

Draft Regulations

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Professional Code
(R.S.Q., c. C-26; 2006, c. 20)

Dispensing opticians — Equivalence standards

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 equivalence standards for the issue of permits by the Ordre des opticiens d'ordonnances, made by the Bureau of the Ordre des opticiens d'ordonnances, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the Regulation that replaces the Regulation currently in force is to update the diploma equivalence standards according to the training program offered by the two institutions authorized to provide the program of contact lens techniques. The Regulation also establishes training equivalence standards. An additional purpose is to modify the procedure for recognizing an equivalence so that a decision may be the subject of a review by persons other than those who made it.

The Order advises that the Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Gilles Nolet, Director of professional services and secretary of the Ordre des opticiens d'ordonnances du Québec, 630, rue Sherbrooke Ouest, bureau 601, Montréal (Québec) H3A 1E4; telephone: 514 288-7542; toll free: 1 800 563-6345; fax: 514 288-5982.

Any person having comments to make 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, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that made the Regulation and to the persons, departments and other bodies concerned.

GAÉTAN LEMOYNE,
Chair of the Office des professions du Québec

Regulation respecting equivalence standards for the issue of permits by the Ordre des opticiens d'ordonnances

Professional Code
(R.S.Q., c. C-26, s. 93, pars. c and c.1; 2006, c. 20, s. 4)

DIVISION I GENERAL

1. This Regulation determines the diploma and training equivalence standards for the issue of permits by the Ordre des opticiens d'ordonnances.

2. In this Regulation,

“diploma equivalence” means recognition, in accordance with subparagraph g of the first paragraph of section 86 of the Professional Code (R.S.Q., c. C-26), that a diploma awarded by an educational institution outside Québec certifies that the candidate’s level of knowledge and skills is equivalent to the level attained by the holder of a diploma recognized by the Government as giving access to the permit; and

“training equivalence” means recognition, in accordance with subparagraph g of the first paragraph of section 86 of the Code, that a candidate’s training has enabled the candidate to attain a level of knowledge and skills equivalent to the level attained by the holder of a diploma recognized by the Government that gives access to the permit.

DIVISION II DIPLOMA EQUIVALENCE STANDARDS

3. A candidate who holds a diploma granted by an educational institution outside Québec is granted a diploma equivalence if the diploma was obtained upon completion of studies at a level equivalent to college level comprising a minimum of 2,670 hours, including 2,010 hours of training specific to optics and are apportioned as follows:

(1) a minimum of 192 hours in the principles of optics and chemical phenomena in the field of ophthalmics;

(2) a minimum of 216 hours in ocular anatomy, physiology and pathology, including prevention and antimicrobial control;

(3) a minimum of 412 hours in the characteristics of lenses for eyeglasses, the selection of lenses for eyeglasses and frames, the manufacturing and repair of eyeglasses, and the delivery and adjustment of eyeglasses;

(4) a minimum of 225 hours in the characteristics, fitting and adjustment of contact lenses, and after-sale follow-up;

(5) a minimum of 84 hours in communications and sales psychology and communication with clients and professional resources in the field of eye and vision care;

(6) a minimum of 48 hours in the use and application of sales and business management techniques;

(7) a minimum of 72 hours in vision evaluation and assessment techniques;

(8) a minimum of 24 hours in the application of laws and regulations pertaining to the professional practice; and

(9) a minimum of 280 hours of clinical training in the field of eye and vision care.

4. Despite section 3, if the diploma for which an equivalence application is made was obtained more than five years before the application and, considering the developments in the profession, the knowledge and skills certified by the diploma no longer correspond to the knowledge and skills at the time of the application in the program of studies leading to a diploma recognized by the Government as giving access to a permit, the candidate is granted a training equivalence pursuant to section 5 if the candidate has attained the required level of knowledge and skills since obtaining his or her diploma.

DIVISION III TRAINING EQUIVALENCE STANDARDS

5. A candidate is granted a training equivalence if the candidate demonstrates having a level of knowledge and skills equivalent to the level attained by the holder of a diploma recognized by the Government as giving access to a permit.

6. In assessing the training equivalence of a candidate, the following factors are taken into particular account:

(1) the nature and duration of the candidate's work experience;

(2) the fact that the candidate holds one or more post-secondary diplomas awarded in Québec or elsewhere;

(3) the nature, content and duration of courses taken and the results obtained;

(4) training periods in the field of eye and vision care and other continuing training or upgrading activities; and

(5) the total number of years of schooling.

To complete the assessment of the level of knowledge and skills, the candidate may be required to come to an interview, to pass an examination or to complete a training period, or to satisfy any combination of those conditions.

DIVISION IV

DIPLOMA AND TRAINING EQUIVALENCE RECOGNITION PROCEDURE

7. A candidate wishing to have a diploma or training equivalence recognized must

(1) provide a written application to the secretary of the Order together with the application examination fees prescribed by the Bureau of the Order under paragraph 8 of section 86.0.1 of the Professional Code;

(2) provide, if applicable, to the secretary of the Order,

(a) the original or a certified true copy of any diploma obtained;

(b) the candidate's academic record, including the official transcript of the results obtained bearing the seal of the educational institution, or a certified true copy thereof, a description of courses taken and the number of credits or hours for each course;

(c) an attestation by the educational institution that issued the diploma certifying the candidate's successful completion of training periods;

(d) an attestation of the candidate's participation in continuing training or upgrading activities in the field of eye and vision care;

(e) an attestation and description of the candidate's work experience in the field of eye and vision care;

(f) a certified true copy of the candidate's birth certificate or, failing that, a certified true photocopy of the candidate's passport; and

(g) a recent passport-type photo.

Documents in a language other than French or English submitted in support of an application must be accompanied by a French or English translation certified by the translator.

8. The secretary must send the documents referred to in section 7 to a committee formed by the Bureau under paragraph 2 of section 86.0.1 of the Professional Code to study applications for a diploma or training equivalence and make an appropriate recommendation.

For the purposes of the first paragraph, the committee is to take all appropriate means and consult the provincial, national or international teaching network, the diplomatic network or any other appropriate body to obtain an opinion on the candidate's level of knowledge and skills.

9. At the first meeting following the date of receipt of the committee's recommendation, the Bureau must decide

- (1) to recognize the diploma or training equivalence;
- (2) to recognize the training equivalence in part; or
- (3) to refuse to recognize the diploma or training equivalence.

Within 30 days of the decision, the Bureau must send the decision to the candidate in writing.

If the Bureau refuses to recognize the equivalence applied for or recognizes the training equivalence in part, it must, at the same time, inform the candidate in writing of the education programs, bridging programs, training periods or examinations that the candidate could successfully complete within the allotted time to enable the candidate to be granted the training equivalence.

10. A candidate who is informed of the Bureau's decision not to recognize the equivalence applied for or to recognize the equivalence in part may apply to the Bureau for a review, provided that the candidate applies to the secretary in writing within 30 days of receiving the decision and sends the fees determined in paragraph 8 of section 86.0.1 of the Professional Code. The secretary must forward the application to the committee formed by the Bureau under paragraph 2 of section 86.0.1 of the Professional Code to examine review applications for diploma or training equivalence. The committee is composed of persons who are not members of the Bureau or the committee referred to in section 8.

The committee must examine the application at a meeting within 60 days following the date of receipt of the application by the secretary and, before disposing of the application, allow the candidate to make submissions at the meeting.

A candidate who wishes to be present at the meeting to make submissions must notify the secretary at least five days before the date scheduled for the meeting. The candidate may, however, send written submissions to the secretary at any time before the date scheduled for the meeting.

The decision of the committee is final and must be sent to the candidate in writing by certified mail within 30 days following the date of the decision. The Bureau must also be informed of the committee's decision.

DIVISION V FINAL

11. This Regulation replaces the Regulation respecting equivalence standards for diplomas of dispensing opticians made by a decision dated 9 February 1983 (1983, G.O. 2, 1702).

Despite the foregoing, a diploma equivalence application must be decided on the basis of the replaced Regulation if the committee referred to in section 8 of that Regulation has sent a recommendation to the Bureau in respect of the application before the date of coming into force of this Regulation.

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

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