

# the EXAMINER

JULY 2009

*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.

## MESSAGE FROM THE CHAIR

Dr. Gerald S. Komarnicky

SINCE SEPTEMBER IT HAS BEEN AN EXCITING TIME TO serve as Chair of the Board. Having amicable conversations with government and stakeholders has allowed us to move forward with our new Bylaws and Regulations. As we moved into the New Year, we welcomed a new employee, moved to a new office and became a College under the Health Professions Act. I would like to thank everyone – the staff, the Registrar, past Chairs, past and present Board members as well as the many registrants who serve the Board in other capacities, for sharing their experience and providing guidance as I learn to steer this ship. Once a Board member always a Board member – it never leaves you.

The recent expansion in the scope of practice is a responsibility not to be taken lightly. Having gained the trust of government to have prescription authority came about through the political will to have change and through the work of many individuals. In the future, any changes to the scope of practice or the Standards, Limits and Conditions to practice will be through the Pharmaceutical Advisory Committee and the Board of the College.

As a board, we do not advocate for the profession, but for the public. One of the ways we serve the public is to respond to the complaints of professional conduct. You would be troubled to learn what the Registrar and Inquiry Committee deal with and how most of these concerns could be avoided with careful communication. I urge every registrant to carefully consider their actions and what is said to a patient so that there is no doubt

by the public that they are served professionally and fairly.

To ensure that the College's focus is fixed on maintaining the public interest, public members and public representatives sit with elected members from the profession. I am personally grateful for the excellent array of public persons who work with the Board and its committees. We are, however, sorry to see Mr. Al Jina resign from the Board but welcome Ms. Barbara Buchanan as our new public member to the Board of the College.

The current members of the Board will continue to serve by appointment from the Minister of Health until the first elections of the College are called by the Registrar.

Registrants should soon find an increase in the College's administrative efficiency by having on-line services for registration renewal and CE credit control. Getting the College office to be automated has been an intense effort led by our Chief Administrative Officer, Stanka Jovicevic, in conjunction with her team and Allinity Software. Although this short term cost is great, the long term benefits to the College and its Registrants will be quickly realised.

Serving the College is time consuming, energy expensive and at times all encompassing, however, it is enjoyable. I am fortunate to serve as Chair when I am surrounded by so many good and capable people.

All College meetings are open for both registrants and the public for their observation. Please see the College web page for the posting of the meeting dates and location.

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## REGISTRAR'S REPORT

Dr. Lawrence MacAulay

Well, we finally made it! Hooray! We worked so long and hard to achieve the privilege of writing therapeutic prescriptions that it's hard to believe we are now there. So much has happened in the last year in the Board office and now the College office, that it is all still a "blur". However, with the new Regulation and Bylaws there are many changes that affect our practices.

The new College of Optometrists of BC is certainly a welcomed transformation by me as the new legislation within it makes the regulation of optometry much clearer to deal with for both the College and the registrants. There are many new changes to be aware of, so please ensure that you take a few evenings to peruse the *Optometrists Regulation* and the *Bylaws of the College of Optometrists*, both of which are available to view or print on the website. Some important changes that I wanted to point out to you include:

**1. Registration Renewal:** Under the Board, our annual licence renewal was due on November 30 for the following year and our CE credits were due on December 31 for the following year. We no longer have "licences", and you will now be renewing your registration with the College annually [see Bylaw 63 (1) and (2)]. **Please note that your registration renewal, and all the requirements that go with the renewal such as CE (see Bylaw 73), are due on October 31 for the following year.** If you have not renewed by that time, you will be assessed a late fee (see schedule E). **If you have not renewed by November 30, you will cease to be registered.** The College has no choice under the new Bylaws if you have not complied with this deadline [see Bylaw 63 (2) (3) and (6)].

**2. Continuing Education:** We recently sent out a letter to registrants with a list of the pre-approved providers of CE along with a new submission form. Within that letter is the current number of CE hours that you have with the College. Please note that we cannot accept any CE submissions that are not accompanied by a CE submission form. None of the providers submit your CE for you, and **you must submit them yourself** in order to receive credits.

**3. Corporation Permit Renewals:** These are due for renewal on December 31 for the following year. I

am pleased to report that you will no longer need to submit your annual reports in order to renew. However, please be aware that you must inform the College immediately of any changes to your corporation's company name, directors, officers, voting shareholders, and non-voting shareholders. We are considering changing this renewal date to October 31, so please stay tuned for any changes. If it does change, we'll be notifying you in a personally addressed letter to that effect.

**4. Certificates of Registration:** Most of us have large certificates of Registration with the Board of Examiners in Optometry. You are only required by the College to have one certificate of registration in any office(s) that you practise in. The College will be supplying you with a new small certificate of registration with the College (at no charge) which will replace your previous annual licence certificate. This will be supplied to you at renewal time this fall. If you wish to replace your large (Board of Examiners) certificate of registration with a College certificate of registration, we will supply that to you, but there is a charge of \$100. It is only required to have one certificate of registration (either small or large size) in each place that you practice.

### LIABILITY INSURANCE

Registrants are reminded that they must obtain professional liability insurance for themselves and their employees for \$2,000,000. per occurrence as per Bylaws 61, 63, 53 and 54. You will be asked to confirm that on your renewal form in October.

Also, Optometric Corporations are required to obtain \$2,000,000. per occurrence for the corporation and each of its employees, as per Bylaw 106.

## COMMITTEE REPORTS

The HPA requires that the College have six committees to fulfill its duties in serving the public interest. Please see the list of committees below, their mandates, those who serve on the committees and the activities of the committees. The College has an open door policy and welcomes volunteers to serve on committees when vacancies arrive.

### PHARMACEUTICAL ADVISORY COMMITTEE (PAC)

**Committee Chair:** Dr. Gerald S. Komarnicky

(cont.)

**Committee Mandate:** As per Bylaw 20, the PAC recommends Standards, Limits and Conditions (SLCs) on the prescribing, dispensing and administering of TPAs by registrants in accordance with the regulations and bylaws. This committee may also consult with others who have expertise relevant to the prescribing of TPAs.

**Committee Members:**

Registrants: Dr. Murray Hurlbert, Dr. Lawrence MacAulay, Dr. Bart McRoberts

Physician: Dr. Simon Holland (Corneal sub-specialist)

Pharmacist: Ms. Stephanie Lemon

Government Appointee: Dr. Glenda MacDonald (Pharmacist)

**Accomplishments since March 1, 2009:** The Committee has recommended and the Board has approved the SLCs as they are found on the College website. These SLCs are a dynamic list subject to change and the most stringent SLCs for optometrists in any jurisdiction in North America. If it were not for the development and implementation of this list by the College PAC, registrants in BC would not have the authority to prescribe topical corticosteroids.

**Committee Plans:** The PAC will be reviewing the scope of practice for optometrists in BC and other jurisdictions and determine which, if any, other classifications of pharmaceuticals should be prescribed by registrants for the public interest.

**REGISTRATION COMMITTEE**

**Committee Chair:** Dr. Mario Pozza

**Committee Mandate:** The Registration Committee was created under the direction of the Health Profession Act and Section 17 (1) (a) of the Bylaws of the College (Sections 50 to 70 and for corporations Sections 106 to 110). This committee is responsible for setting the guidelines for application of new registrants to the Province, professional corporations, different classes of registrants and the annual renewal of all these entities. The Registration Committee creates policies to allow for the protection of the public and equity of treatment of any potential and existing applicants in registration and registration matters. This committee also reviews and recommends solutions to problems arising from any of the registration activities.

**Committee Members:**

Registrants: Dr Rebecca Counts, Dr. Murray Hurlbert

Ex-Officio Members: Dr. Gerald S. Komarnicky, Dr. Lawrence MacAulay

Public Member: Mr. David MacPherson

Public Representative: Mr. Jeff Larcombe

Staff Member: Mrs. Stanka Jovicevic

**Accomplishments since March 1, 2009:** With the transition to a College and the increase in scope to our profession in this province, the work being done by the staff at the College office has been enormous. I extend a heart felt thank you to the staff from our committee and, I'm sure, all the registrants of this College.

Important notes to all registrants who are TPA certified and wish to use that privilege. You may only prescribe if you are properly registered with Pharmanet. This means you must be properly registered with the College.

College registration requires that you have properly filled out the application for TPA licensure (Full A licensure). This includes your NAME, CURRENT PRACTICE LOCATION AND A CURRENT FAX NUMBER. It is your responsibility to inform the College should any of these specific items change to maintain your status. A failure to do so will result in not having your prescriptions filled by pharmacies.

Currently there are 448 Full A (TPA certified) practitioners registered with PharmaNet, 39 Full A who are out of province and not registered with PharmaNet, 48 Full B practitioners in BC and 25 Full B out of BC. We have had 4 new Optometric Corporations since February of 2009.

There were 39 applicants registered to take the Jurisprudence exam in June of this year. 7 of those are practicing O.D.s from other areas and 32 are newly graduated O.D.s.

**Registration Update:** The following optometrists did not renew their registration:

Dr. Jonathan Block (Deceased)

Dr. Vicky Chiu

Dr. Matthew Craig

Dr. Cheryl Croft

Dr. Howard Dolman

Dr. Kimberly Dolman

Dr. G. Rix Graham (Retired)

Dr. Mahmood Gulamhusein

Dr. Anais Lam

Dr. Amy Manchanda

Dr. Ryan Thomas Quinn

(cont.)

**REGISTRATION COMMITTEE (cont.)**

- Dr. Stephane C. Rodrigue
- Dr. Eva Yee Wai So
- Dr. Scott Stevenson
- Dr. Heing Taing
- Dr. Erick Versterback
- Dr. Kar-lit Wong

The following optometrists have been deregistered:

- Dr. Catherine Cheung
- Dr. Mellisa Hudell
- Dr. C. Lisa Prokopich

The College would like to welcome the following Optometrists to the province since the last issue of the Examiner:

- Dr. Bernard Kim
- Dr. Harjit K. Purewal
- Dr. Sameh Boules
- Dr. Clark Chang

I would encourage all registrants to ensure that they have all the requirements for renewal of their registration in on time. That includes the annual report form, fees (dues, debts or levies), all the quality assurance requirements (CE, CPR, criminal records check authorization when due) and proof of professional liability insurance. It is far more complicated and costly to submit these items after the due date and potentially may be grounds for de-registration.

**Committee Plans:** The Committee will continue to review registration issues and try to come up with solutions to problems that arise to make registration and renewal of registration easy and fair for registrants while protecting the public.

**Professional Optometric Corporations:** There will be some changes in the requirements for reporting coming soon that should simplify the process. For those with a Corporation, however, please be clearly aware that Corporate Renewals must be done, i.e. paid in full, by the stated year end (currently December 31) or your Corporation registration will not be renewed. This will result in you losing your “good standing” with your Optometric Corporation and you will not be allowed to carry out business under that Corporation. Re-application after the deadline is \$500, whereas the renewal prior to the deadline is \$200 with much less paperwork.

**INQUIRY COMMITTEE (IC)**

**Committee Chair:** Dr. Dale Dergousoff

**Committee Mandate:** The Inquiry Committee has a mandatory duty to investigate complaints filed against Registrants and to determine what the appropriate disposition of the complaint should be ranging, from taking no further action to directing the Registrar to issue a citation for a discipline hearing. The Inquiry Committee may also initiate its own investigations under Section 32(4) of the Act and has, in certain circumstances, the duty to investigate reports made under the statutory reporting provisions that apply to all professionals under the *Health Professions Act*. The Inquiry Committee must discharge its duties in a fair, independent and objective manner.

**Committee Members:**

- Registrants: Dr. Sally Donaldson, Dr. Nina Gill
- Ex-Officio Members: Dr. Gerald S. Komarnicky, Dr. Lawrence MacAulay
- Public Member: Ms. Barbara Buchanan
- Public Representative: Mr. Brian Newlands
- Attorney: Ms. Angela R. Westmacott
- Staff Member: Mrs. Stanka Jovicevic

**Accomplishments since March 1, 2009:** On April 1, 2009 the first Inquiry Committee meeting of the College of Optometrists was held at the College’s office. The Inquiry Committee considered ten cases that were transferred from the previous Discipline Committee of the Board of Examiners to the College’s Inquiry Committee, in addition to the new complaints that had been filed. There have been seven new complaints since the establishment of the Inquiry Committee.

**Committee Plans:** The IC will be meeting every six to eight weeks to review new complaints, proceed with the investigation of existing complaints, and to make decisions regarding the disposition of complaints under Section 33(6) in a fair and timely manner.

**Fine/Reprimand:** In 2008, the Board of Examiners in Optometry found Dr. G. Danielson, Coquitlam, BC to be in violation of Rules 29 (b) and (c) and 38 for failure to perform a dilated fundus examination when required. The violation resulted in a formal reprimand and a total penalty of \$3,500. In addition, Dr. Danielson was required to perform a minimum of five continuing education hours involving the retina.

## DISCIPLINE COMMITTEE

**Committee Chair:** Dr. Michael Dennis

**Committee Mandate:** Section 19 (1.92) of the HPA requires that the College of Optometry have a bylaw mandating a Discipline Committee. Bylaw 17(1) of the College of Optometry bylaws creates the Discipline committee. Part 3 of the HPA and bylaws 75 to 84 highlight the powers of the Inquiry and Discipline Committee.

### Committee Members:

Registrants: Dr. Jeffrey Mann, Dr. Mario Pozza  
Ex-Officio Members: Dr. Gerald S. Komarnicky, Dr. Lawrence MacAulay  
Public Member: Mr. David MacPherson  
Public Representative: Mr. William Archibald

**Accomplishments since March 1, 2009:** Dr. Dennis, Dr. Komarnicky and Stanka attended a weekend workshop on how to run a discipline hearing. Dr. Dennis also attended the Administrative Justice for Decision Makers course in March 2009. The Committee has not received any referrals from the Inquiry Committee to this date.

## QUALITY ASSURANCE COMMITTEE

**Committee Chair:** Dr. Rebecca Counts

**Committee Mandate:** As described in the College Bylaws Section 18 (and empowered by the Health Professions Act Section 26.1), the QAC is responsible for a) reviewing standards of practice to enhance the quality of optometric practice, b) administering a QA programme to promote high standards of practice, c) assessing the professional performance of registrants, d) recommending mandatory continuing education standards to the Board, e) assessing the clinical ability of registrants, f) establishing remedial procedures to assist registrants in identifying and correcting deficiencies, and g) ensuring that the management conditions of Optometric Corporations are in compliance with the Act, the Bylaws, and regulations.

### Committee Members:

Registrants: Dr. Murray Hurlbert, Dr. Tanya Flood, Dr. Brad McDougall, Dr. Katherine Pratt  
Ex-Officio Members: Dr. Gerald S. Komarnicky, Dr. Lawrence MacAulay  
Non-Voting Registrant Contributors: Dr. Brian Allan, Dr. Alan Boyco, Dr. Stephanie Brooks, Dr. Brenda Horner,

Dr. Jaspaul Manhas, Dr. Louise Myshak, Dr. Jessica Ng, Dr. Susan Seibold, Dr. Cynthia Willis  
Public Member: Ms. Barbara Buchanan  
Public Representative: Mr. David Christie

**Accomplishments since March 1, 2009:** The initial set of on-site Practice Assessments have been completed and the results collated for consideration by the QA Committee at its upcoming June 19 inaugural meeting.

**Committee Plans:** The QA Committee will be reviewing our current requirements and evaluation tools (CE, Practice Assessments, Peer Circles, ICLO examination) with reference to current research and QA programmes and practices used in other health professions and jurisdictions. Our goal is to develop a program that is efficient, responsive to the diverse needs and learning styles of registrants, promotes best practices and current skill and knowledge development, and is cost-effective.

## PATIENT RELATIONS COMMITTEE

**Committee Chair:** Mr. Thomas F. Beasley

**Committee Mandate:** As per Bylaw 19, the Patient Relations Committee is responsible for establishing and maintaining procedures by which the College deals with complaints of professional misconduct, including those of a sexual nature, and monitoring and periodically evaluating these procedures.

### Committee Members:

Registrants: Dr. Joan Hansen, Dr. Murray Hurlbert, Dr. Sherman Olson  
Ex-Officio Members: Dr. Gerald S. Komarnicky, Dr. Lawrence MacAulay  
Public Member: Ms. Barbara Buchanan  
Public Representative: Mr. John Corbett

**Committee Plans:** To develop and recommend guidelines for the conduct of registrants with their patients and to make available to the public the information and procedures regarding the College's complaint and disciplinary process.

## BYLAW 144 - AGREEMENT TO COLLECT FEES FOR THE BCAO

Bylaw 144 in the College Bylaws allows for the College to collect fees for an association provided that the Board of the College and the Association execute a written agreement to this effect.

The Board of the College considered this bylaw in December and struck a workgroup to review the proposed draft of an agreement for the collection of fees for the BCAO. An agreement proposal was brought before the Board of the College on May 24, 2009 for its consideration.

The motion to approve the agreement to collect fees for the BCAO was defeated and as a result, the College will not be collecting fees for the BCAO.

## EXAMINER DISTRIBUTION

Dr. Murray Hurlbert, Newsletter Editor

As you are likely aware, our transition from the Board of Optometry to the College has involved a large increase in the number and the expenses of committees, as mandated under the Health Professions Act. With an eye to reducing our costs, this will be the last print version of the Examiner. This copy has also been emailed to you. If you did not receive it via email, please contact the College office with your preferred email address.

JULY 2009

## IMPORTANT REMINDER

The registration fee for 2010 will be \$1,300. and is due on October 31, 2009

### Board of the College

#### ELECTED MEMBERS:

Dr. Gerald S. Komarnicky, Vancouver  
Dr. Dale Dergousoff, Prince George  
Dr. Mario Pozza, Kamloops  
Dr. Rebecca Counts, Terrace  
Dr. Michael Dennis, Prince George  
Dr. Murray Hurlbert, Maple Ridge

#### PUBLIC MEMBERS:

Mr. Thomas F. Beasley, Vancouver  
Mr. David MacPherson, Victoria  
Ms. Barbara Buchanan, Burnaby

#### REGISTRAR:

Dr. Lawrence MacAulay

#### CAO/ASSISTANT TO THE REGISTRAR:

Stanka Jovicevic

#### ADMINISTRATIVE ASSISTANT:

Amanda Eggins

#### OFFICE ASSISTANT/ACCOUNTANT:

Jela Vuksan

## CONTACT INFORMATION

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