

(Consolidated up to 39/2023)

ALBERTA REGULATION 45/2011
Health Professions Act
OPTICIANS PROFESSION REGULATION

Table of Contents

- 1 Definitions
- 2 Register categories

Registration

- 3 General register
- 4 Equivalent jurisdiction
- 5 Substantial equivalence
- 6 Provisional register
- 7 Courtesy register

Titles, Abbreviations and Initials

- 14 Authorization to use titles, etc.

**Practice Permit Renewal
Requirements**

- 15 Renewal requirements

**Transitional Provision, Repeals
and Coming into Force**

- 33 Transitional provision
- 34 Repeals
- 35 Coming into force

Definitions

- 1 In this Regulation,
 - (a) “Act” means the *Health Professions Act*;
 - (b) “College” means the College of Opticians of Alberta;
 - (c), (d) repealed AR 39/2023 s2;
 - (e) “Council” means the council of the College;

- (f) “courtesy register” means the courtesy register category of the regulated members register;
- (g) “general register” means the general register category of the regulated members register;
- (h) “provisional register” means the provisional register category of the regulated members register;
- (i) “Registrar” means the registrar of the College;
- (j) “Registration Committee” means the registration committee of the College.

Register categories

2 The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

- (a) general register;
- (b) provisional register;
- (c) courtesy register.

Registration**General register**

3(1) An applicant for registration as a regulated member on the general register must

- (a) have successfully completed a diploma program in eyeglass dispensing approved by the Council,
- (b) have successfully passed the competency examination in eyeglass dispensing approved by the Council, and
- (c) have successfully passed the jurisprudence examination approved by the Council.

(2) An applicant under subsection (1) must have completed the requirements set out in that subsection within the 3 years immediately preceding the date that a complete application is received by the College.

(3) If an applicant is unable to meet the requirements of subsection (2), the applicant must demonstrate to the Registrar or Registration Committee that the applicant is currently competent to practise as an optician.

(4) For the purposes of subsection (3), the Registrar or Registration Committee may require an applicant to undergo any examination, testing, assessment, training or education the Registrar or Registration Committee considers necessary, including a requirement that the applicant successfully pass the examination referred to in subsection (1)(b) or (c).

Equivalent jurisdiction

4 An applicant for registration as a regulated member on the general register who is currently registered in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements to those set out in section 3 may be registered on the general register.

Substantial equivalence

5(1) An applicant for registration as a regulated member who does not meet the registration requirements of section 3 but whose qualifications have been determined by the Registrar or Registration Committee under section 28(2)(c) of the Act to be substantially equivalent to the registration requirements set out in section 3 may be registered on the general register.

(2) In determining whether an applicant's qualifications are substantially equivalent under subsection (1), the Registrar or Registration Committee may require the applicant to undergo any examination, testing or assessment activity to assist with the determination.

(3) The Registrar may direct an applicant under subsection (1) to undergo any education or training activities the Registrar or Registration Committee considers necessary in order for the applicant to be registered.

(4) The Registrar may require an applicant under subsection (1) to provide any other relevant information or evidence that the Registrar or Registration Committee considers necessary in order to assess an application under this section.

Provisional register

6(1) An applicant for registration as a regulated member may be registered on the provisional register if the applicant

- (a) is qualified to practise opticianry in another jurisdiction and the applicant's competencies are being assessed under section 5,

- (b) has met the requirements for registration under section 3(1)(a) but has not successfully passed the examinations referred to in section 3(1)(b) and (c), or
 - (c) is enrolled in upgrading as directed by the Registrar or Registration Committee for the purpose of completing the registration requirements referred to in section 3(4).
- (2) A registration on the provisional register may be valid for up to one year.
- (3) The Registrar may extend a registration on the provisional register if the Registrar is of the opinion that extenuating circumstances exist.
- (4) A person registered on the provisional register may practise only while under the supervision of
- (a) a regulated member registered on the general register or courtesy register,
 - (b) an optometrist, or
 - (c) an ophthalmologist.
- (5) If a regulated member registered on the provisional register meets the registration requirements set out in section 3, the Registrar must remove the regulated member's name from the provisional register and enter it on the general register.

Courtesy register

- 7(1)** An optician registered and in good standing in another jurisdiction who applies for registration in Alberta on a temporary basis for a specified purpose approved by the Registrar and who satisfies the Registrar of having competence to provide the services related to the specified purpose may be registered on the courtesy register.
- (2) The term of a registration under subsection (1) is one year or less, as specified by the Registrar.
- (3) It is a condition of registration on the courtesy register that the person must remain registered in good standing in the jurisdiction in which the person was registered at the time of the person's application for registration on the courtesy register, and if the registration in the other jurisdiction is suspended or cancelled, the courtesy registration is cancelled.
- 8 and 9** Repealed AR 39/2023 s3.

10 to 13 Repealed AR 39/2023 s4.

Titles, Abbreviations and Initials

Authorization to use titles, etc.

14(1) A regulated member registered on the general register may use the following titles, abbreviations and initials:

- (a) optician;
- (b) ophthalmic dispenser;
- (c) optical dispenser;
- (d) R.O.

(2) A regulated member registered on the general register who is authorized to perform the restricted activity described in section 41(1) of the *Health Professions Restricted Activity Regulation* may use the following titles, abbreviations and initials:

- (a) contact lens practitioner;
- (b) contact lens fitter;
- (c) contact lens dispenser;
- (d) R.C.L.P.

(3) A regulated member registered on the provisional register may use the title “provisional optician”.

(4) A regulated member registered on the courtesy register may use any one or more of the titles referred to in subsection (1) or (2), if the Registrar authorizes the regulated member to use any one or more of the titles and indicates the authorization on the courtesy register.

(5) A regulated member may use the title “registered” together with any other title the regulated member is authorized to use by this section.

(6) A regulated member registered on the general register and a regulated member registered on the courtesy register may use the title “specialist” if the regulated member

- (a) meets the requirements established by the Council for the use of the title specialist,
- (b) is authorized by the Registrar to use that title, and

- (c) has received notification from the Registrar that the authorization is indicated on the appropriate register.
- (7) The Registrar must indicate an authorization under subsection (6) on the appropriate register.
- (8) The Registrar may impose conditions on an authorization issued under subsection (6)(b).

AR 45/2011 s14;39/2023

Practice Permit Renewal Requirements

Renewal requirements

15(1) In addition to meeting the requirements established under section 40 of the Act, a regulated member applying for renewal of the member's practice permit must provide

- (a) a statement by the applicant as to whether the applicant has been subject to any disciplinary action by a regulatory organization responsible for the regulation of opticians or of any other profession since the applicant's last practice permit, and
- (b) a statement as to whether, since the applicant's last practice permit, the applicant has ever pleaded guilty to or has been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada for which the applicant has not been pardoned.

(2) A regulated member applying for renewal of the member's practice permit must provide one or more of the following as requested by the Registrar or Registration Committee:

- (a) a photo ID of the member in the form required by the Registrar or Registration Committee;
- (b) evidence of being a Canadian citizen or being lawfully permitted to work in Canada.

AR 45/2011 s15;39/2023

16 Repealed AR 39/2023 s8.

17 to 21 Repealed AR 39/2023 s9.

22 to 25 Repealed AR 39/2023 s10.

26 to 30 Repealed AR 39/2023 s11.

31 and 32 Repealed AR 39/2023 s12.

Transitional Provision, Repeals and Coming into Force

Transitional provision

33 On the coming into force of this Regulation, a person described in section 6 of Schedule 16 to the Act is deemed to be registered on the regulated members register in the category that the Registrar considers appropriate.

Repeals

34(1) The *By-laws of the Alberta Guild of Ophthalmic Dispensers* (AR 572/65) are repealed.

(2) The *Ophthalmic Dispensing Regulation* (AR 69/86) is repealed.

Coming into force

35 This Regulation comes into force on the coming into force of Schedule 16 to the *Health Professions Act*.