



## HEALTH POLICY

### 1. Policy purpose and background

- 1.1. The Optometrists and Dispensing Opticians Board (ODOB) is required to ensure that optometrists and dispensing opticians in Aotearoa New Zealand (NZ) can carry out the functions required for the practice of optometry or optical dispensing.

The ODOB recognises an individual's right for equal treatment under the *United Nations Convention on the Rights of Persons with Disabilities*. The ODOB will only consider information about conditions that have the potential to prevent the practitioner from carrying out the required functions of their profession safely as prescribed under the HPCA Act 2003 and its amendments.

### 2. The scope of this policy

- 2.1. This policy applies to applicants who have applied to be registered with the ODOB.
- 2.2. This policy may also be applied to registered practitioners who have declared a mental or physical health condition, or the Board has received a notification that they may have a mental or physical health condition that may impact their ability to perform the required functions of an optometrist or dispensing opticians.

### 3. Acronyms and abbreviations

- 3.1. The following acronyms and abbreviations are used in this policy:

Aotearoa New Zealand	NZ
Annual Practising Certificate	APC
Health Practitioners Competence Assurance Act 2003	HPCA Act
Optometrists and Dispensing Opticians Board	ODOB
The governing Board of the Optometrist and Dispensing Opticians Board	Board

### 4. Definitions and interpretation

The following definitions and interpretations are used in this policy:

Dispensing optician (DO)	A health practitioner with a recognised qualification that is registered with the ODOB under the DO scope of practice. DOs interpret prescriptions for glasses and contact lenses, give advice to the patient in selecting spectacle lenses and frames (including their fitting). They can also teach how to use contact lenses and low vision aids and dispense a prescribed optical appliance. It is illegal for a person to call themselves a DO unless they are registered with the ODOB. A DO must hold a current practising certificate to practise in NZ. DOs are required to regularly maintain their competence through a recertification programme to be allowed to keep practising.
Health practitioner	As defined in the <i>Health Practitioners Competence Assurance Act 2003</i> (HPCA Act) which states a "health practitioner or practitioner means a person who is, or is deemed to be, registered with an authority as a practitioner of a particular health profession". In this

	document, an optometrist and/ or dispensing optician registered with the ODOB.
Optometrist	A health practitioner with recognised qualifications registered with the ODOB, under the Optometrist, Provisional Optometrist or Specialist Optometrist scope of practice. An optometrist provides evidence-based comprehensive eye health and vision care in a professional, culturally safe, and ethical manner, in accordance with the HPCA Act and ODOB standards. Optometrists conduct eye examinations, diagnose eye disease or other conditions, and prescribe optical appliances or medications for defects in sight or diseases of the eyes. An optometrist must be registered with the ODOB and hold a current practising certificate to practise in NZ. Optometrists are required to maintain their competence through a recertification programme to be allowed to keep practising.

## 5. Health issues

- 5.1. The Board expects individual practitioners to self-notify any health issues that may affect their own ability to practise. This includes notification through the process of applying for an Annual Practising Certificate (APC) and applying to renew an APC. The Board is then able to work with the practitioner to manage their condition whilst ensuring public safety.
- 5.2. Anyone that believes a practitioner is unable to perform the functions required for the practice of their profession, may notify the Board of their concerns.
- 5.3. It is compulsory for certain people, like health practitioners, employers, medical officers, and persons in charge of educational programmes or in charge of an organisation providing health services to notify the Board of concerns (section 45 of the HPCA Act)
- 5.4. Conditions that may affect a practitioner's fitness to practise include, but are not limited to:
  - 5.4.1. physical injury
  - 5.4.2. short- or long-term illness
  - 5.4.3. infectious disease
  - 5.4.4. anxiety, stress and/ or depression, including post-natal depression
  - 5.4.5. disorders such as bipolar disorder, personality disorders, schizophrenia and psychosis, or any other mental illness
  - 5.4.6. drug, alcohol, or other addiction
  - 5.4.7. impairment of sensory functions
  - 5.4.8. declining competence due to loss of motor skills or the early stages of dementia
  - 5.4.9. other illness and injuries.
- 5.5. Some health problems may manifest themselves through unprofessional and/ or sudden changes in behaviour for example, bullying and intimidation, sexual harassment, racial, ethnic or sexist comments, threats, disrespectful behaviour etc.

## 6. Health information

- 6.1. Where a health condition is declared by a practitioner, or the Board is notified/ receives information indicating they may have a health condition impacting them, they will be asked to supply information regarding:
  - 6.1.1. The diagnosis, and relevant details of the condition/s
  - 6.1.2. The treatment plan, including the strategies used to manage the condition/s
  - 6.1.3. The extent to which the health condition impacts or may impact on the applicant's ability to practise as an optometrist or dispensing optician.

- 6.1.4. A letter/ report from the applicant’s treating health practitioner covering the points above.
- 6.2. The ODOB may request further information such as:
  - 6.2.1. a managed work or return-to-work plan
  - 6.2.2. reference from a current/ previous employer, or
  - 6.2.3. current/ proposed job description.

## 7. Registered practitioners

- 7.1. Registered practitioners may be asked to or required to undergo health assessment(s) from an appropriate health professional under s49 or 67A of the HPCA Act.
- 7.2. These processes will be managed through the appropriate committee and in line with this *Health policy* and the *Complaints and notifications policy* as appropriate.

## 8. Considerations

- 8.1. When considering if a health condition could affect the practitioner’s ability to practice the ODOB will utilise the:
  - 8.1.1. standard required by the HPCA Act, and
  - 8.1.2. areas for consideration as set out in this policy.
- 8.2. If a health condition has previously been considered by the Board (or delegate) or Registrar (or delegate), further information will not be requested unless the condition has changed, or the ODOB is in possession of information that suggests the practitioner is unable to perform the required functions.
- 8.3. If the Board is notified of a transmissible major viral infection (TMVI), it will adopt government’s public health response.
- 8.4. When considering a practitioner’s health condition, the ODOB may consider any of the following:

Applicant/ practitioner category	Fit to practice	Voluntary agreement	Conditions	Suspension	Decline registration
Applicants for registration	✓	✓	✓ See <i>Registration policy</i> , the Inclusion of conditions or decline of registration.	-	✓ See <i>Registration policy</i> , the Inclusion of conditions or decline of registration.
Applicants for practising certificate	✓	✓	✓ See <i>Policy for suspension and use of conditions on practice*</i>	✓ See <i>Policy for suspension and use of conditions on practice*</i>	-
Registered and practising	✓	✓	✓ <i>Policy for suspension and use of</i>	✓ <i>Policy for suspension and use of</i>	-

			<i>conditions on practice*</i>	<i>conditions on practice*</i>	
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\*Denotes policy found in Complaints and notification policy.

## 9. Criteria and standards for assessment of the condition of a practitioner's health

9.1. The following **standard of the HPCA Act** are applied to each category:

Category	Standard required in the HPCA Act
Applicants for registration	Satisfied that the applicant is unable to perform the required functions required (s16(d) of the HPCA Act).
Applicants for practising certificate	The applicant is unable to perform the functions required [...] (s27(e) of the HPCA Act).
Registered and practising	Health practitioner may be unable to perform the functions required [...] Because of some mental or physical condition (s45-s51 of the HPCA Act). See the ODOB's <i>Complaint and notification policy</i> for further information.

9.2. See Appendix 1 for the areas for consideration to provide guidance on the assessment of the condition of a practitioner's health.

## 10. Related legislation, policies, and procedures

- 10.1. The ODOB's *Registration policy*
- 10.2. The ODOB's *Fitness to practise policy*
- 10.3. The ODOB's *Complaints and notification policy*.

Revision history			
Version	Changes	Approval date	Next review
v1	Drafted as a result of the ODOB's 2022/2023 transformation programme that included a full review of key policies.	January 2024	2027

## APPENDIX 1

### AREAS FOR CONSIDERATION WHEN ASSESSING THE CONDITION OF A PRACTITIONER'S HEALTH

These areas are not intended to be an exhaustive list and users are expected to exercise critical thinking when considering applications.

Areas for consideration	Key evaluative questions
Diagnosis	<ul style="list-style-type: none"><li>• What is the nature of diagnosis?</li><li>• Progressive or stable diagnosis?</li><li>• Does the diagnosis relate to drug or alcohol use?</li></ul>
Required functions	<ul style="list-style-type: none"><li>• Does the diagnosis prevent the applicant from carrying out the required functions of an optometrist or dispensing optician?</li></ul>
Nature of impact	<ul style="list-style-type: none"><li>• What is the current impact of the diagnosis?</li><li>• Is the impact temporary or permanent?</li><li>• What is the potential impact of the diagnosis?</li></ul>
Insight by practitioner	<ul style="list-style-type: none"><li>• What insight does the applicant display about the diagnosis?</li></ul>
Treatment plan	<ul style="list-style-type: none"><li>• Is there a treatment plan in place?</li><li>• Does the treatment plan have any impact on the ability to carry out the required functions?</li></ul>
Health care provider opinion (sec 49(8))	<ul style="list-style-type: none"><li>• What information has been supplied?</li><li>• What is the view of the health professional about the ability of the applicant to practice safely?</li><li>• Does the health professional suggest factors which could mitigate risks?</li><li>• Does the opinion provide enough information to make an informed decision?</li><li>• Is a specialised or second opinion be required?</li></ul>
Support network	<ul style="list-style-type: none"><li>• What support is in place for the applicant?</li></ul>
Management strategies	<ul style="list-style-type: none"><li>• What management strategies are being employed by the applicant/practitioner?</li><li>• What plans are in place to manage any escalation of the issue?</li></ul>
History	<ul style="list-style-type: none"><li>• Any relevant history to the diagnosis or relapses</li></ul>
Mitigating factors	<ul style="list-style-type: none"><li>• What factors could ameliorate any risk to the public?</li></ul>
Risk factors (triggers)	<ul style="list-style-type: none"><li>• What factors could place the public at risk?</li></ul>
Place of work	<ul style="list-style-type: none"><li>• Is the place of work likely to aggravate or exacerbate the condition/s</li></ul>
Evidence	<ul style="list-style-type: none"><li>• What information is available about the condition/s and its management and prognosis?</li></ul>
Practising status	<ul style="list-style-type: none"><li>• Is practitioner currently practising? The notification is managed under the notifications policy.</li></ul>