



VELFERÐARRÁÐUNEYTIÐ

Ministry of Welfare

REGULATION on the education, rights and obligations of optometrists and criteria for granting of licences, No. 1129/2012.

SECTION I General provisions.

Article 1

Scope.

This Regulation applies to optometrists licensed by the Medical Director of Health under Article 2.

SECTION II

Licences.

Article 2

Professional title.

The right to use the professional title of optometrist and to practise as such in Iceland is confined to those who have been granted a licence by the Medical Director of Health.

Article 3

Criteria for granting of a licence.

A licence under Article 2 may be granted to those who have completed a course in optometry from an educational institution at university level recognised by the Icelandic health authorities and the health authorities of the state where the education took place.

A licence may also be granted on the basis of education from a state within the European Economic Area (EEA) and Switzerland. Recognition of professional qualifications and competence of an optometrist who meets the criteria of Directive 2005/36/EC, on the recognition of professional qualifications, with subsequent amendments, is subject to Regulation on recognition of professional qualifications and competence of healthcare practitioners from other EEA states, No. 461/2011, or to Nordic Convention on a common Nordic labour market for certain health professionals and veterinarians, No. 36/1993 (*cf.* Amendment No. 6/2001).

A licence may also be granted to those who have completed a comparable qualification from an educational institution in a state outside the EEA or Switzerland, which is recognised as such by Icelandic health authorities, and by health authorities in the state where the education took place.

An applicant for a licence as an optometrist under Article 2 who is from a state outside the EEA and Switzerland, with which Iceland has not made an agreement on recognition of professional qualifications and competence, shall submit *inter alia* documentary evidence of nationality, content and duration of education, in addition to an examination certificate, a licence if the profession is an authorised profession in the applicant's state of origin, intended employment in Iceland, and any other documents and certificates deemed by the Medical Director of Health to be necessary for the issue of a licence.

Before an application for a licence is evaluated, as applicable a certified copy must be submitted of an application for residence and work permits, together with a signed contract of employment.

A requirement may be made for knowledge of the Icelandic language and Icelandic healthcare legislation, and other legislation and government directives, as deemed necessary to the work of an optometrist, especially with regard to patients' safety and communication with patients.

Should it not have been demonstrated, in the judgement of the Medical Director of Health, that the applicant's qualification fulfils the criteria under the first paragraph, an applicant may be required to submit to a test of competence to demonstrate that he/she possesses the professional knowledge and competence required in an optometrist. The Medical Director of Health shall organise this test in consultation with the Association of Icelandic Optometrists.

A licence under the third paragraph is issued when the applicant commences work in Iceland.

Article 4

Right to perform eye tests.

An optometrist has the right to perform eye tests for corrective lenses (glasses) and to prescribe such lenses if he/she has qualifications which meet the requirements for eye tests and prescription of corrective lenses, and holds a licence from the Medical Director of Health under Article 2. The general requirement is three years of university education in the field.

An optometrist has the right to perform eye tests for contact lenses and to prescribe contact lenses, provided he/she meets the requirements of the first paragraph, and in addition the requirement for training such tests. The general requirement is ten weeks' education in contact-lens fitting at university level.

An eye test is the measurement of astigmatism and eyesight with and without the aid of corrective lenses.

The licence shall specify the optometrist's right to perform eye tests for and prescribe, corrective lenses (glasses), and the right to perform eye tests for, and prescribe, contact lenses.

An optometrist who has obtained a licence to perform eye tests shall display the said licence or the confirmation of said licence in a prominent place at his/her place of business so that it will be visible to those who seek the services of the optometrist in question.

Article 5

Limitations on rights to perform eye tests.

An optometrist possessing a right under Article 4 to perform eye tests may not, unless so instructed by an ophthalmologist, provide optical aids to the following:

1. Children under the age of twelve.
2. Persons who have never consulted an ophthalmologist.
3. Patients who have a specific disease of the eye or a disease which could be detrimental to vision, such as diabetes, severe arthritis or disease of the thyroid, unless it is confirmed that the patient is under regular monitoring by an ophthalmologist.
4. Persons with close relatives who have glaucoma, unless it is confirmed that the patient is under regular monitoring by an ophthalmologist.
5. Persons whose vision does not improve beyond 6/9 in each eye with glasses.
6. Persons whose eyesight has deteriorated rapidly or who suffer from limitations to field of vision, strabismus or diplopia.

Article 6

Right to make corrective lenses.

An optometrist who does not meet the educational requirements under Article 4 may only complete corrective lenses in accordance with the instruction or specification of an ophthalmologist, or of an optometrist who has the right to perform eye tests under Article 4.

Article 7

Duty of guidance.

In the case of a eye test of an individual over 60 years of age who has not consulted an ophthalmologist for the previous five years, the optometrist shall advise the him/her to consult an ophthalmologist for an evaluation of possible age-related eye disease.

Article 8

Professional opinions.

Before a licence is granted under Article 2, the Medical Director of Health shall elicit the opinion of the Association of Icelandic Optometrists, with regard to whether the applicant fulfils the criteria for education under the first paragraph of Article 3 and Article 4 for granting of a licence.

The Medical Director of Health may elicit opinions from other bodies, as deemed necessary.

SECTION III

Rights and obligations.

Article 9

Professional standards and responsibility.

An optometrist shall show respect for the patient and perform his/her tasks vigilantly and conscientiously and in accordance with the professional standards required of the profession at any time.

An optometrist must be aware of his/her duties and respect ethical rules of the profession, maintain his/her knowledge and professional skill, and master innovations in his/her field of work.

An optometrist shall be familiar with legislation and regulations applying to healthcare practitioners and healthcare services, and other legislation and government directives, as applicable.

An optometrist is responsible for his/her work in accordance with the education he/she has received.

An optometrist shall recognise his/her professional limitations, and seek assistance or refer the patient to another healthcare practitioner as necessary, for instance if he/she judges that he/she cannot provide the patient with appropriate healthcare service.

Article 10

Duty to inform and keeping of medical records.

The duty of an optometrist to provide information to a patient is subject to the provisions of the Patients' Rights Act, No. 74/1997.

The duty of an optometrist to provide information to the Medical Director of Health, *inter alia* with respect to monitoring and for the purpose of producing health reports, is subject to the provisions of the Medical Director of Health and Public Health Act, No. 41/2007.

An optometrist shall, as appropriate, enter medical records in accordance with the provisions of the Medical Records Act, No. 55/2009, and regulations issued on the basis of the Act.

Article 11

Assistants and trainees.

An optometrist is responsible for assistants and trainees working under his/her management having sufficient competence and knowledge, and receiving the necessary guidance and instructions, to carry out tasks which he/she allots to them.

Article 12

Confidentiality.

An optometrist shall maintain the utmost confidentiality regarding anything of which he/she becomes aware in his/her work about a patient's health, condition, diagnosis, prognosis and treatment, and other personal information. This does not apply where other provisions are made by law, or where reasonable cause exists to breach confidentiality for reasons of urgent necessity.

An optometrist can be released from the obligation of confidentiality by the consent of a patient, or guardian if applicable.

The duty of confidentiality under this Article does not apply to cases in which the optometrist has a duty to report under other legal provisions. In such cases, the duty of the optometrist is to notify the relevant authority.

An optometrist's duty of confidentiality is also subject to the provisions of the Patients' Rights Act, the Medical Records Act and other legislation as applicable.

SECTION IV
Various provisions.

Article 13

Fees.

Fees for the issue of a licence are subject to Article 10 of the Treasury Supplementary Revenues Act, No. 88/1991.

Fees for all administration undertaken by the Medical Director of Health with regard to applications for licences, in addition to the fee under the first paragraph, and for tests of professional knowledge and competence, are subject to Regulation on fees for applications for healthcare practitioners' licences and specialist licences, No. 951/2012.

Article 14

General provisions.

The provisions of the Healthcare Practitioners Act, No. 34/2012, the Medical Director of Health and Public Health Act, No. 41/2007, the Medical Records Act, No. 55/2009, the Health Service Act, No. 40/2007, the Patients' Rights Act, No. 74/1997, and other legislation and government directives apply to optometrists, as applicable.

Article 15

Entry into force.

This Regulation, issued on the basis of Articles 5, 30 and 31 of the Healthcare Practitioners Act, No. 34/2012, takes effect on 1 January 2013. From that time Regulation on Optometrists' Training and Limitations on their Right to Perform Eye Tests, No. 1043/2004, with subsequent amendments, is abrogated.

Ministry of Welfare, 11 December 2012.

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In case of a possible discrepancy, the original Icelandic text applies.]*