



ALBERTA college
of OPTOMETRISTS

ANNUAL REPORT

TO

GOVERNMENT

2008

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Mission Statement

Alberta College of Optometrists

The mission of the Alberta College of Optometrists is to ensure that the practice and the promotion of Optometry within Alberta is conducted in the best interests of the public through the exercise of the regulatory powers granted to the College in the Health Professions Act, the Optometrists Profession Regulation and the Bylaws of the College.



President's Report

It has been my pleasure to serve as the President of the Alberta College of Optometrists (ACO) this past year. As a College, our mandate is to carry out our activities and govern our regulated members in a manner that protects and serves the public interest. This mandate will always be our primary objective when reviewing legislative changes for our profession as well as other professions, updating the ACO advisories, and refining our internal governance policy.

While proposals in Bill 41 (including changes to the Health Professions Act) have been highly controversial, the Alberta College of Optometrists has been supportive of the current government's attempt to improve on health care delivery to Albertans and ensure accountability on the part of all health care professions. We look forward to the day when all health professions are governed by the Health Profession Act and all regulatory authorities abide by their mandate.

While proposed changes to the Opticians Profession Regulation in Alberta have not yet been proclaimed, other provincial jurisdictions such as Ontario and Quebec have moved towards eliminating refracting by opticians as it was not deemed to be in the public's best interest. Regardless of the outcome in Alberta, I applaud our College's decision to focus on updating the Optometrists Profession Regulation so that all Albertans can receive the best level of care our members are educated to provide. Approximately one year ago, the ACO Council forwarded a request to update the Optometrist Profession Regulation to the provincial government. This request was discussed at our meeting with the Hon. Ron Liepert (Minister of Health & Wellness) this past spring and is currently being reviewed internally by officials at the Department of Health and Wellness. With recent changes to Regional Health Authorities and governance structures, it is evident that our current government is not afraid to make controversial decisions if it serves Albertans well and is cost effective.

The College is also committed to reviewing the ACO Practice Advisories on a regular basis. After considerable debate, several ACO Practice Advisories were refined and subsequently circulated to members earlier this year. In addition, we have focused on updating our College Website so that it is both informative and 'user friendly' for the general public and the profession. We are fortunate to have one of our public members, Mrs. Gayle Stevens-Guille, spearhead the most recent update to the website along with our Registrar, Dr. Gordon Hensel. As always, we invite member feedback and suggestions in this area. I encourage all members to visit www.collegeofoptometrists.ab.ca to review our new website.

It has been slightly over twenty years that the ACO was one of the first health professions in Alberta to conduct on-site practice reviews. Over that last few years, changes to professional competence, legislative boundaries, and patient expectations has forced the

ACO Competence Committee to review and update it's practice review format. I applaud the committee's effort to focus on fair, transparent, accountable and educational reviews.

The new review format will concentrate on reviewing the ability of members to provide accurate diagnosis and appropriate treatment and management for their patients. The primary objective of the College, through the Competence Committee, is to ensure our regulated members are providing competent and professional care to all their patients.

In closing, I wish to thank all members of the ACO Council for their support and ongoing initiative this past year. In particular, I wish to thank our Registrar, Dr. Gordon Hensel, for his dedication to the College and our profession. On several occasions he has proved to be an invaluable guide and advisor, making my role relatively effortless. I would also like to thank Mrs. Bonnie Sniedze for her efficient work at the ACO office and Mrs. Betty Gill for providing the bookkeeping and accounting services every organization requires.

In closing, I would like to personally thank our Past-President, Dr. Gerry Leinweber, for being a great mentor and persuading me to become involved with our College a few years ago. It has been a rewarding and invaluable experience. Thank you.

Respectfully submitted,

Shane W. Keddie, O.D.

Registrar's Report

The Registrar is involved in many activities such as the preliminary handling of grievances, investigations of formal complaints, review of preliminary investigations, administration respecting new registrations, processing of optometric professional corporations and communication with other regulatory authorities, associations and government departments.

I am also very involved with the day-to-day operations of all standing and ad-hoc committees. With the plethora of activity within each committee, I rely very heavily on the committee chairman and their members for their insight and initiative. These individuals should be commended for performing their statutory duties in a professional and compassionate manner. I join all regulated members in thanking:

A. Competence Committee

Dr. Gary Watson - Chairman
Dr. Rob Eastwood
Dr. Gene Edworthy
Dr. Ed Jang
Dr. Peter McGuigan
Dr. Sunil Mehta
Dr. Sherri Norris
Dr. Sandra Oshanyk
Dr. Holly Parker
Dr. Wes Prince
Dr. Christine Russo

B. Hearings Director and Membership List

Dr. Len Bistriz - Hearings Director
Dr. Dennis Heimdahl
Dr. Neil Starko
Dr. Fran Tatabe
Dr. Ernie Watson

C. Legislation Committee

Dr. Mark Bourdeau - Chairman
Dr. Laura Dwernichuk
Dr. Larry Kanters
Dr. Steve Larsen
Dr. Craig McQueen

D. Mediators

- Dr. Troy Brady (Edmonton and area)
- Dr. Walter Cummings (Northern Alberta)
- Dr. Doug Howes (Southern Alberta)
- Dr. Wayne Klettke (Calgary and area)

E. Registration Committee

- Dr. Mona Purba - Chairman
- Dr. Grant Balen
- Dr. Angela Endres
- Dr. Brian Mah

F. Canadian Examiners in Optometry

- Dr. Lori Jaffray - Alberta representative

I would also especially like to thank Mrs. Bonnie Sniedze for performing daily activities at the College office in an extremely efficient and kindhearted manner. It is only due to her tireless and resourceful efforts that the ACO office continues to run smoothly and efficiently.

As of August 12, 2008, a total of 464 members, 303 professional corporations and 1 Limited Liability Partnership were registered with the Alberta College of Optometrists. Although, the total number of regulated members increased by about 5% (from last year), the number of female members increased 11% and the number of male members increased 1%. The current membership breakdown is as follows:

Female Regulated Members	178
Male Regulated Members	<u>286</u>
Total Regulated Members	464

On behalf of all regulated members, I would like to welcome the following optometrists who have registered with the ACO since last year Report to Government:

- Dr. Radha Anand
- Dr. Ilyaliz Arriaga
- Dr. Virginia Beaumont
- Dr. Pierre Benoit
- Dr. Charles Boulet
- Dr. Robert Burke
- Dr. Sivan Chong
- Dr. George Day
- Dr. Ruby Dhinsa
- Dr. Laura Draper

Dr. Jasmintha Ellaurie
Dr. Sukhvinder Gill
Dr. Magdalis Gonzalez
Dr. Alison Harapiak
Dr. Joel Heath
Dr. Bonita Ho
Dr. Abdo Kattan
Dr. Nasiruddin Khan
Dr. Zenur Khan
Dr. Brayton Kidd
Dr. Sophy Kurian
Dr. Hemal Kutlerywala
Dr. Marie-Josée LaFlamme
Dr. Yan Ling Liang
Dr. Martin Lee
Dr. Rachel Mandel
Dr. Tracey Mathew
Dr. Carmela Miranda
Dr. Aarti Nayar
Dr. Kim Ngo
Dr. Jeffrey Nielson
Dr. Asim Prasad
Dr. Tom-Harley Poon
Dr. Natalia Porras
Dr. Jodi Prediger
Dr. Tariq Rajan
Dr. Tapasya Ranjan
Dr. Laura Ann Schmidt
Dr. Suraj Sharma
Dr. Rina Singh
Dr. Jeffrey Smith
Dr. Heing Taing
Dr. Olivia Theng
Dr. Jonathan Thom
Dr. Mylinh Tran
Dr. Sarah VanDerPutten
Dr. Salina Wazir
Dr. Grace Wong
Dr. Sharon Wong

I also serve as the ACO representative to CORA (Canadian Optometric Regulatory Authorities). We meet twice a year to discuss common issues and challenges, the CSAO national exams, the Canadian Examiners in Optometry, the Waterloo Bridging Program for international optometry graduates and the Mutual Recognition Agreement. I also attend the CAO Leadership Forum on behalf of council. In addition to these duties, I am

also the designated contact person for TILMA, the Alberta Federation of Health Professions, the Health Quality Council of Alberta and Alberta Netcare.

Finally, I would like to thank all the regulated members that I have had the pleasure of interacting with this past year. As a self-regulating profession, our mandate is to protect and serve the public interest. Since this mandate may sometimes conflict with the personal interest of members of the profession, I thank you all for your understanding and co-operation as my duties can become difficult at times.

Respectfully Submitted,

Gordon Hensel O.D., F.A.A.O.
Registrar

Privacy Officer's Report

Privacy legislation attempts to balance an individual's right to have their personal information protected and the need of practitioners to collect, use and disclosure of personal information for purposes that are considered reasonable. Reasonableness results from reviewing the situation from a third party standpoint and being fair, rational and truthful.

Since last years AGM I have not received any complaints with regard to a privacy impropriety. I did receive many telephone calls during the year from regulated members wanting to know whether the utilization of a post-card type mail-out recall communication is appropriate. The ACO Council recommends that any communication to your patients be done in a sealed envelope (when using Canada Post or a courier service) or securely encrypted (when using email or other electronic means).

One optometrist had a briefcase full of patient charts stolen from their vehicle (while having lunch downtown). The charts were from patients examined at a retail optical location and were being transported to their main practice location. The briefcase was returned a few hours later (by a Good Samaritan) with all patient charts intact as the thieves were only looking for cash. Rather than transport the charts back and forth, the optometrist has since made changes to ensure that these patient records will be securely locked at the retail optical to ensure reasonable access when they perform eye examinations at the retail optical.

I also received an inquiry from an optometrist regarding whether they are obligated to release patient information when requested to do so via a court order or injunction. The legal opinion was that once the optometrist received the court "action number", they could legally release all information as police investigations are an exception to confidentiality legislation. This particular case involved the RCMP investigating whether a family was defrauding an insurance company with fraudulent claims regarding vision care expenses.

The ACO web-site (www.collegeofoptometrists.ab.ca) has a complete summary of Privacy Legislation, your requirements as a health care practitioner and several templates to use to ensure your office remains compliant. If you have not already done so, please review these documents immediately.

If you have any concerns or questions about privacy protocols, please review the privacy information in your ACO blue binder or on the ACO website. For further questions about specific issues not covered in the ACO blue binder or website, please contact the Alberta College of Optometrists office or the Privacy Commissioner of Alberta.

Respectfully submitted

Gordon Hensel O.D., F.A.A.O.

Registration Committee Report

The mandate of the Registration Committee is to review all applications for registration in Alberta as well as undertaking any other duty given to it under the Health Professions Act. To this end, the committee recently updated the ACO Registration and Licensure information package and posted it on the ACO web-site. This package details the registration and licensure requirements for the various categories of practitioners to obtain a practice permit in Alberta.

In the coming year, the committee will continue to analyze the results of the ACO Jurisprudence Exam and update questions that are deemed invalid or do not meet our correlation coefficient. As well, with the recent change to allowing students to apply directly to the Canadian Examiners in Optometry (CEO), the committee will attempt to streamline the registration process for new graduates

The committee is also hopeful that the Alberta Government will soon change the Optometry Profession Regulation Section 7 to require new applicants to possess the CPR designation as required by Council (Level HCP) rather than the previous Level "C" (which no longer exists as its previous form).

Since the last AGM, a total of 33 applicants wrote the ACO Jurisprudence exam. Of this total, 30 passed on their first attempt at the exam and the remaining three passed on their second attempt. (The committee utilizes a different exam for the second attempt.) The average grade of all students taking the exam was 81%. The marks ranged from 64% to 92%. The pass mark is 70%.

The Registration Committee would like to congratulate all new practitioners and welcome them to Alberta. On behalf of the entire membership, we hope your registration with the Alberta College of Optometrists is just the first step in a lifelong professional career of learning and fulfillment.

This report marks the last one for me as Chairman of the Registration Committee as I embark on new challenges with the Canadian Examiners in Optometry. I wish my successor (as Chairman), Dr. Grant Balen all the best and ask that you support him and his committee to the same extent that I enjoyed. Thank you for the opportunity to serve the profession.

Respectfully submitted,

Mona Purba, O.D.
Chairperson

Competence Committee Report

The Competence Committee (CC) mandate is to ensure that members of this profession are practicing to the required Standards of Practice established by the Alberta College of Optometrists (ACO). The ACO defines competence as having the right skills to perform the right procedure, for the right person, at the right time.

The Continuing Competence Program is, by its very nature, an evolving process. Changes within the profession and the competence committee membership require constant reassessment of “how we conduct reviews”. The physical presence of regulated members during their practice review has proven to be extremely beneficial in the understanding and interpretation of patient charts, especially those that are hand written.

A Competence Think Tank was held this spring in Edmonton to assess the entire practice review process. Our goal was to have every member of our committee perform each review in as similar a manner as possible and to revamp the practice review form. At the end of the session, all members of our committee felt the Think Tank was very worthwhile.

Of the 98 reviews conducted since the last AGM, the following data is provided for your information. The committee meets twice a year and each practitioner is identified by their registration number only during our round table discussions. The committee as a whole determines all final outcomes.

Satisfactory Reviews:	65
Minor Remediation:	21
Major Remediation:	9
Tabled	3
Referred to Complaints Director	0
Referred to Hearings Committee	0

Major Remediation - Satisfactory after major remediation - 90 day follow-up review	5
Major Remediation – Satisfactory after complying with CC requirements respecting additional continuing education	1

Minor remediation requires the practitioner to inform the CC in writing within 30 days that he/she has complied with the requested changes. To avoid unnecessary work, both the committee and the ACO would appreciate that when members receive this form of remediation that they respond as soon as possible within the 30 day time frame.

Major remediation requires a 90-day follow-up visit which is conducted by a different reviewer (than the original reviewer) to determine that the necessary changes have been made. This follow-up review is conducted at the practitioner’s cost and they are billed accordingly.

The committee continues to adapt to the legislative and educational changes occurring within our profession. Any changes in policy will be circulated to the membership through the ACO newsletter as well as ACO Advisories.

I would like to take this opportunity to thank committee members Drs. Peter McGuigan, Gene Edworthy, Ed Jang, Sherri Norris, Sandra Oshanyk, Rob Eastwood, Holly Parker, Christine Russo, Wes Prince and Sunny Mehta who have all done an excellent job over the past year. I would also like to thank Mrs. Bonnie Sniedze (Administrative Assistant) for again looking after the many details for this committee and Dr. Gordon Hensel (Registrar) for his assistance concerning legislative matters. Each of them has contributed significantly to this important committee.

Respectfully Submitted,

Gary Watson O.D.
Chairman

Complaints Director's Report

The Complaints Director is responsible for accepting written, signed complaints regarding regulated or former members, and fulfilling the College's mandate of public safety with proper investigation and resolution of these complaints. Fortunately, the Health Professions Act allows more avenues for resolution than our previous Optometry Profession Act.

Since last years AGM, a total of 6 written complaints were received at the ACO office. The actions taken respecting these 6 complaints are as follows:

- [a] Lost communication with the patient - 1
- [b] Dismissed due to insufficient or no evidence of unprofessional conduct - 1
- [c] Investigations not completed yet - 4

The complaints as summarized as follows:

- [a] The first complaint involved a patient who complained that the optometrist refused to examine them after they arrived 17 minutes late for their appointment. Although the optometrist and his staff attempted to rebook the patient on another day, as the rest of his daily schedule was booked solid, the patient insisted that they be seen when they arrived and that other patients be told to wait. Unfortunately, further communication with the patient was lost as the patient did not return telephone calls or letters.
- [b] The second complaint involved a patient who complained about an optometrist's improper handling of removal of a foreign body in his eye. The patient complained that the optometrist only wanted to perform a complete eye examination rather than treat the urgent issue at hand. The optometrist took a medical history, visual acuities, NCT IOP's and started to perform a slit lamp examination when the patient intervened and said that he only wanted the foreign body removed (sand particles) and not a complete eye examination. When the optometrist explained that since the patient was new to their office, he wanted to obtain some preliminary information before rinsing the sand particles out. The patient left and went to another practitioner. Upon review of the patient chart,

interview with the patient, interview with the optometrist and review of several other foreign body removal charts, it was decided to dismiss the case due to insufficient or no evidence of unprofessional conduct. The patient did have the sand particles removed at another practitioner's office later that day.

[c] The four investigations not completed yet involve an alleged sexual impropriety, practicing as an intern without proper registration, difference of opinion on whether cataract surgery or new glasses were the appropriate treatment choice and misdiagnosis of an ocular condition.

I would like to thank Drs. Jennifer Ash and Shelena Ask who performed preliminary investigations this past year in a compassionate and professional manner. I would also like to thank Mr. Des Bulger (ex-RCMP officer and current owner of a private investigating firm) for his professional assistance in another investigation.

Respectfully submitted,

Gordon Hensel O.D., F.A.A.O.
Complaints Director

Mediator's Report Southern Alberta

Since the last AGM, I have mediated two complaints. Both involved patients having difficulty adapting to their new glasses. Both patients were instructed to return to their optometrist. Once the optometrists were made aware of the patient's concerns, both complaints were resolved.

I would like to thank the optometrists for their excellent cooperation in resolving these complaints.

Respectfully submitted,

Doug Howes, O.D.
Chairman

Mediator's Report Calgary and Area

Since the last AGM, I have dealt with a record low 5 mediations!

Although every mediation was unique, they all involved miscommunications between the patient and the optometrist/staff. I am happy to report that all mediations were successfully resolved once the optometrist was made aware of the complaint.

I would personally like to commend our members for what I am sure must be an enviable low number of mediations for any health profession.

Respectfully submitted,

Wayne Klettke, O.D.
Chairman

Mediator's Report Edmonton and Area

A total of ten complaints were received at the ACO office since the last AGM.

The complaints can be grouped as follows:

- (a) One complaint about the extra fee charged for a repeat office visit due to problems with vision with the patient's glasses.
- (b) One complaint concerned an increase in price of glasses from the initial quote given as opposed to the final price on pickup of finished glasses.
- (c) Three complaints about the patients receiving an incorrect prescription.
- (d) One complaint from a patient who was told he/she should change his/her glasses Rx when there had been no significant change in prescription.
- (e) Four complaints respecting fees charged for diagnostic services that the patients felt should have been covered by Alberta Health Care rather than having to pay privately.

All complaints were resolved amicably through discussions with the patient and the optometrists in question. Most complaints could be avoided through better communication between the optometrist or their staff and the patient.

The College suggests that regulated members hold regular communication skills workshops with their staff during the year in order to reduce the number of complaints reaching the ACO office.

Respectfully submitted

Troy Brady, O.D.
Chairman

Mediator's Report Northern Alberta

Since the last AGM the Edmonton and Northern areas were split into two separate divisions. Dr. Harvey Hazelaar chaired the previous combined committee for the first few months before I was appointed to handle the northern area by itself.

Dr. Hazelaar mediated two complaints – one related to non-adaptation to a progressive lens and the other related to examination fees not being explained properly. Both were mediated successfully with the first (non-adaptation) patients returning to the optometrist for a refitting of the frame (progressive zone was not lined up properly) and the second (examination fees) patient received a call from the optometrist who explained his fee schedule and advised that Alberta Health Care does not cover routine eye examinations. In both cases the patient was satisfied with the explanation and outcomes.

No further mediations have come forward since I have taken over the committee.

Respectfully submitted,

Walter Cummings, O.D.
Chairman

Hearings Director's Report

One Hearing Tribunal took place since the last AGM. The member subsequently appealed the decision of the Hearing Tribunal to the ACO Council.

Council heard the appeal on April 14, 2008 and upheld the previous decision of the Hearing Tribunal. The member has now appealed the Council decision to the Alberta Court of Appeal and we are hopeful that the Court will hear the matter before the end of the year.

This report marks the final one for me as the ACO Hearings Director as I take pleasure in other challenges offered by semi-retirement. I have thoroughly enjoyed my time serving as your Hearings Director. I strongly encourage all regulated members to volunteer their time and expertise to the college as the personal and professional benefits are immeasurable.

Respectfully submitted,

Len Bistriz, O.D.
Director

2008

Audited Financial Statement