

LRS Toolkit

Case Study

Contributor Name: OPTIKSCHWEIZ - Der Verband für Optometrie und Optik

Case Study Country: Switzerland

Title of Legislation:

- Verordnung über die Arzneimittel (Arzneimittelverordnung, [VAM](#), SR 812.212.21) [**“Ordinance on Medicinal Products”**]
- Verordnung über die berufsspezifischen Kompetenzen für Gesundheitsberufe nach GesBG (Gesundheitsberufekompetenzverordnung, [GesBKV](#), SR 811.212) [**“Health Professions Competency Ordinance”**]
- Bundesgesetz über die Gesundheitsberufe (Gesundheitsberufegesetz, [GesBG](#), SR 811.21) [**“Federal Law on the Health Professions”**]

Reason for the legislation change/rationale:

On February 1, 2020, the Federal Law on the Health Professions and its ordinances entered into force. The health professions legislation was passed in the interest of public health and aims to promote quality in the health professions. With the Federal Law on the Health Professions, uniform requirements for training and professional practice were defined for the first time at the federal level; the health professions had previously been regulated on a cantonal basis.

The optometrist has been recognized as a health profession under such new legislation, because it has evolved from a craft to a health profession. The Health Professions Competency Ordinance provides that graduates of a bachelor’s degree program in optometry must be able to use the appropriate technique and methodology for determining visual status, **using topical diagnostic ophthalmic products as appropriate** (art. 7 lit. e). Anyone wishing to use prescription medicines on their own responsibility as part of their professional practice, however, requires a permit from the canton in which the profession is practiced pursuant to the Ordinance on Medicinal Products. In addition to medical professionals, such a permit may also be granted to persons of professional categories listed in art. 52 para. 2 of the Ordinance on Medicinal Products. Optometrists were not among them at first. The medicinal products that may be used by such professionals will be determined by the canton.

To align the Ordinance on Medicinal Products with the new Health Professions Competency Ordinance, an additional let. f was subsequently added to art. 52 para. 2 of the Ordinance on Medicinal Products, namely the professional category “Bachelor of Sciences in Optometry FH” was included in such list with effect from April 1, 2023.

Strategies used and processes followed:

Positive outcomes:

A proactive approach to the authorities has been proved positive: first, the issue has come to the attention of the authorities. Second, potential issues have been solved in advance by providing the authority with all material and legal information to enable them to initiate and implement the necessary legislative change.

Challenges/failures:

The list of medicinal products that may be used by optometrist will be determined by each canton. Thus, it will be of utmost importance to any optometrist that such cantonal list(s) adequately reflect(s) the range of the medicinal products necessary to fulfil their tasks. The accordant processes are ongoing.

Final Result and effect on the profession:

Optometrist will be allowed to use diagnostic medicinal products in their own rights.