the next meeting.

6.2 Dr. M. Hurlbert to continue to seek a new logo for the College of Optometrists incorporating the current shield of the College of Optometrists.

### **7. NEW BUSINESS**

Audit scheduled for January 4, 2009.

### **8. NEXT MEETING**

The College Board meeting scheduled for February 6, 2010 at 5:00pm.

The College AGM scheduled for February 7, 2010, 10:00am-12:30pm.

### **6. ADJOURNMENT**

The meeting was adjourned at 2:00pm.