

Draft Regulations

Draft Regulation

Optometry Act
(R.S.Q., c. O-7)

Optometrists
— Medications and eye care
— Terms and conditions

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the medications that may be administered and prescribed for therapeutic purposes by an optometrist and respecting the eye care that may be provided by an optometrist was adopted by the Office des professions du Québec, at its meeting of 20 March 2003. The Regulation may be submitted to the Government, which may, under section 13 of the Professional Code (R.S.Q., c. C-26), approve it with or without amendment, upon the expiry of 45 days following this publication.

Pursuant to the second paragraph of section 19.4 of the Optometry Act (R.S.Q., c. O-7), the draft Regulation determines the medications that may be administered and prescribed for therapeutic purposes by an optometrist and the eye care that may be provided by an optometrist, as well as the terms and conditions according to which an optometrist may administer and prescribe the medications or provide the care.

Consequently, optometrists will be authorized to administer and prescribe medications such as anti-allergic agents and anti-infectives for conditions that do not require an invasive procedure.

Optometrists will be required, in certain cases, to refer a patient to a physician, for example, if the patient's condition does not adequately respond to the treatment in the anticipated amount of time or if the signs and symptoms suggest a condition that requires a physician to take charge of the patient.

The provisions respecting glaucoma will be introduced gradually, by region, to ensure their implementation is better monitored over the course of the first two years.

The Office has consulted the Conseil consultatif de pharmacologie, the Ordre des optométristes du Québec, the Collège des médecins du Québec, and the Ordre des pharmaciens du Québec regarding this draft Regulation, which will have no impact on businesses, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Lucie Boissonneault, research officer, or Pierre Ferland, advocate, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; telephone: (418) 643-6912 or 1-800-643-6912; fax: (418) 643-0973.

Any person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, at the above address. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that made the Regulation as well as to the interested persons, departments or bodies.

JEAN-K. SAMSON,
*Chairman of the Office des
professions du Québec*

Regulation respecting the medications that may be administered and prescribed for therapeutic purposes by an optometrist and respecting the eye care that may be provided by an optometrist

Optometry Act
(R.S.Q., c. O-7, s. 19.4)

DIVISION I GENERAL

1. An optometrist who holds a permit referred to in the second paragraph of section 19.2 of the Optometry Act (R.S.Q., c. O-7) may, in cases presenting conditions of mild morbidity of the eye and adnexa that require no invasive procedure, administer and prescribe for therapeutic purposes the medications in the categories listed in Schedule I, in accordance with the terms and conditions determined in this Regulation.

An optometrist may also, in accordance with the same terms and conditions, remove a superficial foreign body from the eye, provided there is no laceration or injury to the ocular globe.

2. An optometrist must refer the patient to a physician if the patient's condition does not adequately respond to treatment in the accepted or anticipated

amount of time. An optometrist must also refer the patient to a physician if the signs and symptoms suggest a condition that is not one of mild morbidity, or that requires a physician to take charge of the patient.

3. An optometrist who administers or prescribes medications must refer the patient to a physician if there is no clear and positive improvement within 72 hours of the beginning of the treatment, in the following cases :

(1) an infectious ulcer smaller than 1 millimetre outside of the pupillary zone ;

(2) the presence of epithelial dendrites without stromal injury with infiltrate or melting, and without inflammation in the anterior chamber ;

(3) corneal infiltrates smaller than 1 millimetre, with no epithelial defect ; and

(4) sectorial inflammation of the episclera, without ischemia or melting.

The optometrist must also refer the patient to a physician in those cases if the condition does not resolve within the accepted or anticipated amount of time, or at the latest, within 7 days of the beginning of the treatment.

An optometrist may not intervene in cases in which the conditions are more serious than those described in the first paragraph.

4. An optometrist who uses medications to treat an inflammation of the anterior chamber without hypopyon, vitritis or lesion of the cornea must refer the patient to a physician within 72 hours of the beginning of the treatment.

DIVISION II GLAUCOMA

5. Notwithstanding section 1, an optometrist who holds a permit referred to in the second paragraph of section 19.2 of the Optometry Act may, in cases of glaucoma, renew or change a prescription for anti-glaucoma medications.

The optometrist must, however, prior to every renewal or change, obtain verbal or written approval from the original prescribing physician or from the physician designated by the original prescribing physician. The

optometrist must, in addition, write the name and professional permit number of the physician from whom consent was obtained on the prescription.

6. As of (*insert here the date of coming into force of this Regulation*), this section applies to optometrists whose professional domicile at the time the prescription is renewed or changed is in the territory of one of the following regions, as described in Schedule I to Order in Council 2000-87 dated 22 December 1987, as it reads on the date it applies :

(1) Abitibi-Témiscamingue ;

(2) Bas-Saint-Laurent ;

(3) Centre-du-Québec ;

(4) Mauricie ;

(5) Montérégie ; or

(6) Saguenay-Lac-Saint-Jean ;

As of (*insert here the date one year after the date of coming into force of this Regulation*), this section also applies to optometrists whose professional domicile at the time the prescription is renewed or changed is in the territory of one of the following regions, as described in Schedule I to Order in Council 2000-87 dated 22 December 1987, as it reads on the date it applies :

(1) Chaudière-Appalaches ;

(2) Côte-Nord ;

(3) Gaspésie-Îles-de-la-Madeleine ;

(4) Lanaudière ; or

(5) Outaouais ;

As of (*insert here the date two years after the date of coming into force of this Regulation*), this section applies throughout Québec.

7. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE 1

(s. 1)

Note: The medications without specifications are to be administered topically.

1. Mydriatics
2. Local anesthetics, except cocaine, to remove a superficial foreign body from the eye
3. Anti-allergic agents
 - Antihistamines
 - Mast cell stabilizers
4. Non-steroidal anti-inflammatory medications
5. Corticosteroids
6. Anti-infectives
 - Antibiotics
 - Miscellaneous anti-infectives
 - Antivirals
7. Corticosteroids and anti-infectives in combination
8. Lubricants
9. Miscellaneous ophthalmic and hyperosmotic agents
10. Oral vitamins, except those listed in Schedule F to the Food and Drug Regulations (C.R.C., c. 870)
11. Vasoconstrictor agents
12. Anti-glaucoma medications, in the cases and conditions set out in Division II

5687

Draft Regulation

Optometry Act
(R.S.Q., c. O-7)

Optometrists

— Standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and to provide eye care” adopted by the Bureau of the Ordre des optométristes du Québec, the text of which appears below, may be submitted to the Government, which may approve it with or without amendment, upon the expiry of 45 days following this publication.

According to the Ordre des optométristes du Québec, the purpose of this regulation is to establish standards for the issue and holding of the permit authorizing optometrists to administer and prescribe medications for therapeutic purposes and provide eye care. The Order does not foresee any other impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Mr. Marco Laverdière, Secretary and Executive Director of the Ordre des optométristes du Québec, 1265 Berri St., Suite 700, Montréal, Québec H2L 4X4; telephone: (514) 499-0524; fax: (514) 499-1051.

Any person having comments to make may submit them, before the expiry of the 45 days period specified above, to Mr. Jean-K. Samson, Chairman of Office des professions du Québec, 800 Place D’Youville, 10th Floor, Québec City, Québec G1R 5Z3. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order which has adopted this regulation, as well as to interested persons, departments and agencies.

JEAN-K. SAMSON,
*Chairman of the Office des
professions du Québec*