

CORU consultation on regulation and control of prescribing and dispensing of prescriptions and sale of spectacles bye-law – FODO response

Any comments?

We are concerned that the bye law does not seem to take account of the provisions of the Health Miscellaneous Provisions Act 2015, in which it was made clear that a non-registrant (eg an optical assistant) can assist in the sale of spectacles. As drafted this bye law will create an anomaly whereby an optical assistant could assist in the sale of contact lenses, but a dispensing optician who is not a contact lens optician could not. This clearly makes no sense, added to which it would inhibit the training of CLOs.

We note the the bye laws appear to replicate the current position, and we understand that the intention initially is to simply roll forward the existing system as part of the transition from the Opticians Board rather than to substantively review regulations and guidance. However, where the Act has changed the legal position it must be wrong for the bye law to ignore the Act and attempt to apply previous legislation.

Anything that should be added?

An amendment is needed to bring the bye law into line with the Health Miscellaneous Provisions Act 2015, to enable dispensing opticians to assist in the sale of contact lenses.