



**REGULATORY BYLAWS
OF
THE SASKATCHEWAN COLLEGE OF OPTICIANS**

This Regulatory bylaw is made pursuant to The Opticians Act. All previous Regulatory bylaw (s) of the Saskatchewan College of Opticians are hereby repealed and replaced.

(LAST AMENDED BY THE COUNCIL ON JULY 09, 2024)



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1. INTERPRETATION

(i) Definitions

In these bylaws, the following terms shall have the following meanings:

- a. **“Act”** means “The Opticians Act.”
- b. **“Board of Examiners”** shall be appointed by the Quality Assurance Committee (as defined in subsection 1(h)) and shall be responsible for overseeing all licensing examinations administered by the National Alliance of Canadian Optician Regulators (NACOR).
- c. **“College”** means the Saskatchewan College of Opticians (SCO).
- d. **“Contact Lenses”** means lenses that are placed directly onto the cornea of the eye, including both corrective and non-corrective contact lenses.
- e. **“Contact lens Practitioner”** means a Licenced Optician who has a certificate of advanced practice qualification to fit and dispense contact lenses.
- f. **“Continuing Competence Program”** means a program for assessing the competence of Registrants-in accordance with the Act and Standards of Practice.
- g. **“Member in Good standing”** means a member registered with the College, demonstrating competence and proficiency in their practice and has not been suspended, terminated, disqualified or prohibited from practicing nor subjected to any conditions or limitations from disciplinary action in relation to their ability to practice.
- h. **“NACOR”** means National Alliance of Canadian Optician Regulators, including its Sub-Committee.
- i. **“Quality Assurance Chair or Committee”** means a person or committee elected by the Council to oversee the continuing educational programs and competency requirements of the College as well as approve programs of study and education courses.
- j. **“Ophthalmologist”** means a person legally qualified to practice as a physician under *The Medical Profession Act* and recognized as a specialist in ophthalmology by the College of Physicians and Surgeons of Saskatchewan.
- k. **“Optometrist”** means a person registered and in good standing under The Optometry Act 1985;
- l. **“Ophthalmic and Opticianry Practices”** means the providing of ophthalmic appliances and opticianry practices in accordance with section 15 of these bylaws, including but not limited to designing an ophthalmic appliance to a patient's specific needs or requirement within the numerical confines of a prescription issued by a qualified prescriber, preparing, fitting and adjusting of ophthalmic appliances; the measuring necessary to derive the specifications of the prescribed corrective lenses, the verifying of corrective lenses and the providing of follow up care.



- m. “**Ophthalmic appliance**” means any appliance used for the visual aid or correction of ocular anomalies, including artificial eyes;
- n. “**Optician**” means a Licenced member of the College who is qualified and authorized to practise optical dispensing;
- o. “**Prescription**” means a written record of the power of a lens necessary to correct the refractive error of a person’s eye, the reading adds, prisms, and back vertex distance;
- p. “**PLAR**” means Prior Learning Assessment and Recognition of opticianry;
- q. “**Policy**” means any College policies established and approved by the Council;
- r. “**Qualified prescriber**” means, an optometrist, ophthalmologist, or other legally qualified medical practitioner qualified to issue a prescription under these bylaws;
- s. “**Register**” means the register kept pursuant to section 19 of the Opticians Act;
- t. “**Standards of Practice**” means the standards of practice adopted by the College pursuant to the Act, consistent with the guidelines and bylaws herein as amended from time to time by the College;
- u. “**Special Meeting**” means for the purposes of clause 7(2)(b) of the Act, the number of members who may demand that a meeting of members be held is the number equal to 10% of the total number of all practising members;
- v. “**Student**” means a person registered in a program recognized by the council to obtain a certificate of Optician or Contact Lens Practitioner;
- w. “**Verify**” means to ensure the accuracy of the ophthalmic appliance against the prescription.

(ii) Rules of Interpretation:

In these bylaws:

- a. unless the context requires otherwise, terms used in these bylaws but not otherwise defined have the definitions provided in the Act.
- b. unless otherwise indicated, all references in these bylaws to any statute include the regulations thereunder and all applicable guidelines, practice notices, or policies made in connection therewith and which are legally binding, in each case as amended, reenacted, consolidated or replaced from time to time and in the case of any such amendment, re-enactment, consolidation or replacement, reference herein to a particular provision shall be read as referring to such amended, reenacted, consolidated or replaced provision.



2. MEMBERSHIPS

Categories, Eligibility and Privileges of Membership

There shall be the following categories of membership:

- (1) Practising Members;
- (2) Non-Practising Members;
- (3) Student Members;
- (4) Temporary Practising Members and;
- (5) Restricted Practising Members

(1) *Practising Member*

- a) A person is entitled to be registered as a practising member if the person:
 - i. is eligible to receive a full or restricted Licence in accordance with section 3 of these bylaws.
 - ii. Complete the prescribed forms and submit the fees set by the College.
 - iii. meet the English language requirement as defined in policies implemented by the Council;
 - iv. submits proof of professional liability insurance for the full Licence term.
 - v. meets the requirements of continuing education by means of completing a continuing competency program as determined by the Council.
- b) Practising members may:
 - i. practice in accordance with the full or restricted Licence issued to the member;
 - ii. vote at all annual or special meetings of the College.
 - iii. be elected to Council, be appointed to college committees, or nominate a member for Council.
 - iv. receive the publications of the College; and
 - v. use the title “Optician,” “Ophthalmic Dispenser,” “Contact Lens Technician,” or “Contact Lens Practitioner.”

(2) *Non-Practising Member*

- a) A person is eligible to be registered as a non-practising member if the person:
 - i. is eligible for initial registration as a member but voluntarily chooses not to practice as a member in Saskatchewan.
 - ii. is not currently practising in Saskatchewan; and
 - iii. completes the prescribed forms and submits the fees prescribed by the College.
- b) A person may remain a non-practising member for a period of three (3) years before membership is reviewed or renewed, subject to the approval of the Council.



- c) Non-Practising Members may:
 - i. attend all annual or special meetings of the College but cannot vote; and
 - ii. receive the publications of the College.

(3) ***Student Members***

- (1) A person is eligible to be registered as a student member if that person:
 - a) is eligible to receive a restricted member's licence in accordance with Section 12 of these bylaws.
 - b) completes the prescribed forms and submits the fees set by the College; and
 - c) work under the direct supervision of a Licenced Optician or Licenced Contact Lens Practitioner or Optometrist until they complete their registered course of study.

(2) Student members may:

- a) practice in accordance with the restricted student Licence issued to the member;
- b) attend annual or special meetings of the College but not vote;
- c) receive the publications of the College; and
- d) use the title "Student Optician," "Student Ophthalmic Dispenser," "Student Contact Lens Technician," or "Student Contact Lens Practitioner."

(4) ***Temporary Practising Members***

- (1) Temporary practising membership in the College, for a specified purpose approved by the Council, is available to a person who is an optician or contact lens practitioner in good standing registered with another optician regulatory body in Canada, on the condition that the person remains registered with that other regulatory body and complies with the requirements for membership set out in section 3 (4) of these bylaws.
- (2) Temporary practising membership entitles a person to the following privileges:
 - a) subject to obtaining a full practising Licence in accordance with these bylaws to practice opticianry in Saskatchewan as a member in accordance with the restrictions imposed and for the period of time specified on that Licence;
 - b) to use the title "Optician," "Ophthalmic Dispenser", or "Contact Lens Practitioner" or "Contact Lens Technician where applicable;
 - c) to have a voice, but no vote, at the meetings of the College;
 - d) to receive copies of the College's documents appropriate for distribution;
 - e) to receive the publications of the College; and
 - f) transfer their licence to permanent practising after fulfilling the requirement set out in section 3 of Registration and Licensing of these bylaws.



(5) Restricted Practising Members

A member may be issued a restricted licence subject to fulfillment of the following conditions:

- a) agrees to practice under the supervision of a licensed optician and/or licensed contact lens practitioner and completes all requirements in section 2(5) of these bylaws.
- b) provides evidence satisfactory to the registrar that the student or member has successfully completed the required education program;
- c) must work under the direct supervision of a Licenced Optician or Licenced Contact Lens Practitioner until they successfully challenge the NACOR examination.
- d) completes the prescribed forms and submits the fees set by the College.
- e) submits proof of professional liability insurance for the full licence term and
- f) submits a report of criminal background check.
- g) Application for registration as a restricted member must be made within fourteen days after the applicant has graduated from an accredited eyeglass or contact lens optical program in order to continue to practice under supervision or to be eligible to sit the NACOR examination but under extenuating circumstances, the Registrar may extend this time limit according to the terms and conditions approved by Council.

3. REGISTRATION AND LICENSING

Procedure Governing for Registration and Licensure

(1) A person may be registered as a member and granted a licence to practice where they:

- a) complete the form prescribed by the College;
- b) provide two-character references supporting good moral character;
- c) pays the fees prescribed in the Administrative bylaws;
- d) have successfully completed a course in optical sciences or other ophthalmic/opticianry programs that have been accredited by Accreditation Canada and recognized by the Council or educational program deemed equivalent by the Council; and
- e) have passed the NACOR licensing examination or equivalent as recognized by the Council as set in paragraphs (i) to (vi):
 - i. anatomy of the eye;
 - ii. visual disorders;
 - iii. terminology and definitions in ophthalmic and opticianry services;
 - iv. the use of lenses;
 - v. identification and correction of visual disorders; and
 - vi. the practical aspects of ophthalmic and opticianry services.
- f) where a member has failed to pass the licensing exam after three attempts within a three-year period, the member may be granted an additional attempt at the examination if a request and upgrading proposal is submitted to the Council. If the fourth attempt is unsuccessful, the



- member will be instructed to repeat the optical sciences or other ophthalmic/opticianry programs.
- (2) Notwithstanding section 3 (4) of these bylaws, the Council may register a person as a member who has been registered with the regulatory body of opticians in any jurisdiction of Canada if that person can:
- a) provide evidence that the applicant is a member in good standing;
 - b) meet the English language requirement as defined in policies implemented by the Council;
 - c) complete the prescribed forms and submit the applicable fees prescribed in the administrative bylaws;
 - d) submit a report of a criminal background check; and
 - e) submit proof of professional liability insurance pursuant to section 5 of these bylaws.
- (3) A person may be registered as a member and granted a restricted licence if they meet the requirements of section 20(3) of the Act and provide evidence of good standing
- (4) A person who is registered in other jurisdictions and wishes to practice in Saskatchewan as a temporary member may be registered as a member where they have completed the form prescribed by the Council, submits the liability insurance as per section 5 of these bylaws, provides a letter of good standing, submits a report of criminal background check and forwarded it with the fees prescribed in the administrative bylaws to the College.
- (5) A person who has completed an ophthalmic dispensing or ophthalmic/opticianry program that is not recognized by the Council and who is not registered with a regulatory body of opticians in any jurisdiction in Canada may be registered as a member and granted a licence to practice if they can provide evidence to the Council that they:
- a) meet the English language requirement as defined in policies implemented by the Council.
 - b) submit educational completion certificate from the opticianry program.
 - c) completes the prescribed forms and submits the applicable fees prescribed in the administrative bylaws.
 - d) has successfully completed PLAR.
 - e) provide a letter of good standing from the existing College and
 - f) submits a report of a criminal background check.
- (6) An applicant (s) may be considered for a PLAR if they:
- a) have graduated from an ophthalmic dispensing or ophthalmic/opticianry program in Canada, and have experience and training in opticianry; or
 - b) have graduated from an ophthalmic dispensing or ophthalmic/opticianry program outside of Canada and

- i. is Licenced or registered to dispense eyeglasses, contact lenses and subnormal vision devices in a jurisdiction outside of Canada and is in good standing with the licensing or registering body of that jurisdiction or
 - ii. is engaged in the practice of dispensing eyeglasses, contact lenses and subnormal vision devices in a jurisdiction outside of Canada in which no licence or certificate of registration is required to do so and is in good standing with a professional association in that jurisdiction which requires compliance with professional standards; AND
 - iii. have received a passing mark in each section of the institution's examinations or has successfully completed examinations which are deemed equivalent to the institution's exams of the applicant's governing body in their home country.
- 7 In addition to the requirements specified in section 3 (1) of Registration and Licensing, a person who is registered as a non-practising member, or equivalent, with another Canadian Optician regulatory authority may be registered as a non-practising member subject to:

(1) receipt by the Registrar of:

- (i) a certificate, letter or other satisfactory evidence from the Optician regulatory authority in the provinces or territory in which the applicant is currently registered, confirming or disclosing:
 - a) that the applicant is a non-practising member, or equivalent, in good standing.
 - b) any complaints, disciplinary, or criminal proceedings relating to the applicant's competency, conduct, or character; and
 - c) whether the applicant has been convicted of an offence against any legislation affecting the practice of opticianry.
- ii) an original valid passport or Canadian government-issued photo identification or certified true copies of the same; and
- iii) satisfactory evidence of meeting the language proficiency requirements approved by the Council.

4. LICENCE PHOTO IDENTITY REQUIREMENTS

Every member, including students, shall, when requested by the College, provide the Registrar with:

- 1) a Canadian government-issued valid photo identification document.
- 2) presentable photograph suitable for copying in a digital format and size and type as specified by the College.

5. LIABILITY INSURANCE

Every member shall provide proof of professional liability insurance of a minimum of \$ 1,000,000 (one million dollars) in a form satisfactory to the registrar before a Licence to practice or restricted Licence to practice is issued. An Optician shall always maintain such insurance while they are licensed in Saskatchewan.



6. LICENSING RENEWAL REQUIREMENTS

- (1) During the period commencing at least 60 days prior to April 1 of each year, the registrar shall give each member notice either in writing through mail or electronic email, addressed to the members at their most recent addresses stated in the register or database, that their Licence will expire unless renewed:
 - a) on or before April 1st of each year.
 - b) in the form prescribed by the Council and
 - c) forwarded to the registrar with the prescribed fee set out in the administrative bylaws.
- (2) to obtain the renewal of their practising members' Licences, all applicants shall produce evidence that in the preceding three years, they have completed all applicable requirements of the quality assurance program approved by the College and through the continuing competency program.
- (3) to obtain the renewal of their Contact Lens Practitioner Licence, all applicants shall produce evidence that in the preceding three years they have completed the quality assurance program as approved by the College and through the continuing competency program.
- (4) The College may design the Continuing Competency Program (CCP); the members must complete the program to continue the renewal. The College may prescribe a Continuing Competency Program (CCP) administered by the Quality Assurance Committee in accordance with criteria and guidelines established by the committee and published from time to time.
- (5) The Council may, at its discretion, defer the requirements set out in subsection 6(2) and 6(3) of these bylaws for the following reasons:
 - a) illness;
 - b) personal or family related matters that would have prohibited the member from fulfilling the requirements;
 - c) accident; or
 - d) on assurance from the member that the missing credits will be completed during the current Licence year for which the member is applying.
- (6) Any person who has not practiced as a practising optician or contact lens practitioner for a period of three years or more shall:
 - a) work under the supervision of any person that the Council may designate for a period to be determined by the Council and, upon completion, obtain a written statement from the designated supervisor endorsing the competence of the person being supervised; or
 - b) complete a bridging course and pass any examination the Council may approve.



7. NOTICE OF EXPIRATION OF LICENCE

Where a member fails to pay the fee prescribed by the administrative bylaws, the registrar shall notify that member, by registered mail or electronic email to their most recent addresses stated in the register, that their Licence and membership with the College have expired and non-payment of Licence fees may result in removal of name from the register.

8. QUALIFICATIONS OF CONTACT LENS PRACTITIONER

(1) A person may be registered as a contact lens practitioner where that person completes the application form prescribed by the Council, submits a report of criminal background check, and meets the requirements set out in section 3 of Registration and Licensing of these bylaws.

(a) has passed the NACOR contact lens licensing examination or its equivalent as recognized by the Council in:

- i. anatomy of the eye.
- ii. visual disorders.
- iii. terminology and definitions in ophthalmic and opticianry practices.
- iv. the use of lenses.
- v. identification and correction of visual disorders.
- vi. the practical aspects of ophthalmic and opticianry practices; and

(2) has successfully completed a course in optical sciences or other ophthalmic/opticianry programs that have been accredited by Accreditation Canada and recognized by the Council or educational program deemed equivalent by the Council.

9. LICENCE AS A CONTACT LENS PRACTITIONER

A person applying to the registrar for a licence, as a contact lens practitioner shall:

1. hold a current practising member Licence or a restricted member Licence.
2. provide two-character references supporting good moral character.
3. make an application in the form prescribed by the Council and pay the fees set out in the administrative bylaw.
4. have passed the NACOR contact lens examination or other examination deemed equivalent by the Council.
5. submit a professional liability insurance pursuant to section 5 of these bylaws, and
6. provide a report of a criminal background check.

10. RESTRICTED LICENCE

1. A restricted Licence to practice may be issued to members who have not successfully completed an optician education or who have not attempted or passed the required examinations as required by these bylaws.



2. Restricted Licences to practice issued to a member shall remain in effect until that member has met the requirements for a practicing Licence within three years
3. A restricted member must renew their restricted licences every year during the renewal period.

11. REINSTATEMENT AS A PRACTISING MEMBER

1. Subject to subsections 6(2) and 6(3) of these bylaws, a non-practicing member, as described in subsection 2(2) of these bylaws, may become a practicing member upon making an application in the form prescribed by the Council and upon payment of the prescribed fee set out in the administrative bylaws.
2. Subject to the provisions of subsection 6(6), where a person has been a non-practising member for more than three years, that person is entitled to be reinstated as a practising member upon making an application in the form prescribed by the Council and upon payment of the prescribed fee set out in the administrative bylaws, and by complying with any other terms and conditions that the Council may determine.
3. A person who has been expelled as a member may apply to the Council for reinstatement pursuant to Section 42 of the Act

12. STUDENT MEMBERS

(1) Registration

A person may be registered as a student optician and be granted a restricted licence and membership in the College upon:

- a) completion of the application form prescribed by the Council;
- b) payment of the fees prescribed in the administrative bylaws; and
- c) enrolling in or actively enrolled in an Accreditation Canada approved course of instruction or other accredited program recognized by the Council.

(2) Renewal of Licence

Every student shall renew their restricted student Licence every renewal year and pay the applicable fees under the terms and conditions set out in the administrative bylaws.

(3) Practice of a Student Member

A student must perform the duties of a student member as provided for by the Act, and bylaws and as described in the Standards of Practice of the College under the supervision of one of the following persons, who must be physically present and personally supervises, checks, and approves the work of the student.



- a) a fully Licenced practising member; or
- b) a qualified optometrist.

(4) *Supervision of a Student*

No practising member shall supervise more than two student opticians at any one time.

(5) *Cancellation of Registration*

The registration and membership of a student member may be cancelled by the Council or its delegated authority where the Council is satisfied that:

- a) the student is providing practices additional to those authorized by these bylaws;
- b) the student is not receiving the supervision required by these bylaws while providing practices;
- c) the application for registration and licensure contained incorrect statements; or
- d) the student has discontinued or withdrawn from the educational program required by 12 (1) (c) of these bylaws.

(6) *Reinstatement of Student Members*

Where the registrar strikes the name of a student from the register, that student may be reinstated as a member of the College and issued a restricted student Licence, subject to any terms and conditions that the Council may prescribe upon:

- a) completing the application form prescribed by the Council.
- b) enrolling in a NACOR program of instruction or equivalent program approved by the Council as soon as such a program becomes available; and
- c) paying the prescribed fees including registration fees set out in the administrative bylaw of the College.

13. STUDENT CONTACT LENS PRACTITIONERS

- 1) A person who is licenced as a practising member may be registered as a student contact lens practitioner and be granted a restricted Licence to practice as a student contact lens practitioner upon:
 - a) completion of the application form prescribed by the Council;
 - b) payment of the fees prescribed by the administrative bylaws; and
 - c) enrolling in an Accreditation Canada approved course of instruction or other program recognized by the Council.

2) *Practice of a Student Contact Lens Practitioner*

A person registered as a student contact lens practitioner may provide contact lens practices as provided for in the Standards of Practice of the College under the supervision of one of the



following persons, who is physically present and who supervises checks, and approves the work of the student contact lens practitioner:

- a) a fully Licenced Contact Lens Practitioner or
 - b) an optometrist.
- 3) Sections 12 to 13 inclusive apply mutatis mutandis with respect to student contact lens practitioners.

14. PROFESSIONAL CONDUCT, COMPETENCE AND PROFICIENCY

1) Copies of Specifications

Members shall, within a reasonable time after dispensing eyeglasses or contact lenses, provide a written copy of the physical specifications of the eyeglasses or contact lenses at the request of the patient.

2) Letters of Designation Restriction

No one other than active members of the College who are in good standing may use the following letters of designation:

- a) Optician - LO;
- b) Contact Lens Practitioner - LCLP

15. AUTHORIZED PRACTICES

- 1) Except as may be otherwise provided in these bylaws, ophthalmic appliances and contact lenses are to be dispensed only in accordance with a prescription provided by a qualified prescriber.
- 2) Subject to the terms, conditions and limitations of that member's Licence, a member may perform the following authorized practices in accordance with Section 23(1) of The Opticians Act.
 - a) interpret an optical prescription provided by a qualified prescriber and adapt an ophthalmic appliance according to the specifications of the prescription;
 - b) verify corrective lenses and supply ophthalmic appliances to the patient, and provide opticianry practices and follow-up care;
 - c) measure, other than for refractive error, adjust and fit appliances and corrective lenses to the specific needs of the patient including the adapting or adjusting for the vertex distance power of the prescription.
 - d) verify to the prescription embedded in existing lenses; fit and dispense eyeglass lens duplications, replacements, reproductions, or repetitions without a prescription; provide opticianry practices and follow-up care;
 - e) members who practice as contact lens practitioners, in addition to what is prescribed in clauses (a) through (d), may verify, fit and/or dispense contact lenses to the specific needs of the patient, provide opticianry practices and follow up care;



- 3) Notwithstanding provision 16 (e) of these bylaws, provide other tests as approved by the standards of practice to identify and determine the suitability of a person to wear contact lenses safely without damage or injury; fit, supply, and dispense contact lenses according to a prescription and provide other opticianry practices as provided for in The Opticians Act and Regulatory Bylaws.

16. LIMITATIONS OF PRACTISING MEMBERS

Subject to the terms and conditions of that member's licence, no practising member shall:

- 1) dispense an ophthalmic appliance where they are unable to interpret a prescription unless they consult with a qualified prescriber.
- 2) dispense duplications of, replacements of, reproductions of, or repetitions of ophthalmic appliances where they are unable to interpret the prescription accurately from the lenses of the patient's existing appliance unless they consult with a qualified prescriber or counsel the patient to obtain another prescription.
- 3) alter or change a prescription without the authorization of the prescriber who prepared the prescription.
- 4) subsection (c) does not apply to the adapting for the vertex distance power of a prescription provided by a qualified prescriber or other necessary adaptations required when filling a prescription using conversion charts or similar formulas or fitting techniques to ensure the refractive values of the contact lenses are equal to that of the prescription.
- 5) no member shall measure refractive error, determine its correction, or diagnose conditions of the eye.

17. MINIMUM EQUIPMENT FOR CONTACT LENS PRACTITIONER

A contact lens practitioner must have, at a minimum, the usual and necessary instruments, equipment, and physical facilities for the measurement, fitting and dispensing of contact lenses. The equipment must include but is not limited to a keratometer/ophthalmometer, slit lamp, Snellen chart, trial lenses and lensometer.

18. RECORD KEEPING

As described in the Standards of Practice and College policies, members shall maintain a clinical record of each patient for whom they provide services, and a record of each patient shall contain not less than:

- a) patient identification;
- b) patient history;
- c) examinations procedure relating to contact lens fitting;
- d) clinical findings relating to contact lens fitting;
- e) specifications of any optical appliances provided;
- f) advice or counsel provided;



- g) a statement of fees charged for professional practices and
- h) a statement of fees for any optical appliances or other goods provided.

19. REGISTER

The College will maintain a register of members, as per the requirements of The Opticians Act.

20. AUTHORITY TO CONDUCT ON SITE EXAMINATIONS

Subject to the provisions of The Opticians Act, to assist in compliance with the Act, the College or its appointed representatives may from time to time visit dispensaries to verify compliance with the Opticians Act by examining, with the exception of financial records that are directly related to the operation of the members place of business, all of the dispensary's documents and files that the College deems necessary to ensure optician compliance including, the dispensary practicing members Licences to verify their practice complies with their Licence; and in the case of contact lens practitioners, an examination of the dispensaries equipment to verify compliance with the minimal equipment requirements as set by the College; and in the case of students or restricted practicing members, to verify they are under the supervision of Licenced members as undersigned; and to ensure compliance with the Act and bylaws, the dispensary has at all times a Licenced member authorized to fit and dispense all ophthalmic appliances.

21. PROFESSIONAL MISCONDUCT

Professional misconduct is a question of fact, but any matter, conduct or thing, whether or not disgraceful or dishonourable, is professional misconduct within the meaning of the Opticians Act if:

- a) it is harmful to the best interests of the public or the members.
- b) it tends to harm the standing of the profession.
- c) it is a breach of the Act or the bylaws; or
- d) it is a failure to comply with an order of the professional conduct committee, the discipline committee, or the Council, includes but is not limited to:
 - i. been found by any other regulatory body to have committed an act that would, in the opinion of the PCC, be an act of professional misconduct and, as defined below from (ii) to (xxiv),
 - ii. the failure of a member to abide by the terms, conditions, or limitations of their licence as per the Opticians Act, regulatory bylaws, standards of practice, policies, and any other rules prescribed by the College from time to time.
 - iii. abused patients/ clients.
 - iv. committed an act of sexual misconduct.
 - v. being mentally or physically incapable of practicing as an optician or contact lens practitioner.
 - vi. practising while their ability to perform any opticianry practice is impaired by alcohol or drugs.



- vii. being convicted of an offence that, in the opinion of the Council, renders it inappropriate to continue to practise.
- viii. the procurement of a practising member's Licence or a contact lens practitioner Licence by misrepresentation or fraud.
- ix. knowingly permitting the premises in which a member practises to be used for unlawful or illegal purposes.
- x. failure to provide the patient, upon their request, with a written copy of the physical specifications of the eyeglasses or contact lenses within a reasonable time.
- xi. the falsification of a record in respect of a prescription for eyeglasses or contact lenses.
- xii. contravened a term, condition, or limitation imposed on the member's certificate of registration, code of conduct and code of ethics.
- xiii. contravened a standard of practice of the profession.
- xiv. giving patient information to any third party without the consent of the patient or their representative, except when the information is needed or permitted by law.
- xv. falsifying a record relating to the member's practice.
- xvi. falsely submitting a third-party insurance claim.
- xvii. failed to provide a patient access to their records or any contravention in terms of records under The Health Information Protection Act (HIPA).
- xviii. signed or issued, in the member's professional capacity, a document that the member knows contains a false or misleading statement.
- xix. submitted an account or charged for services that the member knows are false or misleading.
- xx. the practice of the member constitutes a danger to the public.
- xxi. Making discriminatory behaviour or remarks toward or about an individual or a group of individuals.
- xxii. failing to appear before the Professional Conduct Committee to be cautioned.
- xxiii. failing to cooperate in a college investigation.
- xxiv. any other violations under the Opticians Act, bylaws, standards of practice and policies of the College.

22. PROFESSIONAL CONDUCT COMMITTEE (PCC)

- 1) The professional conduct committee is established, consisting of at least three persons appointed by the Council, the majority of whom are to be practising members.
- 2) No member of the Council or member of the discipline committee is eligible to be a member of the professional conduct committee.
- 3) If a panel of the professional conduct committee is established in accordance with the bylaws, a decision of the panel has the same effect as a decision of the professional conduct committee.



23. INVESTIGATION

- (1) If the professional conduct committee is requested by the Council to consider a complaint or is in receipt of a written complaint alleging that a member is guilty of professional misconduct or professional incompetence, the committee shall review and investigate the complaint (as per Act, bylaws and administrative policies).
- (2) In investigating the complaint, the professional conduct committee may take any steps authorized by section 29.1 of the Act.
- (3) On completion of its investigation, the professional conduct committee may do one or more of the following:
 - a. make a written report to the discipline committee recommending that the discipline committee hear and determine the formal complaint set out in the written report;
 - b. make a written report to the discipline committee recommending that no further action be taken with respect to the matter under investigation;
 - c. refer the complaint to mediation if the professional conduct committee decides that the complaint is of concern only to the complainant and the investigated member, both of whom agree to mediation;
 - d. require the investigated member to appear before the professional conduct committee or a panel of the committee to be cautioned;
 - e. require the investigated member to complete a specified continuing education or remediation program;
 - f. accept the voluntary surrender of the investigated member's registration or licence;
 - g. accept an undertaking from the investigated member that provides for one or more of the following:
 - i. assessment of the investigated member's capacity or fitness to practise in the profession;
 - ii. counselling or treatment of the investigated member;
 - iii. monitoring or supervision of the investigated member's practice;
 - iv. completion by the investigated member of a specified course of studies by way of remedial training;
 - v. placing conditions on the investigated member's right to practise in the profession;
 - vi. take any other action that the professional conduct committee considers appropriate that is not inconsistent with or contrary to the Act or the bylaws.
 - h. The formal complaint set out in a written report made pursuant to clause 29 (3)(a) of the Act may relate to any matter disclosed in the complaint received pursuant to subsection (1) of the Act or the investigation conducted pursuant to subsection (2) of the Act;
 - i. A report signed by a majority of the professional conduct committee is the decision of that committee; and
 - j. Any other procedure outlined in the College policies.

24. DISCIPLINE COMMITTEE

- 1) The discipline committee is established, consisting of at least three persons appointed by the Council, the majority of whom are to be practising members and one of whom is a member of the Council appointed pursuant to section 9 of the Act.



- 2) No member of the professional conduct committee or member of the Council elected or appointed pursuant to clause 8(2)(a) of the Act is eligible to be a member of the discipline committee.
- 3) Subject to the Act and the bylaws, the discipline committee may make rules regulating its business and proceedings subject to the act and administrative bylaws.
- 4) If a panel of the discipline committee is established in accordance with the bylaws, a decision of the panel has the same effect as a decision of the discipline committee.

25. CONFLICT OF INTEREST

- 1) A conflict of interest may involve:
 - a) All members of the college, including the Council;
 - b) members appointed in any committee; or
 - c) employees of the College.
- 2) A conflict of interest exists when a member has personal or organizational interests in a decision or outcome that may be perceived to have a personal benefit in a decision. A conflict of interest may include but is not limited to the following:
 - a) where the member is involved in the investigation or discipline process of another member who may be related to that member.
 - b) where the member, member's family, employees of the College, partner or associate might personally or financially benefit from a decision or information gained from involvement on Council or committees.
 - c) where the member is involved in determining or reviewing the registration or licensing eligibility of other members and the member is related to that member; or
 - d) where the member is involved in negotiating wages or employment contracts for college staff that may be related to that member.
- 3) Members serving on Councils or committees shall declare a conflict of interest in matters under consideration or in decisions taken in which they have a conflict of interest.
- 4) It shall be at the discretion of the chair of the Council or the committee that the member is involved with to determine if the member should excuse themselves during any discussion, refrain from participating in a decision or resign from the committee.

26. ADVERTISING STANDARDS

Advertising by members is to be seemly and dignified and may contain items of public information, such as the business or company name, location services, or products offered, hours of business, fees or prices and names and educational qualifications of the optician or contact lens practitioner and must conform to the College's written policy on advertising.



27. STANDARDS OF PRACTICE

Each member shall follow the standards of practice guidelines developed by the College.

28. CODE OF ETHICS

All members shall conduct themselves in an honourable and ethical manner, upholding the values of truth, honesty, and trustworthiness, and shall observe the Code of Ethics approved and adopted by the College as amended or revised from time to time.

It shall be the Ideal, the Resolve and the Duty of each optician to act in accordance with the below principles of code of ethics:

- 1) To keep the welfare of patients uppermost at all times and shall continuously enhance educational and technical proficiency in order that patients might receive the benefits of all acknowledged improvements in ophthalmic care.
- 2) To render their services to all patients with equal diligence, respect and without discrimination.
- 3) To hold in strict confidence all information acquired in the course of the professional relationship with patients and shall not divulge any such information unless expressly authorized by patients or required by law.
- 4) To assist in maintaining the integrity of the profession, shall contribute to and participate in its activities. To encourage and participate in the education of the participant in the profession.
- 5) To foster good relationships among members of the ophthalmic professions in order to facilitate inter-professional relationships and referrals for the benefit of patients.
- 6) To be professionally responsible for all services rendered by members or those under their supervision.
- 7) To practice within the limitations of the level of competence, irrespective of authorization under the Opticians Act
- 8) To be diligent in the application of the standards of infection prevention and control.
- 9) To display a licence in a place and manner that is conspicuous to the public pursuant to the Act and these bylaws.

29. NOTIFICATION

- 1) Every student or member must notify the registrar about the change in supervisor or employer within 14 days of the change.
- 2) Every member shall notify the registrar about changes in situation, city, business address, email address, employer, supervisor, and practice status within 14 days of the change.
- 3) Restricted members shall provide a new supervisory agreement within 14 days of the change.
- 4) Every student and member, whenever requested by the College within 14 days, shall provide their current information to update their records.
- 5) The College can provide any documents or information to the members at their workplaces, personal addresses, email addresses, fax numbers, courier services, or by any other means.



When notice, documents, or information is delivered to a person via email, fax, postal service, courier, or any other electronic method, it is deemed received on the day of sending, regardless of whether the recipient receives it on that date.

30. BYLAWS

A bylaw or amendment to the Regulatory bylaw may be passed at any meeting of the Council. The Regulatory Bylaws come into force when they are approved by the Minister and published in the Saskatchewan Gazette.

Certified to be a true copy of the regulatory bylaws approved by the council of the Saskatchewan College of Opticians on July 09, 2024.

CERTIFIED TO BE TRUE
Archana Tripathi
Registrar/ Executive Director
Saskatchewan College of Opticians
Dated: July 31, 2024

APPROVED BY:
Honourable Everett Hindley
Minister of Health.
Dated: September 11, 2024