



The EXAMINER

THE COLLEGE OF OPTOMETRISTS OF BC

AUGUST 2011

As per section 16 of the HPA, the duty and objects of the College at all times is to serve and protect the public and to exercise its powers and discharge its responsibilities under all enactments in the public interest.

VISION STATEMENT

The College of Optometrists of British Columbia is committed to serving and protecting the public interest by guiding the profession of optometry in British Columbia.

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MESSAGE FROM THE CHAIR

The College continues to be very busy and we have reached a new milestone in our short history under the Health Profession Act. The board is very pleased and excited to announce that as of July 1, 2011 Dr. Robin Simpson has been appointed the full time Registrar of the College of Optometrists of British Columbia. I would like to congratulate Dr. Simpson on this appointment. The Board is confident that the public, along with all registrants of the College, will be tremendously served by his dedication, hard work and enthusiasm. The Board has found Dr. Simpson to be a great asset to the College during his time as the Interim Registrar.

It would require pages in the newsletter to describe the work that goes on at the College office throughout the year. Just when one task is complete and there is time to catch our breath, the College office is faced with a new challenge. Having a Registrar in the office on a consistent basis has proven to be one of the best decisions our College Board has made. We have a bright future with Dr. Simpson as the head of the College.

We recently received an email from Mr. Beckett informing us of the stalemate that currently exists in the Ministry of Health, but the College will maintain ongoing dialogue as the need for adding anti-glaucoma agents to our formulary remains at the top of our priority list.

Recently, I was fortunate enough to attend the

Association of Regulatory Boards of Optometry (ARBO) meeting in Salt Lake City, Utah. One of the main areas of discussion surrounded continuing competency. We were informed that conventional continuing education has been proven not to be a strong and effective method of maintaining professional competency. We should accept that continuing competency must take on a new form and move away from solely being based on traditional continuing education. Fortunately, through our Quality Assurance Committee we have established other methods of learning, like Peer Circle Reviews, that are effective, and with our practitioner assessments we have means of ensuring that we are monitoring competency.

Another topic that was brought up involved board certification. Considering the comments around the room, most State Boards will not recognize board certification. Also the State Boards from Kentucky and Colorado were acknowledged for their expanded scopes of practice.

As I have in previous communication, I would like to acknowledge the work of the various committee chairs and their respective committees. Some committees have been quieter than others during the past few months but all committees continue to be effective in their roles within the College. The College is always interested in hearing from the registrants letting us know they are interested in serving as a committee member, so please contact Dr. Simpson and let him know if you are interested and have time to serve on a committee. Serving on a committee can be very rewarding in a number of ways.

The Board along with the support of the College office staff will continue to be dedicated to our mandate and serve to the best of our abilities. We understand that new regulatory challenges will arise but having a full time Registrar will allow us to improve and increase communication with all stakeholders and government.

If you have any questions or concerns, please contact the College office as we are always interested in hearing from you. Dr. Simpson has brought up some of the more common issues the College faces; it is important that you take time to understand these issues and the bylaws they fall under.

I hope everyone has had a safe and beautiful summer. Happily, Mother Nature has finally decided to cooperate and has provided us all with some summer weather.

Dr. Dale Dergousoff

MESSAGE FROM THE REGISTRAR**College Elections**

On December 14, 2010, all registrants were notified of the upcoming College Board election and College Annual General Meeting. Two positions on the College Board needed to be filled as the terms of Dr. Tanya Flood, who had served on the Board since the inception of the College and Dr. Mitra Mehin who had been appointed following Dr. Murray Hurlbert's resignation last year, were due to expire. The College recognizes and appreciates the contribution of Dr. Mehin, who continues to serve on the Registration Committee. Nominations closed January 14, 2011 with just two nominations received. Elected by acclamation were Dr. Tanya Flood, incumbent board member and Dr. Kevin Youck. The Board welcomed these two members to their position on April 15, 2011. In addition, Dr. Roger Gafur was appointed a Board member by motion of the Board on April 2, 2011 to fill the vacancy created when I resigned February 18, 2011 to assume the duties and responsibilities of Registrar in the interim. Dr. Gafur will serve until the next election in 2012.

Our College Board benefits greatly from the perspective and insight of its public members, who are untainted by our profession. One of our longest serving public members, Mr. Thomas Beasley, recently retired from the Board. Mr. Beasley worked tirelessly in any capacity which was requested of him. He has proved to be a great friend of our profession. We acknowledge his service with gratitude and wishing well in his future endeavors.

College Annual General Meeting (AGM)

The AGM of the College on April 17, 2011 at the Morris J. Wosk Centre for Dialogue was well attended. The College provided continuing education in association with the AGM. On Saturday, April 16 Dr. Blair B. Lonsberry and Dr. Fraser C. Horn presented "Interpretation of lab test results." On Sunday, April 17 registrants were offered the choice of attending a peer circle session organized by the Quality Assurance Committee or a lecture titled "The optometrist and the patient, what's ethics got to do with it" followed by an opportunity to find out what they didn't know by writing the Jurisprudence Exam.

Continuing Education (CE) Changes

Over the past years, tracking continuing education credits for our registrants has become cumbersome and a resource hungry task. As you are aware, all CE certificates have been returned for "Self-recording and Self-reporting." You will be required to do so for all future CE. The College recommends you consider OE Tracker. OE tracker is a program of ARBO, which will allow you to capture, store, review and report CE hours

simply and online. For more information please visit <http://www.arbo.org/>. Please refer to our website for up to date policies on CE self recording and reporting.

Acknowledgement

As your new Registrar, there are many I must acknowledge for their assistance as I assume the duties and responsibilities as head of your College. Our previous Registrars, Dr. Bart McRoberts, Dr. Lawrence MacAulay and Dr. Tom Adamack have been most generous with their time and advice which, I have found invaluable. I am indebted to our Chair, Dr. Dale Dergousoff and the Board of the College for their patience and support. Our College Counsel, Ms. Angie Westmacott, has freely helped me understand those issues I must, as Registrar. I would also like to take this opportunity to thank the many registrants who have offered their support. Lastly, our Chief Administrative Officer, Stanka Jovicevic and our Administrative Registration Assistant, Jela Vuksan have been steady supporters and have assiduously applied themselves to every task the College presents.

Dr. Robin Simpson

MESSAGE FROM THE INQUIRY CHAIR

The Inquiry Committee continues to function very efficiently according to the mandate required by the Health Professions Act. However, we could possibly reduce the number of complaints this committee deals with. I would urge all registrants to consider addressing some of the frequent causes of complaints that are referred to the Committee.

The number one cause of complaints is lack of appropriate communication with patients. This may be about an ocular condition that the patient has, the fees that are being charged to the patient or poor understanding of contact lens fitting fees. Please consider having your staff clearly explain contact lens fees and the difference between provision of contact lens services and spectacle prescriptions to patients when they ask about contact lenses. Many patients believe that their regular eye examination fee includes the provision of contact lens fitting data.

Also, please understand that you are now required to supply a PD when you provide a spectacle prescription.

Another frequent issue with the Inquiry Committee is missing ocular disease, due possibly to the lack of dilating where indicated. I urge you to review the dilation policy (Part 5 Section 4, Policies).

Dr. Lawrence MacAulay

Warning!**Mailing Address Home or Office?**

Registrants are reminded that communication from the College, including communication from the Inquiry Committee, is sent to the mailing address you have indicated on your profile. For example, in the interest of transparency all communication to you from the Inquiry Committee is shared with the complainant. You may wish to carefully consider whether to use a home address as a mailing address.

Orientation and Jurisprudence Exam

The first Orientation Session and Jurisprudence Examination event of 2011 was held on June 25 at the Metropolitan hotel. Forty-nine applicants attended the Orientation and forty-eight wrote the Jurisprudence Exam.

The social event that followed was well attended. The College wishes to thank those registrants who came to share their knowledge and experience of practise in British Columbia with the applicants.

CEO Donation

The Canadian Examiners in Optometry (CEO) has made a request to each regulatory body in Canada for ongoing funding in the amount of \$25 per registrant. At the June 27 Board meeting, the Board of the College approved a one time contribution in the amount of \$25 per practising registrant, as of January 1, 2011.

Practice Address and Change

Registrants are reminded Bylaws, s. 70 requires all registrants to *"immediately notify the registrar in writing of a change of address, name or other registration information previously provided to the registrar"* and s. 121 requires that all registrants *"must advise the College in writing of the address of each of their places of practice and must promptly advise the College of any change of address"*. If you leave, add or change practice locations you must inform the college immediately. This is most easily done by logging on to the website and updating your profile. As set out in Schedule E – fees, the College's Bylaws, there is a penalty of \$200 for not informing the registrar of changes in name, address or other registration information. This bylaw and penalty have been published in the past. Unfortunately, the College has been required to apply this penalty. Once a sanction has been applied fairness, the HPA and our bylaws require that it be applied consistently in all cases. Please, please be sure to update your registration information under your profile on the website.

Also note, if you do not provide your current practice address you will NOT be registered with PharmaNet.

Multiple Practice Locations

If you practise in multiple locations, you must be sure to update your profile on line for each location before you commence practising there. Furthermore, Certificate of Registration must be displayed at all times within each place of practice. Copies of your Certificate of Registration can be ordered from the College office for a cost of \$50.00.

Is Your Clinic Registered with the College?

The clinic name you intend to display at your practice must be registered with the College prior to being displayed. As you are aware, a place of practice must include in its name the word "optometrist" or a derivative of that word which conveys to the public that it is a place of practice (Bylaw s. 126). The College checks the submitted name for compliance with the Bylaws and Policies, and ensures that clinic names are sufficiently distinct to avoid confusion by the public. Your approved clinic name and address is then entered into our online register so that you (or your associates) can update your profile prior to practising at that location, as required by the Bylaws. If your displayed clinic name and location is not available from your online profile and you are practising there, your clinic name has not been approved and you are likely practising in violation of the Bylaws, s. 121. Please logon to the website and review your profile to ensure that all your practice locations and clinic names are properly listed. Remember, Bylaw s. 126(4) states: the name of a place of practice, together with the registrant's name and address must appear on the registrant's letterhead, prescription pads and electronic communications.

Registration Renewal

Your Registration Renewal package will be mailed before the end of September. Please ensure that you have updated your mailing address and have reviewed items in your profile which will require your attention before October 31, 2011 registration renewal deadline. To avoid frustration, renew your registration early and renew online.

THE COLLECTION OF THE BCAO GENERAL MAINTENANCE FUND FEES BY THE COLLEGE

The College has heard concerns from our registrants regarding this issue. At the College AGM, April 16, 2011 a motion was brought from the floor requiring the Board to review this decision. At the next Board meeting, April 17, 2011, that motion was presented and failed. However, the Board directed the Registrar to provide a summary of the reasons for the refusal of the Board at their May 24, 2009 meeting, to enter into an agreement with the BCAO to collect its maintenance fund fees.

In February 2009, the B CAO provided the College a draft agreement between the College and the B CAO, whereby the College would agree to collect General Maintenance Fund (GMF) fees as an agent for the B CAO. In compensation for this service the College was to be paid a flat administration fee of \$10,000 per annum by the B CAO, and was to have the right to retain interest accruing on the collected fees between the date of receipt and the date of payment to the B CAO. With this draft agreement in hand, the College sought a legal opinion on:

1. If the form content and wording of the draft agreement were satisfactory.

The advice to the College was that, as there was a very real possibility of a legal challenge arising from the Draft Agreement, or the Bylaws, or both, it is in the College's interest that any agreement it signs be very clearly drafted and that the agreement in hand was unclear in a number of areas.

2. If the legal effect of the bylaws, was to require a registrant to pay amounts collected under this agreement in order to remain in good standing with the College.

The opinion was that a registrant who refuses to pay the B CAO Fee is not, for that reason alone, 'not in good standing'.

Under the bylaws, a loss of good standing can only occur as a result of a disciplinary hearing, thus the Bylaws do not compel registrants to pay amounts the College may attempt to collect under any agreement it might conclude with the B CAO

3. What the consequences of the Bylaws and the proposed agreement would be should a health profession Association or similar organization other than the B CAO arise and seek to conclude agreements with the College under the bylaws.

The arguments and explanations were detailed and complex. They implied significant risk of legal challenge (the cost of which would be borne by the registrants). There were few short answers; however, Legal Counsel wrote: "The surest way to avoid legal challenges arising from (this matter) is not to conclude any agreements at all."

The College also obtained the opinion of their auditor concerning the GST issues which may have arose from the draft agreement with the B CAO.

The auditor's memo points out that the College is not GST registered; however, if the College collects the GMF fee (which is GST inclusive) for the B CAO it is jointly liable with the B CAO for the tax until the Association remits it.

The College also obtained an estimate of the feasibility and costs to use our Alinity software (which members use to renew their registration online and update their profile) to process the B CAO fees collected.

The response from Alinity was a qualified "no". They wrote: "...to build something like this would require a lot more analysis to find out the exact details, but you would be looking at 10's of thousands to accomplish this and it would take a great deal of commitment. We do not know all the rules and how this would work like we do registration, so we would be relying heavily on the College for what to build. Ongoing maintenance would increase for the College to support this module..."

BIRTHS

The College congratulates Dr. Leslie Epstein on the birth of her son Nathan, Dr. Jessy Manhas and Dr. Diane Spada on the birth of their daughter Jiva, and Dr. Anita Narang on the birth of her daughter Priya.

NEW REGISTRANTS OF OUR COLLEGE

The College welcomes the following registrants and wishes them long, happy and prosperous career in optometry and encourages them all to become involved in issues and challenges our profession faces:

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|-----------------------|------------------------|
| Dr. Grant Johnson | Dr. Anna-Jane Roy |
| Dr. Connie Chan | Dr. Mandeep Bains |
| Dr. Laura Langford | Dr. Boguslaw Switalski |
| Dr. Nicholas Catchuck | Dr. Thomas Bottoms |
| Dr. Peter Korpi | Dr. Loan Trieu |
| Dr. Leonard Koltun | Dr. Meghan Bantle |
| Dr. Ronald Lindberg | Dr. Averi Van Dam |
| Dr. Zahir Charania | Dr. Sabrina Jagpal |
| Dr. Priya Vohora | Dr. Sara Samii |
| Dr. Cameron McCrodan | Dr. Jolene Sun |
| Dr. Megan Polack | Dr. Sana Malik |
| Dr. Tamsyn Sitler | Dr. Alison She |
| Dr. Tyler Lowey | Dr. Sarah Wang |
| Dr. Bradley Macario | Dr. Ujjwal Bagga |
| Dr. Balraj Sharma | Dr. Winnie Ng |
| Dr. Jasdeep Bassra | Dr. Benjamin Itzkow |
| Dr. Kimberley Goods | Dr. Devon Huxtable |
| Dr. Amber Aspinall | Dr. Donald Sanford |
| Dr. Karen Lo | Dr. Jason Thompson |
| Dr. Carmen Lam | |

IN MEMORIAM

Dr. Eric L. Beauchamp

The College notes the untimely passing of Dr. Eric L. Beauchamp. Dr. Beauchamp graduated from Pacific University in 1976. He practised in both Nelson and Castlegar during his long and successful optometry career, also finding time to serve his profession and the public of this province as Chair and then Registrar of the Board of Examiners in Optometry. He was the personification of a really genuine individual. No matter what, Eric's demeanor was positive and happy – he always saw the humorous side of any situation. He was a great colleague, family man and a true friend to many.

Dr. Brian Ing

The College notes the untimely passing of Dr. Brian Ing, who graduated from University of Waterloo in 1986. Dr. Ing practiced in Ontario but he was a long time registrant of our College.

Dr. Walter Walman

The College notes the passing of Dr. Walter Walman. Dr. Walman was the son-in-law of pioneer optometrist J. Stanley Miller whose practice - Columbia Optical Company Ltd - was chartered in 1933. Dr. Walman had practiced in the rural reaches of BC including Princeton and the Queen Charlotte Islands but mostly in Vancouver until 1997 when he retired from partnership with Dr. Valarie Gunn and his associate Dr. Gerald Komarnicky. Always a strong proponent of optometry and life long learner, Dr. Walman was among the first optometrists to fit B&L soft lenses, the Permalens for extended wear and was the first optometrist to bring an auto-refractor to BC. He was also involved in the original clinical trials for the Alges Bifocal contact lens. Dr. Walman was a man of foresight and proclaimed in the 1980's that eventually all soft contact lenses would be single use lenses, that lasers would alter the ophthalmic landscape and that one day optometrists would prescribe as ophthalmologists do.

IMPORTANT DATES

- ***Next College Board Meeting:
Monday, October 3, 2011,
Metropolitan Hotel, Vancouver***
- ***October 31, 2011:
Registration renewal deadline***
- ***November 18, 2011:
Jurisprudence Exam and
Orientation Session followed by
social event for new applicants -
details to follow by separate
email invitation***

CLINIC NAMES

- ***If you have not already done so,
please ensure that your clinic
name is registered with the
College, ASAP.***

CONTACT INFORMATION

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