

THE RULES RELATING TO INJURY OR DISEASE OF THE EYE 1999

The General Optical Council, in exercise of their powers under sections 31(5) and (5A) of the Opticians Act 1989, hereby make the following rules:-

1. These Rules may be cited as the Rules relating to Injury or Disease of the Eye, 1999.
2. In these Rules -
 - “the Act” means the Opticians Act 1989;
 - “the eye” means the organ of vision and associated structures involved in normal vision;
 - “injury or disease” means any abnormality of the eye of an anatomical, pathological or physiological nature.
3. Where it appears to a registered optometrist or registered dispensing optician that a person consulting him is suffering from an injury or disease of the eye the registered optometrist or registered dispensing optician shall, subject to rules 5 to 8 below, refer that person to a registered medical practitioner, unless he is acting on the advice or instructions of a registered medical practitioner (other than a medical recommendation for a sight test) in testing the sight of such a person or in fitting and supplying such a person with an optical appliance, but in such case the optometrist or dispensing optician shall forthwith report to that practitioner any findings of injury or disease of the eye of which the practitioner may be unaware.
4. In referring a person to a registered medical practitioner, a registered optometrist or registered dispensing optician shall take the following steps -
 - (a) he shall advise the person to consult such a practitioner;
 - (b) he shall wherever practicable furnish a registered medical practitioner named by the person with a written report of his findings indicating his grounds for thinking the person may be suffering from injury or disease of the eye; and
 - (c) where action appears urgent, he shall also take such measures as are open to him to inform a registered medical practitioner immediately.
5. If a person who appears to be a registered optometrist or registered dispensing optician to be suffering from injury or disease of the eye is unwilling, on conscientious or other grounds, to consult a registered medical practitioner, the optometrist or dispensing optician shall record that fact and the grounds which the person gives for his unwillingness to consult a registered medical practitioner.
6. If in the professional judgement of a registered optometrist or registered dispensing optician there is no justification to refer a person consulting him to a registered medical practitioner, or that it would be impracticable or inexpedient to do so, the registered optometrist or registered dispensing optician may at his discretion decide not to refer that person on that occasion; but in that event he -
 - (a) shall record in respect of the person consulting him -
 - (i) a sufficient description of the injury or disease from which that person appears to be suffering;

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- (ii) his reason for deciding not to refer on that occasion;
 - (iii) details of advice or medical or clinical treatment tendered to the patient;
 - (iv) an account of any action taken under the provisions of rule 7;and
 - (b) if appropriate, and with the consent of the person consulting him, shall inform that person's general medical practitioner of those matters recorded in accordance with rule 6(a).
7. As an exception to the duty to refer to a registered medical practitioner under rule 3 -
- (a) a registered dispensing optician may refer the person consulting him to a registered optometrist; or
 - (b) a registered optometrist or dispensing optician may refer the person consulting him to -
 - (i) a person other than a registered medical practitioner who provides and who has the appropriate qualifications or expertise to provide medical or clinical treatment for the injury or disease of the eye from which the person consulting him appears to be suffering, or
 - (ii) a person or body one of whose functions is to refer or to organise the referral of persons who having consulted a registered optometrist or dispensing optician appear to that optometrist or dispensing optician to be suffering from an injury or disease of the eye to a registered medical practitioner or a person falling within sub-paragraph (i),provided that he is satisfied that the referral to that person or body is appropriate in the circumstances of the case.
- 7A. Where a registered optometrist or dispensing optician makes a referral under rule 7, he shall -
- (a) record in respect of the person consulting him -
 - (i) that he has made the referral and the date of the referral,
 - (ii) a sufficient description of the injury or disease from which that person appears to be suffering, and
 - (iii) details of any advice or medical or clinical treatment tendered to the patient; and
 - (b) provide to the person to whom the referral is made a written report of his findings indicating -
 - (i) his grounds for thinking that the person may be suffering from injury or disease of the eye;
 - (ii) the urgency of the case, and
 - (iii) where the referral is made to a person falling within rule 7(b)(ii), instructions as to whether the patient should be referred to -

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- (aa) a registered medical practitioner; or
 - (bb) a person who is not a registered medical practitioner, in which case the instructions shall include what qualifications or expertise that person must have.
- 7B. The duty to refer under rule 3 shall not apply to a registered optometrist who -
 - (a) has the supplementary prescriber specialty entered on the register against his name under rule 10 of the General Optical Council (Registration Rules) 2005; and
 - (b) is acting under and in accordance with article 3B of the Prescription Only Medicines (Human Use) Order 1997.
- 8. Nothing in these rules shall operate to prevent a registered optometrist or registered dispensing optician from:
 - (a) rendering in an emergency whatever services are, having regard to the circumstances, in the best interests of the person consulting him;
 - (b) giving treatment in accordance with rules made under paragraph (d) of subsection (1) of section 31 of the Act.
- 9. The Rules relating to Injury or Disease of the Eye 1960 are hereby revoked.