

April 27, 2010

Honourable Kevin Falcon  
Minister of Health Services  
Room 337, Parliament Buildings  
Victoria, B.C., V8V 1X4

Dear Minister Falcon,

CooperVision is a global manufacturer of contact lenses with a history dating back over 30 years. We are leaders in the research, development, design and manufacture of contact lenses for the correction of numerous types of refractive errors. Although we continually strive to create designs and materials that will ensure the safest and healthiest wearing experience for patients, this cannot be accomplished without the ongoing care of licensed optometrists and opticians. Due to the need for that care, we feel it necessary to express our deep concerns regarding certain of the proposed changes to the regulations for opticians and optometrists under the Health Professions Act. In particular, our concerns lie with the proposed revisions pertaining to the prescribing and fitting of contact lenses which we feel could negatively impact the health and well-being of thousands of contact lens wearing citizens of British Columbia.

These changes include:

- Removal of most of the restrictions that allow only opticians and optometrists, or workers supervised by them, to dispense contact lenses; and
- Allowing people to order contact lenses online without having to give the seller a copy of their prescription, sight-test assessment or contact lens specifications.

Contact lenses are classified by Health Canada as medical devices and as such, may be distributed to patients only pursuant to the prescription of a qualified practitioner. The reasoning behind this classification is that a contact lens lies in direct contact with the tissue of the human eye. Placing a contact lens on the eye can negatively impact the ocular environment. For example, there is an increase in tear evaporation and osmolarity, a decrease in tear exchange and an increase in lens deposits which can all lead to ocular problems, some potentially serious, that are not necessarily noticed by the patient as affecting visual acuity. Due to the variable size and curvature of human eyes as well as the variability of such factors as contact lens diameters, curvatures, thickness, stiffness, material and oxygen permeability, no assumption can be made regarding safe, successful wear. In addition, the high rate of patient non-compliance with wearing schedules, proper cleaning and disinfection procedures and good hygiene can create complications even with lenses that fit perfectly. Therefore, it is critical that contact lenses be properly prescribed, fit and *monitored* by eye care professionals who are licensed and properly trained. The absence of this level of care can result in severe damage and injury to a patient's eye.

The risks referred to above cannot be deemed to be mitigated by the fact that the proposed regulations would require initial lens fittings to be performed by qualified practitioners. This is because (a) this precaution does not require subsequent contact lens dispensers to validate the existence of an appropriate initial fitting; (b) without the requirement of a valid prescription, there is no assurance of proper fitting or care of any contact lenses purchased subsequent to the initial fit, even though the risks to the patient remain; (c) the initial lens fitting is just that – a starting point with no guarantee of long term success. Periodic evaluation is essential to ensure the continued ocular health of the patient.

Indeed, under the new regulations, it is very possible that patients could decide to switch themselves to a different brand of contact lenses - perhaps for pricing reasons or because of a friend's "recommendation". Without the need to consult a licensed professional, patients would be granted the authority of a licensed fitter, without any knowledge of contact lenses or any understanding of the severity of the potential health implications involved. If that occurs, it is certainly conceivable that the ocular health of many British Columbian contact lens wearers will be adversely affected.

Perhaps it was with these considerations in mind that Health Canada posted on its website the following advice to Canadians:

***“Contact lenses are medical devices which, like drugs, provide benefits while posing certain risks. If you wear contact lenses, you should take steps to minimize these risks and protect your vision.***

***The most important step you can take is to have your contact lenses prescribed and fitted by a qualified eye care professional.”***

<http://www.hc-sc.gc.ca/hl-vs/iyh-vsv/med/lenses-lentilles-eng.php#po>

For all of the reasons stated above, CooperVision respectfully requests a delay in the implementation of the proposed regulations until such time as a thorough assessment of all of the data and information pertaining to patient health and safety can be completed. If we can be of any assistance to you in completing that assessment, we would be happy to do so.

Sincerely,



Tom Konstantas  
General Manager, CooperVision Canada Corp.



Harvard Sylvan, OD  
Director, Professional Regulations

Cc: Premier Gordon Campbell