

## ***Position Statement from the Unregulated Dispensing Working Group June 2012***

### **Regulated Dispensing**

The dispensing of prescription eyewear is a Regulated Act in Nova Scotia and as such, only regulated health care professionals can fit and dispense eyewear. These professionals require the information from a valid, current prescription. During the process of fitting and dispensing eyewear, Regulated Dispensers ensure the accuracy of the measurements taken to customize an optical appliance (glasses or contact lenses) to the patient; verify the identity of the patient with regards to the specific prescription and; verify the resulting optical appliance is made to the exact specifications of the prescription.

### **Unregulated Dispensing**

Unregulated dispensing refers to the process where patients obtain prescription eyewear from an unregulated source. Through online optical companies, Nova Scotians now have access to eyewear that is dispensed in an unregulated fashion even though the process is regulated in Nova Scotia.

### **Introduction**

The Nova Scotia College of Optometry (NSCO) and the Nova Scotia College of Dispensing Opticians (NSCDO) are the regulatory bodies mandated by the government of Nova Scotia to protect the public from unsafe dispensing practices surrounding eye health care. The Nova Scotia Association of Optometrists (NSAO) and The Nova Scotia Society of Dispensing Opticians (NSSDO) are the respective associations mandated to ensure their members meet the required competencies to deliver the highest quality of eye health care to the public.

These four groups have joined together to form the Unregulated Dispensing Working Group (UDWG) with a mandate to ensure the quality of eye care provided to Nova Scotians.

### **Statement**

***The Unregulated Dispensing Working Group wishes to remind insurance providers of their duty to patient care by providing their clients with vision care services coverage only by regulated health professionals.***

The Government of Nova Scotia has legislated the dispensing of eyewear through the Nova Scotia Optometry Act and the Dispensing Opticians Act. This implies that the provincial Department of Health understands there is a risk to public welfare with regards to the dispensing of eyewear and as such, the act of dispensing must be performed by a regulated eye-care professional. There are definable risks associated with both contact lenses and glasses dispensed in an unregulated fashion, therefore it is crucial for the insurance industry, specifically your company, to exercise its corporate responsibility and duty to protect public welfare and best business practices.

Risk is the chance or probability that a person will be harmed or experience an adverse health effect if exposed to a hazard together with an indication of how serious the harm could be. A risk assessment is a

thorough look to identify the things, situations, and processes that may cause harm, particularly to eye health care consumers.

Contact lenses are optical devices worn directly on the eye – proper fitting by a licensed professional is essential to maintain eye health. Access to unregulated dispensing now allows your clients to order a continuous supply of contact lenses, independently altering fitting parameters, powers and brands as they so choose without ever consulting an eye care professional. Contact lens complications, including avoidable blindness, increase 4-5 times if patients order lenses unsupervised<sup>1</sup>. Health Canada states the following with regards to the risk of purchasing medical devices online:<sup>2</sup>

- *You may try to use a medical device that can harm your health (e.g., **contact lenses that may damage your eyes if they have not been prescribed and fitted by a health care professional**).*

Currently, the Federal Government is enacting new legislation (Bill C313) to further regulate Cosmetic non-prescription cosmetic contact lenses. The Standing Committee on Health recently agreed that while non-prescription contact lenses appear to be innocuous and amusing, they carry the same **risk factors** as prescription contact lenses if the individual is not properly fitted and educated on contact lens wear and maintenance of ocular health by a licensed eye care professional. Access to unregulated dispensing through online distributors now allows patients to bypass contact lens fittings with licensed professionals and dramatically increases the risk to their ocular health. Insurance providers should be justifiably wary of providing coverage for products that are potentially sight threatening when ordered without regular clinical assessments.

When considering unregulated dispensing of spectacles, optometrists and opticians have concerns regarding the standards used with the products sold; with the evaluation methods used to assess standards and tolerances of optical appliances; with assessing the ability of the consumer to order accurately and effectively; and with the liability of the insurance company or government institution validating these services. Regulation exists to ensure the accuracy and quality of the dispensed optical appliance and uphold the safety of the eye health care consumer.

The risk is clearly evident in the young, amblyopic patient requiring an accurate set of glasses in order to maximize the development of vision. Amblyopia (lazy eye) is a condition where one eye fails to develop to its full potential. Early intervention with accurately made spectacles as well as vision training (patching) and/or surgery is crucial in maximizing the development of an amblyopic eye. There is a limited window of opportunity for the development of vision pathways and if glasses are not worn, or incorrectly made glasses are worn, there is enormous potential for permanent vision loss. A recent study examining the accuracy of online spectacles found nearly half (44.8%) of the prescription spectacles did not meet either the optical requirements of the patient's visual needs or the physical requirements for the patient's safety (i.e. impact resistance)<sup>3</sup>. Another similar study found a 94% failure rate of glasses ordered from four different internet suppliers adhering to the prescription, regarding the desired

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<sup>1</sup>Stapelton F *et al.* Incidence of contact-lens related microbial keratitis in Australia. *Ophthalmology* 115:1655-1662,2008.

<sup>2</sup>Health Canada Website: Buying Medical devices over the internet accessed at: [http://www.hc-sc.gc.ca/hl-vs/iyh-vsv/med/med\\_mat-eng.php](http://www.hc-sc.gc.ca/hl-vs/iyh-vsv/med/med_mat-eng.php)

<sup>3</sup>Citek, K., Torgersen, D.L., Endres, J.D., and Rosenberg, R.R. Safety and compliance of prescription spectacles ordered by the public via the Internet. *Optometry* 82:549-555, 2011.

adjustments for minimal wearing comfort, and considering the PD measurement taken by the subjects themselves<sup>4</sup>.

Unregulated online sales of optical appliances now makes it possible for Nova Scotians to update contact lens and spectacle prescriptions online at their own discretion – using out of date exam results or even altering prescription parameters as they see fit. This eliminates the perceived need for regular eye examinations, drastically reducing the opportunity for eye care professionals to detect asymptomatic eye disease. If we consider only glaucoma as one of the many asymptomatic eye diseases that can lead to a permanent loss of vision, this risk should be unacceptable. In its most common form, symptoms of glaucoma are noticeable only very late in the disease and after vision loss is permanent. Recent data indicates up to 50% of existing glaucoma remains undiagnosed<sup>5</sup>. Statistics Canada's Canadian Community Health Survey of 2002-2003 showed 3 in 100 Canadians report they have glaucoma, meaning 6 in 100 actually do<sup>6</sup>. The ability for Nova Scotians to now bypass routine eye examinations while updating their contact lenses or glasses has the potential to increase the prevalence of undetected eye disease – unnecessarily burdening Nova Scotia's health care system and private insurance companies. *This cost is significant*. A recent study by CNIB and the Canadian Ophthalmological Society has estimated the cost of blindness in Nova Scotia at close to 1 Billion dollars **annually**<sup>7</sup>. Third party providers cannot afford to support unregulated sales of prescription eyewear.

### Conclusion

Dispensing of eyewear is a regulated Act in Nova Scotia because it is important for patients to have: access to contact lenses and glasses that are properly fit to the individual needs of the patient; prescriptions that are current and up to date to ensure patients are having routine eye examinations; the quality and accuracy of the spectacles verified before the patient starts wearing them and; any issues with contact lenses or glasses managed in a timely fashion to prevent permanent vision loss from taking place.

Insurance companies must follow the guidelines as set down by the jurisdiction in which they do business. Providing coverage for unregulated eyewear through online suppliers is not in the best interest of your clients. The potential health risks associated with unregulated eyewear come with significant costs and should provide enough argument against Insurance companies providing for these services.

Of final note, access to unregulated dispensing through online suppliers has dramatically increased the potential for insurance fraud. A single family member can now input their own prescription details in the place of all other family members to get coverage for multiple supplies of contact lenses or pairs of glasses for themselves. This type of fraud is avoidable by covering only those claims submitted for vision care services provided by a regulated eye care professional. The UDWG respectfully suggests all insurance providers consider a forensic audit of unregulated suppliers of contact lenses and glasses and to revisit their policy of providing coverage to clients using unregulated dispensers of eyewear.

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<sup>4</sup>Frenette, B., Maher-Laporte, G. Evaluations of prescriptions and frames purchased from online eyewear vendors. Canadian Journal of Optometry 74:16-7. 2012.

<sup>5</sup>Sommer A., Tielsch, J.M., Katz, J. *et al.* Relationship between intraocular pressure and primary open angle glaucoma among White and Black Americans. The Baltimore Eye Survey. Arch Ophthalmol 109:1090-5,1991.

<sup>6</sup> [www.eyesite.ca/events/World-Glaucoma-Day2008\)e.pdf](http://www.eyesite.ca/events/World-Glaucoma-Day2008)e.pdf)

<sup>7</sup> [www.cnib.ca/eng/cnib%20document%20library/research/summaryreport\\_cov1.pdf](http://www.cnib.ca/eng/cnib%20document%20library/research/summaryreport_cov1.pdf)