

The Optometry Act, 1985

[section 11(2)]

SASKATCHEWAN ASSOCIATION OF OPTOMETRISITS — REGULATORY BYLAW
AMENDMENTS

Bylaws 1.1 through 13.9 inclusive of the Bylaws of the Saskatchewan Association of Optometrists, and Appendix A, B, C and D to those bylaws are repealed and replaced by the following certified true

copy of the bylaws finalized September 6, 2008 by the Council of the Saskatchewan Association of Optometrists:

TITLE

(1.1) These bylaws may be cited as The Optometric Professional Bylaws in accordance with section 11(2) of *The Optometry Act, 1985*.

REGISTRATION

(2.1) In addition to any other requirements prescribed in *The Optometry Act, 1985* or this bylaw, an applicant for a professional certificate shall provide to the Registrar a formal application for a professional certificate on the prescribed form that is attached as Appendix A to these Bylaws.

LICENSING

(3.1) An application to the Registrar made pursuant to section 21 of *The Optometry Act, 1985* for a licence shall be on the prescribed form that is attached as Appendix B to these bylaws, shall be accompanied by the fee prescribed by Council, and shall be accompanied by proof that the applicant is insured under a contract of malpractice insurance with an insurance company registered to do business in Saskatchewan that provides a minimum coverage of two million dollars for each occurrence. The Registrar may refuse to issue a licence, or renew a licence, unless each requirement of this paragraph has been met by the applicant.

(3.2) An application to the Registrar made pursuant to section 21 of *The Optometry Act, 1985* for a licence, if the applicant has previously been licensed by the Saskatchewan Association of Optometrists, shall be on the prescribed form that is attached as Appendix C to these bylaws and shall be accompanied by the fee prescribed by Council.

(3.3) The Registrar shall not grant a licence to practice unless the applicant has:

- (a) engaged in the active practice of optometry for a minimum of 750 hours during the preceding 3 years; or
- (b) has demonstrated the applicant's skill and knowledge through an assessment in such form as may be established by the Registrar; or
- (c) has demonstrated the applicant's skill and knowledge in an examination established or adopted by the Board of Examiners.

(3.4) The Registrar shall not grant a licence to practice unless all of the information required by the prescribed form has been provided to the Registrar, the applicant has provided proof of malpractice insurance, and the prescribed fee has been paid.

(3.5) The Registrar may ask for clarification of any information provided by an applicant for a licence and may withhold the granting of a licence until that information has been provided.

(3.6) The Registrar may refer any application made under section 21 of *The Optometry Act, 1985* to the Council and may issue a temporary licence to the applicant pending consideration of such application by the Council.

EXAMINATIONS

(4.1) There shall be a Board of Examiners consisting of five members who are residents in Saskatchewan and are appointed by the Council of the Association.

(4.2) Each Examiner shall be appointed for a term of up to three years.

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(4.3) A person appointed by the Council of the Association, if otherwise qualified, may be reappointed upon the expiration of the Examiner's term, but no such person shall be appointed for more than three consecutive terms.

(4.4) A minimum of three members of the Board of Examiners shall form a quorum.

(4.5) The Board shall appoint one of its members to be a chairman and shall appoint one of its members as a secretary.

(4.6) Subject to *The Optometry Act, 1985* and the other provisions of this Bylaw, the Board of Examiners may regulate its own business and proceedings.

(4.7) (a) Where it appears that a member of the Board of Examiners is unable to perform their duties as a member, the Council of the Association with the concurrence of a majority of the remaining Board members may declare that a vacancy exists;

(b) Where a vacancy is declared pursuant to subsection (a) or occurs due to death, resignation or otherwise of a member of the Board, the Council of the Association may appoint another member to fill the vacancy for the remainder of the term of office of the member being replaced.

(4.8) (a) For the purpose of section 16 of *The Optometry Act, 1985*, schools or colleges of optometry recognized by Council are:

(i) the School of Optometry of the University of Waterloo; or

(ii) the School of Optometry of the University of Montreal; or

(iii) a school or college of optometry of any other university which is recognized by the University of Saskatchewan and which grants the degree of Doctor of Optometry; or

(iv) a school or college of optometry recognized and accredited by the Accreditation Council on Optometric Education and which grants the degree of Doctor of Optometry.

(v) a school or college of optometry that is recognized by the University of Waterloo, and in which case an individual graduate from such a school is approved to challenge the Canadian Standards of Assessment in Optometry (CSAO) or is approved to challenge the CSAO by successfully completing a bridging program at the School of Optometry, University of Waterloo.

(b) Graduates of institutions recognized under subsection (a)(iii), (a)(iv) and (a)(v) shall, before applying for practical examination in Saskatchewan, have successfully completed:

(i) written examinations judged by the Council of the Association to be equivalent to the comprehensive examination set by either the University of Waterloo or University of Montreal Schools of Optometry; or

(ii) parts one and two of the examination of the American National Board of Examiners in Optometry.

(4.9) (a) Every person wishing to obtain a professional certificate shall, in addition to any other requirements prescribed in *The Optometry Act, 1985* or this Bylaw, be required to take an examination or examinations authorized or set by the Board of Examiners;

(b) No person may take the examination or examinations authorized or set by the Board of Examiners more than three times.

(4.10) The Board of Examiners shall:

(a) determine the subject or subjects of examination to be taken by a candidate;

(b) prescribe or approve the content of the examinations;

(c) establish the marks required by a candidate to pass the examination or examinations; and

(d) determine the time when and the location where the examinations are to be held.

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(4.11) The Board of Examiners shall hold examinations at least once in each calendar year, provided that there are candidates for such examinations, and shall provide the Registrar of the Association with notice of the time, place and date or dates on which such examinations will be held.

(4.12) Each Examiner or group of Examiners shall evaluate the candidate's performance on the subject or subjects upon which the examination has been set and shall return the record of that examination with the marks awarded thereon to the secretary of the Board of Examiners, who shall report to the Registrar the marks awarded to each candidate.

(4.13) The fee for each examination subject shall be as prescribed by Council.

(4.14) The Board of Examiners shall review, develop, administer and recommend to Council the educational standards and examinations required for members to be eligible for a Diagnostic Pharmaceutical

Agents Certificate or Therapeutic Pharmaceutical Agents Certificate.

(4.15) Upon application or request, the Board of Examiners shall assess the eligibility of a member for a Diagnostic or Therapeutic Pharmaceutical Agents Certificate.

CODE OF ETHICS

(5.1) It is the duty of every member of the Saskatchewan Association of Optometrists to adhere to the following code of ethics:

(a) to accept as the primary concern and responsibility the visual welfare of their patient;

(b) to promote the highest possible standard of vision care for all persons;

(c) to render services with equal diligence to all patients, regardless of race or creed or economic

status;

(d) to recognize professional limitations and refer to or consult with colleagues and other professionals whenever such referrals or consultations are in the patient's best interest;

(e) to seek continued growth of skill and knowledge so that patients may receive the full benefit of advances in the art and science of vision care;

(f) to share professional knowledge and experience with colleagues so that all may benefit there from;

(g) to hold in confidence any and all information concerning patients and to use such information only for their benefit unless otherwise required by law;

(h) to maintain at all times the dignity, honour and integrity of the profession of optometry.

STANDARDS OF PRACTICE

(6.1) In the practice of optometry a member shall follow the generally accepted Standards of Practice and procedures in the determination of the state of the eye and its adnexa and in the assessment and care of the patient.

(6.2) Guidelines defining procedures considered necessary for compliance with the standards required in section (6.1) shall be compiled from time to time at the direction of Council, and copies of such guidelines shall be made available to each member.

(6.3) A member shall maintain a clinical record of each patient for whom the member provides diagnostic or treatment services and the record for each patient shall contain not less than:

(a) patient identification;

(b) date of service;

(c) patient's history;

(d) examination procedures used;

(e) clinical findings obtained;

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(f) tentative and/or final diagnosis;

(g) treatment prescribed or provided;

(h) specifications for any appliance prescribed or provided;

(i) advice or counsel provided;

(j) statement of fees charged for professional services and materials.

(6.4) A member shall keep the records required under section (6.3) in a systematic manner and shall retain each record for a period of at least six years after the date of the last entry in a record. All records of pediatric patients shall be retained for two years past the age of majority or six years after the date they were last seen whichever may be the later date.

(6.5) A member shall have in their office at minimum, the usual and necessary instruments, equipment and physical facilities for the provision of the diagnostic and treatment services required under sections (6.1) and (6.2).

(6.6) A member may delegate duties and tasks to support personnel where appropriate. Any act so delegated must be ordered by the member and the member assumes full responsibility for such delegated acts. Acts requiring direct or indirect supervision may be delegated as appropriate. Patient care must not be compromised in any decision to delegate. The delegation of any act shall not negate the member's responsibility to follow generally accepted Standards of Practice. As per section 48(1) of *The Optometry Act, 1985* no person other than a licensed optometrist may engage in the practice of optometry. Under no circumstances shall support personnel be delegated tasks involving evaluation (or interpretation) of data, diagnosis or prognosis. No support personnel shall measure subjective refractive error or determine its correction.

(6.7) A member shall ensure that the member's practice location is accessible at all times to the member, or the member's staff, to ensure availability of patient records and to ensure that a patient can be examined by the member in the event of an emergency.

(6.8) A member shall ensure that the member's practice location has a secure facility for the private and confidential storage of patient records and medical information, including all financial dealings with the optometrist's patients connected with the practice. These records will be maintained as confidential and accessible only to the optometrist and the optometrist's staff. The optometrist shall ensure that no person other than the optometrist and members of the optometrist's staff has access to such records.

(6.9) A member shall ensure that the member's practice location has a secure facility for the storage of diagnostic and therapeutic pharmaceutical agents. These drugs will be accessible only to the optometrist

and the optometrist's staff. The optometrist shall ensure that no person, other than the optometrist and members of the optometrist's staff, has access to such drugs.

INVESTIGATIONS

As per section 25 of *The Optometry Act, 1985* a Mediation Committee duly appointed by the Council of the Association may investigate written allegations of professional misconduct or any violation of any provision

of the Act or Professional Bylaws or that a member has otherwise provided improper service in the practice of optometry. In so performing its duties the Mediation Committee shall have the power:

(7.1) To require any member to appear for an interview before the committee. This may include a member who is not under investigation but may have information relevant to the investigation;

(7.2) To require a member to provide any books, records, documents or things relevant to the investigation to the committee;

(7.3) To seek assistance from non-members as required. This may include legal, accounting or other expert assistance as necessary.

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PROFESSIONAL MISCONDUCT

(8.1) Without in any way limiting the generality of "professional misconduct" a member is guilty of professional misconduct where the member:

(a) contravenes any provision of *The Optometry Act, 1985* or the Bylaws;

(b) fails to maintain the Standards of Practice of the profession established by the Council of the Association;

(c) contravenes any provision of the Code of Ethics established by the Council of the Association;

(d) fails to abide by the terms, conditions or limitations of the member's licence;

(e) fails to maintain the records that are required to be kept in respect of a member's patients or practice;

(f) practices their profession in circumstances which constitute a conflict of interest under these Bylaws;

(g) exceeds the lawful scope of the practice of optometry;

(h) uses or advises the use of any drug other than those drugs prescribed in these Bylaws, or uses or advises the use of any drug prescribed in these Bylaws for other than a purpose prescribed in these Bylaws;

(i) permits, counsels or assists any person who is not licensed under *The Optometry Act, 1985* to engage in the practice of optometry except as provided for in *The Optometry Act, 1985* or these Bylaws;

(j) uses terms, titles or designations other than those authorized or uses terms, titles or designations that are prohibited by these Bylaws;

(k) publishes, displays, distributes or uses or permits, directly or indirectly, the publishing, displaying, distribution or use of any advertisement related to the practice of optometry by a member other than as authorized by these Bylaws;

(l) associates with or is employed by any person who publishes, displays, distributes or uses any advertisement related to the practice of optometry by the member other than as authorized by these Bylaws;

(m) refuses to allow a member or members of the appraisal committee or other authorized representative of the Council of the Association to enter at a reasonable time the office and premises in which the member is engaged in the practice of optometry for the purpose of examining and assessing the members' standards of practice, their professional records and their instrumentation;

(n) fails to comply with any recommendation of the appraisal committee where such recommendation has been approved by Council;

(o) induces, solicits or secures patronage by warranting professional services;

(p) engages in any conduct or act relevant to the practice of optometry that, having regard to all the circumstances, would be reasonably regarded by members as disgraceful, dishonourable or unprofessional;

(q) treats or attempts to treat a vision problem which the member recognizes or should have recognized as being beyond their experience or competence;

(r) charges fees for services that are excessive in relation to the services performed, or charges an excessive amount for ophthalmic materials or appliances;

(s) contravenes or fails to comply with the terms of an agreement between the member and a third

party or between the Association and a third party where such agreement deals with the provision of or the payment for professional services;

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- (t) charges fees for optometric services directly to a patient where payment for such services is covered by an agreement between the member and a third party or between the Association and a third party, without notification to the patient prior to such services being initiated of the amount of such fees and that such fees will be charged directly to that patient;
- (u) signs or issues a certificate, report or similar document that contains a statement the member knows or ought to know is false, misleading or otherwise improper;
- (v) knowingly submits a false or misleading account or false or misleading charges for services rendered to a patient;
- (w) falsifies a record with respect to an examination or treatment of a patient;
- (x) fails to carry out the terms of an agreement with a patient;
- (y) fails to continue to offer professional services to a patient until the services are no longer required or until the patient has had a reasonable opportunity to arrange for the services of another member or health care professional;
- (z) engages in the practice of optometry while the ability to perform any professional act is impaired by alcohol or another drug;
- (aa) issues a statement or a receipt to a patient or to a third party responsible for the payment of the account of a patient which does not itemize the service provided and the fees therefore;
- (bb) fails to provide in writing upon the request of a patient, made within a reasonable time, the specifications of any ophthalmic device which they have supplied or caused to be supplied to that patient;
- (cc) fails to offer a written prescription to a patient upon completion of an eye examination or to provide a patient with a copy of his or her prescription upon the patient's request within a reasonable time, in which in the opinion of the member, the appropriate treatment may include the use of corrective lenses;
- (cc.1) for the purpose of clause (cc), prescription means a written record of:
 - (i) the power of a lens necessary to correct the refractive error of a person's eye; and
 - (ii) the reading adds, prisms and back vertex distance.
- (dd) neglects or refuses to provide within a reasonable time to a mediation committee conducting an investigation under section 25(2) of *The Optometry Act, 1985* any books, records, documents or things requested by the mediation committee for the purpose of their investigation;
- (ee) neglects or refuses to provide to a mediation committee conducting an investigation under section 25 of *The Optometry Act, 1985* any information requested by the mediation committee for the purpose of their investigation;
- (ff) having received reasonable notice of the intention of the mediation committee, or a member of that committee, to attend at the member's premises, refuses to allow a mediation committee conducting an investigation under section 25 of *The Optometry Act, 1985*, or a member of that committee, to enter at a reasonable time the office and premises in which the member is engaged in the practice of optometry or refuses to permit the committee or the member of that committee to examine the premises, the equipment on the premises, the books and accounts, records of patient care or any other books, records, documents or things that are relevant to the inquiry by the mediation committee;
- (gg) conceals, alters or destroys any books, records, documents or things relevant to the matter being investigated by a mediation committee;
- (hh) having received reasonable notice to appear before the mediation committee, neglects or refuses to attend at the time, date and place of the notice.

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CONFLICT OF INTEREST

Preamble

- (9.1) It is the intention of this Conflict of Interest Bylaw that optometrists should not accept any form of gift or economic benefit whereby the professional services which they provide to a patient or the advice or recommendation given to a patient might be influenced by factors other than the best interest of the patient and the professional judgment of the optometrist.
- (9.2) It is further the intention of this Conflict of Interest Bylaw that optometrists should not accept any form of gift or economic benefit whereby it might appear to others that the professional services which they

provide to a patient or the advice or recommendation given to a patient might be influenced by factors other than the best interest of the patient and the professional judgment of the optometrist.

(9.3) It is further the intention of this Conflict of Interest Bylaw that forms of economic relationships or business activities by optometrists which might influence an optometrist's professional services, advice or recommendations should be prohibited. Where an optometrist is permitted to enter into economic relationships or business activities with persons other than other optometrists, full disclosure of this relationship must be provided to each patient of the optometrist. The patient must also be advised that treatment services such as spectacles, contact lenses and low vision devices are available from providers other than the person with which the optometrists has a relationship.

Definitions

(9.4) In this bylaw the words:

“Association” means the Saskatchewan Association of Optometrists.

“benefit” means any benefit, gift or advantage whatsoever received or obtained, directly or indirectly, by a member, a person who is an immediate family member of the member, or a related corporation of a member

and includes:

(a) the acceptance of a loan unless there is written evidence of indebtedness which:

(i) is executed at the time of the transfer of funds;

(ii) is available and is produced to the Association on demand; and

(iii) provides for a fixed term of loan with specific repayment terms and a set interest rate, all of which are reasonable having a view to prevailing market conditions at the time of the loan.

(b) the reduction of the amount of any indebtedness or financial obligation;

(c) the acceptance of credit unless the credit is unrelated in any way to patient referrals and the credit is extended pursuant to an agreement in writing which:

(i) is executed at the time of the transaction;

(ii) is available and produced to the Association on demand; and

(iii) provides for a fixed term of credit and fixes an interest rate both of which are reasonable having a view to prevailing market conditions at the time of the transaction;

(d) the use of any equipment, furniture or fixtures used in connection with a member's practice of the profession of optometry including ophthalmic equipment, office furnishings, computer equipment or software or the use of telephone equipment unless there is a written agreement relating to the use of such equipment, furniture or fixtures which:

(i) is unrelated in any way to patient referrals;

(ii) is executed at the time that such equipment, furniture or fixtures is made available to the member;

(iii) is available and produced to the Association on demand; and

(iv) provides for a fixed term for the agreement and fixes terms of payment for such equipment, furniture or fixtures which is reasonable having a view to prevailing market conditions at the time of the transaction;

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(e) the occupancy or use of any premises in connection with the member's practice of the profession of optometry, whether under lease or under any other arrangement, unless there is a written agreement relating to the use of such premises which:

(i) is unrelated in any way to patient referrals;

(ii) is executed at the time that such premises are made available to the member;

(iii) is available and produced to the Association on demand; and

(iv) provides for a fixed term of the agreement and is on terms which are reasonable having a view to prevailing market conditions at the time of the transaction.

but does not include:

(a) occasional small gifts, promotional items or other small expenditures provided to or for the member as a courtesy to a member which are unrelated in any way to patient referrals or usage, display or sale of particular ophthalmic appliances by the member and which could not reasonably be regarded as possibly affecting an optometrist's choice of services or ophthalmic appliances for patients;

(b) volume purchase discounts provided by a supplier to an optometrist provided such volume purchase discounts are generally available to other optometrists.

“immediate family member” means:

- (a) the spouse of a member;
- (b) a person who is in a relationship similar to a spousal relationship with the member, whether or not that person is of the same gender as the member;
- (c) any child or adopted child of the member; or
- (d) the spouse of a child referred to under “immediate family member”(9.4)(b).

“ophthalmic dispensary” means any retail outlet which sells ophthalmic appliances to the public on prescription and includes an individual, partnership or corporation which controls or has a financial interest in an ophthalmic dispensary and includes every employee or representative of such individual, partnership or corporation, but does not include a dispensary for eyeglasses or contact lenses located entirely within the premises where the member practices optometry if that dispensary is wholly owned by the member, members practicing in a form of association or partnership with the member, immediate family members of such persons, or related corporations of such persons and the dispensary is supervised by the member.

“ophthalmic dispenser” means a person licensed under *The Ophthalmic Dispensers Act* of Saskatchewan or any succeeding legislation for the regulation of ophthalmic dispensers, and includes any person, partnership, corporation, institution, or facility which provides ophthalmic dispensing service.

“patient referral” includes any situation in which a member’s patient receives goods or services from an ophthalmic dispensary, vision care provider, or surgical facility whether there is, or is not, a recommendation

by a member that the patient patronize such ophthalmic dispensary, vision care provider or surgical facility.

“related corporation” means any corporation:

- (a) in which a member is a shareholder, director or employee; or
- (b) in which an immediate family member of a member is a shareholder, director or employer; or
- (c) which makes any payment to or provides a benefit to any member, an immediate family member of a member, or a related corporation of a member.

but does not include:

- (a) a publicly traded corporation in which the member’s only interest is as a shareholder of the publicly traded shares of the corporation.

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“supplier” means a manufacturer or distributor of ophthalmic appliances or optometric equipment, or other optometric supplies used in connection with an optometrist’s professional practice.

“surgical facility” means any facility which offers surgical improvement of vision and includes an individual, partnership or corporation which controls or has a financial interest in a surgical facility and every employee or representative of such individual, partnership or corporation.

“vision care provider” means any person, partnership, corporation, institution or facility that provides services related to patients’ vision, and to whom optometrists may refer patients, and includes each employee or representative of such person, partnership, corporation, institution or facility and includes ophthalmologists.

“wholesale optical manufacturer or distributor” means any person, partnership or corporation that manufactures ophthalmic appliances or distributes ophthalmic appliances, other than an ophthalmic dispensary, and includes every employee or representative of such person, partnership or corporation.

Conflicts of Interest

(9.5) Except as otherwise provided in this bylaw it is a conflict of interest for a member, an immediate family member of a member or a related corporation of a member to receive any benefit, directly or indirectly, from any ophthalmic dispensary, surgical facility, wholesale optical manufacturer or distributor or vision care provider.

(9.6) Except as otherwise provided in this bylaw, it is a conflict of interest for a member, immediate family member of a member or a related corporation of a member to receive any benefit from any person, partnership, corporation or organization if that benefit is affected by patient referrals.

(9.7) It is a conflict of interest for a member, an immediate family member of a member or a related corporation of a member to have a financial interest in an ophthalmic dispensary or to receive a benefit from an ophthalmic dispensary. Provided however, if the immediate family member of a member is a licensed ophthalmic dispenser, it is not a conflict of interest for that immediate family member to have a financial interest in an ophthalmic dispensary, or to receive a benefit from an ophthalmic dispensary, if the

member does not engage in any direct or indirect referral to or from the ophthalmic dispensary, and if no benefit flows through to the member from the ophthalmic dispensary.

(9.8) It is a conflict of interest for a member to be employed by an ophthalmic dispensary, or to practice under any form of arrangement or contract whereby patients are referred to the member by an ophthalmic dispensary.

(9.9) Except as otherwise provided in this bylaw it is a conflict of interest for a member to share fees with any person, partnership or corporation which has referred a patient or to receive a benefit from any person, partnership or corporation to whom the member has referred a patient or to engage in any form of fee sharing, rebates or other indirect remuneration with any such person.

(9.10) Subject to section (9.12), it is a conflict of interest for a member to engage in the practice of optometry as an employee of, or in any form of association with or partnership with any person or corporation other than:

(a) with an active member or with a part time member who is engaged in the practice of optometry.

For the purposes of this subsection an active member is one who practices in Saskatchewan a minimum of 750 hours in the preceding three years, and a part time member is a holder of a part time license as defined in section 13 of the Administrative Bylaws of the Association;

(b) with a legally qualified medical practitioner who is engaged in the profession of medicine provided that such practice is not inconsistent with *The Optometry Act, 1985* or the bylaws;

(c) as an employee or agent of a municipal government, agency of a municipal or other government, a University or a regional health authority;

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(d) with an approved health agency if the employment or any arrangement has been approved by the Council;

(e) with a corporation for the sole purpose of providing optometric counsel and service to the employees of that corporation; or

(f) with such other person or corporation as may be permitted by this bylaw whether such other person or corporation does, or does not, practice optometry.

It is not a conflict of interest for a member to practice with an ophthalmic dispenser pursuant to an arrangement whereby the ophthalmic dispenser practices solely on the premises of the optometrist and under the direct supervision of that optometrist. Without limiting the generality of the foregoing, except as permitted by the preceding sentence, or by section (9.10) (c), (d), (e) or (f), or by section (9.11), it is a conflict

of interest for a member to employ or be employed by an ophthalmic dispenser, or to engage in the practice of optometry in any form of association with or partnership with an ophthalmic dispenser.

(9.11) For the purposes of this paragraph, "form of business association" does not include a relationship in which the optometrist is an employee or practices under a contract for personal services. Notwithstanding anything to the contrary in section (9.10), it is not a conflict of interest for an optometrist to practice in a form of business association with an ophthalmic dispensary or ophthalmic dispenser, if each and every one of the following conditions is met in that association:

(a) the location containing the optometric practice shall be accessible to the member and the member's staff, and the member's patients on a 24 hour basis. Any public entrances or exits of the optometric practice that are within or interconnected with an ophthalmic dispensary must be sealed when the optometric practice is not occupied by the member or the member's staff;

(b) the location containing the optometric practice shall have independent and direct telephone services which are separate from those of the ophthalmic dispensary, has a mail delivery system that is independent of and separate from the ophthalmic dispensary, and has a computer network that is independent of and separate from the ophthalmic dispensary;

(c) patients are made aware, through signs, brochures or other means which will bring to the attention of patients of the optometrist that the optometrist is practising in a relationship with the ophthalmic dispensary or ophthalmic dispenser; and

(d) patients are offered a written prescription for their vision correction following their assessment by the optometrist, and are made aware that they are not required to have their prescription for eyewear filled by the vision care provider with whom the optometrist is practicing in an association.

The optometrist shall ensure that neither the optometrist nor any member of the optometrist's staff delivers the prescription to the ophthalmic dispensary or ophthalmic dispenser with whom the member is associated; and

- (e) the optometrist's practice has a secure facility for the private and confidential storage of patient records and medical information, including all financial dealings with the optometrist's patients connected with the practice. These records will be maintained as confidential and accessible only to the optometrist and the optometrist's staff. The optometrist shall ensure that no person, including the ophthalmic dispenser or ophthalmic dispensers staff, has access to such records; and
- (f) the optometrist's practice has a secure facility for the storage of diagnostic and therapeutic pharmaceutical agents. These drugs will be accessible only to the optometrist and the optometrist's staff. The optometrist shall ensure that no person, including the ophthalmic dispenser or ophthalmic dispensers staff, has access to such drugs; and
- (g) the relationship with the ophthalmic dispensary or ophthalmic dispenser provides the optometrist control over all advertising done by the ophthalmic dispensary or ophthalmic dispenser which relates to the services provided by the optometrist so as to ensure that the advertising which relates to the services provided by the optometrist meets the ethical and bylaw requirements for advertising by optometrists.

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(9.12) It is not a conflict of interest for a member to have a financial interest in a wholesale optical laboratory, contact lens manufacturer or surgical facility, provided the only benefit received by the member from the wholesale optical laboratory, contact lens manufacturer or surgical facility is:

- (a) a dividend, bonus or share of the profits paid by the wholesale optical laboratory, contact lens manufacturer or surgical facility on the basis of the financial investment made in the wholesale optical laboratory, contact lens manufacturer or surgical facility, or a director's fee paid by the wholesale optical laboratory, contact lens manufacturer or surgical facility, such payment is reasonable and is made on the same basis as paid to other persons who have made a financial investment in the wholesale optical laboratory, contact lens manufacturer or surgical facility; or
- (b) such other payment as may be permitted under the terms of this bylaw.

(9.13) It is not a conflict of interest for a member to receive payment of a fee from a surgical facility if the fee:

- (a) is fully disclosed to the patient in advance; and
- (b) relates solely to the provision of presurgical care and/or postsurgical care provided to the patient by the member; and
- (c) is unrelated to patient referrals to the surgical facility; and
- (d) is a reasonable fee for the services provided by the member; and
- (e) is consistent with the fee charged by the member to other surgical facilities.

(9.14) It is not a conflict of interest for a member to be employed by or to practice under contract with a surgical facility if the remuneration paid to the member:

- (a) relates solely to the provision of presurgical care and/or postsurgical care provided to the patient by the member; and
- (b) is unrelated to patient referrals to the surgical facility; and
- (c) is reasonable for the services provided by the member.

(9.15) It is not a conflict of interest for a member, or immediate family member of a member or related corporation of a member to receive a benefit from a surgical facility if the benefit:

- (a) is unrelated to patient referrals; and
- (b) is a reasonable payment for services provided to the surgical facility; or
- (c) is a dividend, bonus or share of the profits paid by the surgical facility on the basis of the financial investment made in the surgical facility, or a director's fee paid by the surgical facility, such payment is reasonable and is made on the same basis as paid to other persons who have made a financial investment in the surgical facility; or, in the case of a director's fee, is paid on the same basis as payments to other directors.

(9.16) It is a conflict of interest for a member to refer a patient to a surgical facility in which the member has a financial interest, unless at the time of referral the member discloses the fact that the member has a financial interest in the surgical facility and:

- (a) advises the patient of the availability of alternative surgical facilities; and
- (b) provides the patient with information relating to the fees which will be charged or paid by the patient including fees paid to the member by the patient or the surgical facility for both presurgical and postsurgical care, and surgical and facility fees which will be charged by the surgical facility.

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(9.17) It is a conflict of interest for a member to be employed by or offer services under contract to a wholesale optical laboratory or contact lens manufacturer if any part of the member's duties is to provide care to patients, unless that patient care relates solely to research conducted by the wholesale optical laboratory or contact lens manufacturer.

(9.18) It is not a conflict of interest for a member to receive a benefit if the member has obtained the prior approval of the Council to receive such benefit.

ADVERTISING

(10.1)(a) A member or clinic may make information about the member and services provided or the clinic and the services it provides available to any patient, potential patient or the public generally, subject to the limitations contained herein;

(b) The word "**advertising**" in relation to the optometric profession must be taken in its broadest sense. It includes all those methods by which a practising optometrist is made known to the public either by oneself or by others without the optometrist's objections, in a manner which can be fairly regarded as having for its purpose the obtaining of patients or the promotion in other ways of the optometrist's individual professional advantage;

(c) A member or clinic may participate in or donate services to charitable endeavours;

(d) Any member who advertises in a manner contrary to this bylaw, or who permits such advertising to be done on the member's behalf or permits any clinic with which the member is associated to advertise contrary to this bylaw shall be guilty of unprofessional conduct and shall be subject to the provisions of *The Optometry Act, 1985*.

ETHICAL, PROFESSIONAL, ADVERTISING CRITERIA

(10.2) Advertising, promotion and other marketing activities must be in good taste, accurate and not capable of misleading the public. Any conduct, either directly or indirectly, or through any medium or agent that:

(a) misrepresents fact;

(b) compares either directly, indirectly or by innuendo, the member's services or ability with that of any other practitioner or clinic, or promises or offers more effective service or better results than those available elsewhere;

(c) deprecates another member or clinic as to service, ability or fees;

(d) creates an unjustified expectation about the results the member can achieve;

(e) is made under any false or misleading guise, or takes advantage, either physical, emotional or financial of any patient or uses coercion, duress or harassment;

(f) is undignified, in bad taste or otherwise offensive so as to be incompatible with the best interests of the public or members under *The Optometry Act, 1985*, or tends to harm the standing of the optometric profession generally;

(g) discloses the names of patients; or,

(h) makes statements which are not statements of fact or makes statements that cannot be proven to be accurate by the member or clinic;

(i) is to be strictly avoided as such conduct is contrary to the interest of the public and the profession.

DIAGNOSTIC PHARMACEUTICAL AGENTS CERTIFICATE

(11.1) The Registrar shall maintain a list in which they shall enter the names of those members who hold a Diagnostic Pharmaceutical Agents Certificate.

(11.2) At least annually, the Registrar shall provide the list referred to in section 11.1 to the Registrar of the Saskatchewan Pharmaceutical Association.

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(11.3) The Registrar may issue a Diagnostic Pharmaceutical Agents Certificate to a member who provides satisfactory evidence that the member:

(a) has graduated subsequent to the year 1979 from either the University of Montreal or the University of Waterloo Schools of Optometry with full credit for a course in pharmacology; or

(b) has graduated subsequent to the year 1979 from a school or college of optometry with full credit for a course in pharmacology judged by the Board of Examiners to be equivalent to the course presented at either the University of Montreal or the University of Waterloo Schools of Optometry; or

(c) has completed a course in pharmacology, approved by the Board of Examiners and passed the examination prescribed by the Board of Examiners.

(11.4) No member shall use any drugs for diagnostic purposes unless their name appears in the list referred to in section (11.1).

(11.5) A member who has been issued a Diagnostic Pharmaceutical Agents Certificate may use the following categories of topically applied pharmaceutical agents for diagnosing diseases or abnormal conditions of the eye, adnexa, and visual system:

- (a) anesthetics;
- (b) cycloplegics;
- (c) miotics; and
- (d) mydriatics.

(11.6) Any member is allowed to topically apply the following dyes or agents:

- (a) sodium fluorescein;
- (b) rose bengal;
- (c) methyl cellulose;
- (d) hypertonic solutions;
- (e) mild silver protein; and
- (f) solutions for the fitting and maintenance of contact lenses.

THERAPEUTIC PHARMACEUTICAL AGENTS CERTIFICATE

(11.7) The Registrar shall maintain a list in which they shall enter the names of those members who hold a Therapeutic Pharmaceutical Agents Certificate.

(11.8) At least annually, the Registrar shall provide the list referred to in section (11.7) to the Registrar of the Saskatchewan Pharmaceutical Association.

(11.9) The Registrar may issue a Therapeutic Pharmaceutical Agents Certificate to a member who provides satisfactory evidence that the member:

- (a) holds a current license to practise optometry in Saskatchewan;
- (b) holds a Diagnostic Pharmaceutical Agents Certificate;
- (c) has successfully completed a course in the use of therapeutic pharmaceutical agents consisting of at least 60 hours of academic instruction and 40 hours of clinical instruction, delivered by a school or college of optometry approved by the Board of Examiners;
- (d) has successfully completed an Ocular Therapeutic examination approved by the Board of Examiners with a passing grade prescribed by the Board of Examiners;
- (e) possesses a current certificate in cardiopulmonary resuscitation (level B or equivalent); and
- (f) has completed the prescribed application forms.

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(11.10) No member shall prescribe and use any therapeutic pharmaceutical agent unless the member holds a current Therapeutic Pharmaceutical Agents Certificate.

(11.11) A member who holds a Therapeutic Pharmaceutical Agents Certificate will have the suffix "T" noted on the member's annual license following the member's license number. This license number with the suffix "T" must be included on every therapeutic prescription issued by the member.

(11.12) Members who hold a Therapeutic Pharmaceutical Agents Certificate may prescribe agents for the treatment of ocular diseases and abnormal conditions with the exception of antiglaucoma agents.

(11.13) Members who use and prescribe topical corticosteroid agents for the treatment of anterior uveitis must arrange for the patient to be examined by an ophthalmologist if no improvement is noted. The treatment of posterior uveitis is not permitted.

(11.14) A Therapeutic Pharmaceutical Agents Certificate shall continue to be valid provided that:

- (a) a member's license to practice optometry has not been suspended or revoked; and
- (b) the member meets the continuing education requirements described in section 12.

COMPULSORY CONTINUING EDUCATION

(12.1) Members will provide to the Registrar each year by December 15th written evidence of having completed a minimum of:

- (a) 30 hours of approved continuing education during the preceding three years if the member does not hold a Therapeutic Pharmaceutical Agents Certificate; or
- (b) 40 hours of approved continuing education during the preceding three years of which a minimum of 10 hours must be related to the use of therapeutic pharmaceutical agents if the member holds a Therapeutic Pharmaceutical Agents Certificate, provided however that:

(i) a member shall be exempt from completing such continuing education during the first three years following graduation in optometry from a school or university approved by Council.

Members who qualify for this exemption shall be required to meet the same requirements as other members as per subsection (12.1)(b) starting on December 15th of their sixth year

following graduation; and

(ii) Council at its discretion may exempt a member from completing such continuing education in any three year period.

(12.2) The Association shall provide courses consisting of not less than 15 hours of continuing education in each year unless otherwise determined by Council.

(12.3)(a) A member shall be credited for attendance at a continuing education course or lecture only if such course or lecture is related to the member's standard of competence and is provided by an educational institution, optometric association or academy approved by Council;

(b) Subject to the approval of Council, a member who prepares and delivers a continuing education course or lecture shall be credited with attendance at a continuing education course or lecture equivalent to twice the number of class hours required to deliver such a course or lecture.

(12.4) In the event that a member is unable to complete the required hours of continuing education in the preceding three years due to medical or other compelling reasons, Council may at its discretion permit the member to complete the balance of the requisite number of hours in the ensuing year.

(12.5) Council may in its discretion approve a member's participation in other continuing education or programmes.

(12.6)(a) When applying for a license or any renewal thereof, a member shall provide to the Registrar satisfactory evidence of participation in continuing education courses or lectures and of the hours of attendance in such courses or lectures during the year;

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(b) In default of providing the evidence required under subsection (12.6)(a) on or before December 15 of each year, or in default of having completed the requisite number of hours of continuing education in the preceding three year period, Council may refuse to grant or renew the member's license.

PROFESSIONAL CORPORATIONS

(13.1) An applicant for registration by a Professional Corporation, or an applicant for renewal of a permit by a Professional Corporation shall file with the Association Appendix D to these bylaws that:

(a) is legible;

(b) contains all of the information required by the form;

(c) attaches all documents that are required by the form;

(d) includes the payment required by these bylaws; and

(e) is signed by all persons required to sign the form.

(13.2) The name of the corporation shall depict that the corporation is engaged in delivering optometric services.

(13.3) The Registrar may refuse registration, or refuse to renew a permit where the form is not completed in accordance with paragraph (13.1) or if the name of the corporation does not meet the requirements of paragraph (13.2).

(13.4) The Registrar may request additional information relating to an application for registration or an application for renewal of a permit by a professional corporation, and may refuse registration or renewal of a permit until that information is provided.

(13.5) The fees in connection with the registration and issuance of an annual permit for a professional corporation shall be:

(a) to register a professional corporation – \$250.00;

(b) to grant an annual permit for a professional corporation – \$50.00;

(c) fee on late payment if the fee for an annual permit is not paid by December 31 of the year immediately prior to the issuance of the annual permit – \$25.00;

(d) during the first year of its registration, a professional corporation shall be required to pay both the registration fee and the fee for an annual permit; and

(e) the fees above shall not be pro-rated for part of a year.

(13.6) All advertising by Professional Corporations shall comply with the provisions of these bylaws pertaining to advertising by members.

(13.7) Each member who practices optometry by, through or in the name of a Professional Corporation is responsible to ensure that all advertising by the Professional Corporation complies with the bylaws.

(13.8) Each member who practices optometry by, through or in the name of a Professional Corporation is responsible to ensure that the professional corporation complies with all of the provisions of these bylaws relating to preparing and retaining records relating to care of patients, and is responsible to ensure that the corporation prepares and maintains the same financial records as are required for members pursuant to

the Act and bylaws.

(13.9) In order to be granted registration as a professional corporation, or in order to be granted an annual permit, a professional corporation shall certify that each member who practices optometry by or through the professional corporation is insured under a contract of malpractice insurance with an insurance company that is registered to do business in Saskatchewan that provides a minimum coverage of two million dollars for each occurrence.

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APPENDIX A

SASKATCHEWAN ASSOCIATION OF OPTOMETRISTS
APPLICATION FOR PROFESSIONAL CERTIFICATE

TO: THE REGISTRAR

TO: SASKATCHEWAN ASSOCIATION OF OPTOMETRISTS
APPLICATION OF

(Full Name)

1 I, _____ of

_____,
(Full Name) (Address)

of the City of _____ in the Province of

_____,
hereby make application for registration as a member of the Saskatchewan Association of Optometrists and for the issuing of a Professional Certificate under the provisions of section 17 of *The Optometry Act, 1985*.

2 I successfully completed the examination or examinations set by the Board of Examiners and required under section 17 of *The Optometry Act, 1985*.

3 I am submitting herewith the registration fee in the amount of \$200 (includes fee for jurisprudence examination).

4 I am a Canadian citizen by birth or naturalization and submitted herewith is the following proof of such citizenship:

- or -

I am entitled to reside and be employed in Canada pursuant to an Employment Visa issued under the Immigration Act (Canada) or otherwise and submitted herewith is the following proof of such entitlement.

5 I have never been refused a Certificate or License to engage in the practice of optometry in Saskatchewan or in any other jurisdiction. (If this statement is not correct, set out the full particulars of such refusal on a separate sheet attached to this application and signed by yourself)

6 I have never been certified or licensed to engage in the practice of optometry in Saskatchewan or in any other jurisdiction.

- or -

(a) I have been engaged in the practice of optometry in the following jurisdictions during the following years _____

(b) The nature and extent of my practice of optometry in the aforementioned jurisdictions was as follows:

(c) I have never been found guilty of an act or professional misconduct in any jurisdiction where I have engaged in the practice of optometry;

(d) There are no current proceedings against me for professional misconduct in any jurisdiction where I have engaged in the practice of optometry;

(e) I am not under suspension or otherwise disqualified from the practice of optometry in any jurisdiction where I have engaged in the practice of optometry;

(f) I have never been reprimanded, fined, suspended or had my license cancelled or revoked in any jurisdiction where I have engaged in the practice of optometry;

(g) I have never had conditions or restrictions imposed upon my license to practice optometry in any jurisdiction where I have engaged in the practice of optometry. (If any of the above statements are not

correct, set out full particulars on a separate sheet attached to this application and signed by yourself)
7 I have never been convicted in Canada of an indictable offence nor have I been convicted outside Canada of an offence that would be an indictable offence if committed in Canada. (If this statement is not correct, set out

full particulars on a separate sheet attached to this application and signed by yourself.)

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8 I submit herewith two testimonials of good character and conduct.

9 I am fluent in the following languages:

Dated at the City of _____, in the Province of _____ this

day of _____, A.D. 20 _____.

This is Exhibit "A" and the Affidavit of _____, sworn before me at the

City of _____, in the Province of _____ this day of, A.D. 20 _____.

A COMMISSIONER FOR OATHS in and for the Province of _____, -OR- Being a Solicitor. My Commission expires December 31, 20 _____.

APPENDIX B

APPLICATION FORM FOR LICENCE

I, _____ of _____, in the province of _____

do solemnly declare:

1 That I have read and I am familiar with the contents of *The Optometry Act, 1985* and the bylaws of the Saskatchewan Association of Optometrists.

2 That I intend to practise optometry at the following practise location of locations:

3 That attached to this declaration is a description of the instruments located in the practise locations at which

I intend to practise optometry.

4 That I have carefully reviewed the bylaws of the Saskatchewan Association of Optometrists relating to conflicts of interest.

5 That I have made no arrangements in connection with my intended practise or optometry that would breach

the bylaws of the Saskatchewan Association of Optometrists relating to conflicts of interest.

-or-

That I have made arrangements in connection with my intended practice of optometry that would breach the bylaws of the Saskatchewan Association of Optometrists relating to conflicts of interest.

-or-

That I have made arrangements in connection with my intended practice of optometry that would breach the bylaws of the Saskatchewan Association of Optometrists relating to conflicts of interest and the full and complete details of such conflict or conflicts of interest are detailed in the statement attached to this declaration.

6 That I have carefully reviewed the bylaws of the Saskatchewan Association of Optometrists relating to Standards of Practice.

7 That to the best of my knowledge and belief my intended practice of optometry will not follow the bylaws

of the Saskatchewan Association of Optometrists relating to Standards of Practice and the full and complete details of any departures from the bylaws relating to Standards of Practice are detailed in the statement attached

to this declaration.

8 Full details of my participation in Continuing Educational programs over the year preceding this declaration

are detailed in the statement attached to this declaration.

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9 I am insured under a policy of professional malpractice insurance with an insurance company registered to

do business in Saskatchewan that provides a minimum coverage of two million dollars for each occurrence.

Name of insurer _____

Address of insurer _____

Policy number _____

- and -

I undertake that, while I remain licensed to practice optometry in Saskatchewan, I will continuously maintain

professional malpractice insurance with an insurance company registered to do business in Saskatchewan that

provides a minimum coverage of two million dollars for each occurrence.

10 That I have engaged in the active practice of optometry by practicing Optometry for at least 750 hours during the preceding three years.

- or -

That I have demonstrated my skill and knowledge through an assessment or examination in accordance with the bylaws of the Saskatchewan Association of Optometrists. The details are:

11 That I make this solemn declaration for the purpose of inducing the Saskatchewan Association of Optometrists to grant me a licence to practice optometry under *The Optometry Act, 1985*.

Declared before me at the _____ of _____, in the Province of Saskatchewan,

this _____ day of _____, 20 _____.

A COMMISSIONER FOR OATHS in
and for the Province of Saskatchewan

My commission expires:

- or - being a solicitor

APPENDIX C

APPLICATION FORM FOR RENEWAL OF LICENCE

I, _____ of _____, Saskatchewan do solemnly declare:

1 That I have read and I am familiar with the contents of *The Optometry Act, 1985* and the bylaws of the Saskatchewan Association of Optometrists.

2 That I have carefully reviewed the bylaws of the Saskatchewan Association of Optometrists relating to conflicts of interest.

3 That during the 12 month period preceding this declaration I have not engaged in a conflict of interest as defined in the bylaws of the Saskatchewan Association of Optometrists.

- or -

That during the 12 month period preceding this declaration I have engaged in a conflict of interest as defined

in the bylaws of the Saskatchewan Association of Optometrists and the full and complete details of such conflict

or conflicts of interest are detailed in the statement attached to this declaration.

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4 That I have carefully reviewed the bylaws of the Saskatchewan Association of Optometrists relating to Standards of Practice.

5 That to the best of my knowledge and belief I have followed the bylaws of the Saskatchewan Association of Optometrists relating to Standards of Practice.

- or -

That to the best of my knowledge and belief I have not followed the bylaws of the Saskatchewan Association of Optometrists relating to Standards of Practice and the full and complete details of any departures from the bylaws relating to Standards of Practice are detailed in the statement attached to this declaration.

6 Full details of my participation in Continuing Educational programs are detailed in the statement attached to this declaration.

7 During the 12 month period preceding this declaration I have practiced optometry at the following practice location or locations:

8 That attached to this declaration is a description of the instruments located in the practice locations at which

I have practiced optometry during the past 12 months.

9 I am insured under a policy of professional malpractice insurance with an insurance company registered to do business in Saskatchewan that provides a minimum coverage of two million dollars for each occurrence.

Name of insurer _____

Address of insurer _____

Policy number _____

-and-

I undertake that, while I remain licensed to practice optometry in Saskatchewan, I will continuously maintain professional malpractice insurance with an insurance company registered to do business in Saskatchewan that provides a minimum coverage of two million dollars for each occurrence.

10 That I have engaged in the active practice of optometry by practicing Optometry for at least 750 hours during the preceding three years;

- or -

That it has been fewer than three years since my graduation from a school or college of optometry;

- or -

That I have demonstrated my skill and knowledge through an assessment or examination in accordance with the bylaws of the Saskatchewan Association of Optometrists. The details are

That I make this solemn declaration for the purpose of inducing the Saskatchewan Association of Optometrists

to renew my licence to practice optometry under *The Optometry Act, 1985*.

I _____ (print full name) declare this _____ day of _____, 20 _____.

(Signature)

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APPENDIX D

APPLICATION FOR ISSUANCE OR RENEWAL OF AN ANNUAL PERMIT BY A PROFESSIONAL CORPORATION

This is: an application for registration of a Professional Corporation.

an application for renewal of an annual permit previously granted by the Association to a Professional Corporation.

NOTE: *If there is insufficient space to provide the required information, attach a separate sheet and type "See Attached Sheet" in the space provided.*

1 Name of the Professional Corporation:

2 Address of the Professional Corporation:

3 Number of issued voting shares in the Corporation:

4 List all holders of voting shares in the Corporation:

Name Address Class and number
of share(s) held

Does any person other than those named in question 4 have any right to exercise voting rights with respect to the voting shares of the Professional Corporation?

Yes No If **"Yes"** attach a sheet providing full information relating to the arrangement.

5 Number of non-voting shares in the Corporation:

6 List the individual holders of all non-voting shares of the Corporation:

Name Address Name of Nature of Class and number
member relationship of shares held
related to

7 Are any shares of the Corporation owned by a Trust or Corporation?

Yes No

If any shares in the Corporation are owned by a trust or Corporation, complete a Trust Information Sheet or a Corporation Information Sheet for each Trust or Corporation. List all Trusts or Corporations that hold shares

in the Professional Corporation.

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8 Does any person or corporation have any beneficial, equitable or other interest in any shares of the Professional Corporation other than disclosed in questions 4, 7 and 8.

Yes No If the answer is **"Yes"** attach a sheet providing full information relating to the beneficial or equitable interest.

9 List the directors of the Professional Corporation.

10 Do any persons practice optometry by, through, or in the name of the Professional Corporation other than

persons listed in question 4 above? Yes No

If **"Yes"**, complete:

Name of such person Practice(s) location(s) – or

11 Is the Professional Corporation in good standing pursuant to *The Business Corporation Act*?

Yes No If **"No"** attach a sheet describing the reasons why it is not in good standing.

12 If this is an application for renewal of a permit, give the date the last annual return was filed:

13 Is each person who practices optometry by, through, or in the name of the Corporation, insured under a contract of malpractice insurance with an insurance company that is registered to do business in Saskatchewan

that provides a minimum coverage of two million dollars for each occurrence?

Yes No

14 Do the articles of the Professional Corporation prevent it from carrying on any business or activities associated with the practice of optometry by any person listed in question 4 or 11 above?

Yes No if **"Yes"** attach a sheet describing full details of the restrictions

15 If this is an application for registration, attach the Articles of Incorporation for the Professional

Corporation;

- or -

If this is an application for renewal of an annual permit by a Professional Corporation have the articles of the

Professional Corporation been amended since the last application for an annual permit was filed with the Association?

Yes No If "Yes" attach a copy of the filed Articles of Amendment

16 Have the articles of the Professional Corporation been amended since the last application for an annual permit was filed with the Association?

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The following certification must be signed by each member who is listed in question 3 above. I/We certify that:

1. Each Statement in this application is true;
2. Each person signing this declaration has read and is familiar with bylaws of the Association relating to professional incorporation;
3. Each person undertakes that they will notify the Association if they become aware that the Professional Corporation does not comply with the bylaws of the Association relating to professional incorporation, or if any of the statements in this application cease to be true, or if the Professional Corporation fails to comply with any terms or conditions contained in a permit.

Signature Date

Signature Date

Signature Date

Signature Date

CORPORATION INFORMATION SHEET

1 Name of Corporation: _____

2 Number of issued voting shares in the Corporation: _____

3 Number of issued non-voting shares in the Corporation: _____

4 List the holders of all shares in the Corporation:

Name	Address	Name of Member	Nature of Relationship	Class and Number of Shares held	Class and Number of Shares held

5 Does any person or Corporation have any beneficial, equitable, or other interest in any shares of the Corporation other than as disclosed in Question 4?

Yes No If the answer is "Yes" attach a sheet providing full information relating to the equitable or legal interest.

The following certification must be completed by all members of the Association who are listed in question 4 above.

I/We certify that each statement in this document is true to the best of my/our knowledge, information and belief.

Signature Date

Signature Date

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TRUST INFORMATION SHEET

1 Name of Trust:

2 Name and address of Trustee:

3 Number of shares and the Class of Shares held by the Trust in the Professional Corporation.

4 Name, address, and relationship of every beneficiary, or possible beneficiary, under the Trust:

Name Address Name of Member Relationship

with Relationship to

the Beneficiary

The following certification must be completed by all members listed in question 4 above.

I/We certify that each statement in this document is true to the best of my/our knowledge, information and belief.

Signature Date

Signature Date

Signature Date

Signature Date

Certified to be a true copy of the bylaws made by the Council of the Saskatchewan Association of Optometrists

on September 6, 2008.

CERTIFIED TRUE COPY:

Dr. Christopher J. Strelloff,

Registrar,

Saskatchewan Association of Optometrists.

Date: October 24, 2008.

APPROVED BY:

Honourable Don McMorris,

Minister of Health.

Date: December 9, 2008.