

HOUSE BILL No. 1391

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-34-3-12.

Synopsis: Comprehensive eye exams in school. Provides that the vision test for students in kindergarten and grade 1 shall be a comprehensive eye exam. Provides criteria for a comprehensive eye exam. Requires a comprehensive eye exam to be performed at the office of a licensed ophthalmologist or licensed optometrist. Makes conforming changes.

Effective: July 1, 2023.

Andrade

January 17, 2023, read first time and referred to Committee on Education.



First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1391

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-34-3-12, AS AMENDED BY P.L.89-2013,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 12. (a) For purposes of this section, "~~modified~~
4 ~~clinical technique~~" "**comprehensive eye exam**" means a battery of
5 vision tests that includes **the following**:
6 (1) **A comprehensive patient history.**
7 (2) **Preliminary testing procedures, including pupil testing and**
8 **an evaluation of an individual's eye to determine the**
9 **individual's:**
10 (A) **depth perception;**
11 (B) **color vision;**
12 (C) **eye muscle movements; and**
13 (D) **peripheral vision.**
14 (3) A visual acuity test to determine an individual's ability to see
15 at various distances.
16 ~~(4)~~ (4) A refractive error test to determine the focusing power of
17 the eye.



- 1 ~~(5)~~ **(5)** An ocular health test to determine any external or internal
 2 abnormalities **or disease** of the eye. ~~and~~
 3 ~~(6)~~ **(6)** A binocular coordination test to determine if the eyes are
 4 working together properly.
 5 **(7) Eye focusing, eye teaming, and eye movement testing to**
 6 **determine how the eyes focus, move, and work together.**
 7 **(8) A topography or keratometry to measure the curvature of**
 8 **the cornea.**
 9 **(9) Any additional testing necessary to clarify the result of a**
 10 **test described in subdivisions (2) through (8).**
 11 (b) For purposes of this section, "vision screening" means the testing
 12 of visual acuity to determine an individual's ability to see at various
 13 distances using:
 14 (1) the Snellen chart;
 15 (2) Sloan letters;
 16 (3) HOTV; or
 17 (4) LEA symbol optotypes;
 18 at a distance of either ten (10) or twenty (20) feet for distance vision,
 19 depending on the calibration of the chart being used, and a distance of
 20 fourteen (14) inches for near vision.
 21 (c) The ~~modified clinical technique~~ **comprehensive eye exam** shall
 22 be performed:
 23 **(1) by an ophthalmologist licensed as a physician under**
 24 **IC 25-22.5 or an optometrist licensed under IC 25-24; and**
 25 **(2) at the office of a licensed ophthalmologist or licensed**
 26 **optometrist.**
 27 (d) The governing body of each school corporation shall conduct a
 28 vision test for each student enrolling in or transferring into:
 29 (1) either kindergarten or grade 1;
 30 (2) grade 3;
 31 (3) grade 5; and
 32 (4) grade 8;
 33 and for each student suspected of having a visual defect.
 34 (e) The vision test for students in kindergarten and grade 1 shall be
 35 ~~conducted using the modified clinical technique~~ **a comprehensive eye**
 36 **exam** unless a waiver is granted under section 13 of this chapter. If a
 37 waiver is granted for a school corporation, the governing body shall
 38 conduct a vision screening upon each student's enrollment in
 39 kindergarten or grade 1.
 40 (f) Each student described in subsection (d)(2), (d)(3), and (d)(4),
 41 and each student suspected of having a visual defect shall be tested
 42 using a vision screening of the student's visual acuity.



1 (g) The following standards apply for a vision screening under
2 subsections (e) and (f):

3 (1) A student in kindergarten or grade 1 who is unable to read
4 with each eye the 20/30 line of the Snellen chart or the 20/32 line
5 of the Sloan letters, HOTV, or LEA symbol optotypes shall be
6 recommended for further examination based upon the
7 recommendation of the individual performing the screening.

8 (2) A student:

9 (A) in grade 3, grade 5, or grade 8; or

10 (B) suspected of having a visual defect;

11 who is unable to read with each eye the 20/30 line of the Snellen
12 chart or the 20/32 line of the Sloan letters shall be recommended
13 for further examination based upon the recommendation of the
14 individual performing the screening.

15 (h) Records of all tests shall be made and continuously maintained
16 by the school corporation to provide information useful in protecting,
17 promoting, and maintaining the health of students. The ~~state~~ **Indiana**
18 department of health and the state board shall adopt joint rules
19 concerning vision testing equipment, qualifications of vision testing
20 personnel, visual screening procedures, and criteria for failure and
21 referral in the screening tests based on accepted medical practice and
22 standards.

23 (i) The school corporation's governing body and the superintendent
24 shall receive annually the following information concerning the tests
25 conducted under this section:

26 (1) The number of students tested by grade.

27 (2) The number of students by grade who ~~were tested using the~~
28 ~~modified clinical technique.~~ **received a comprehensive eye**
29 **exam.**

30 (3) The number of students by grade who were tested using a
31 vision screening.

32 (4) The number of students by grade who passed a test.

33 (5) The number of students by grade who failed a test or were
34 referred for further testing.

35 (6) The name of the individual or department that supervised the
36 testing.

37 (j) Each school corporation shall annually provide to the
38 department, for each school within the school corporation, the
39 following information concerning the tests conducted under this
40 section:

41 (1) the number of students tested by grade;

42 (2) the number of students by grade who ~~were tested using the~~



- 1 ~~modified clinical technique; received a comprehensive eye~~
2 **exam;**
3 (3) the number of students by grade who were tested using a
4 vision screening;
5 (4) the number of students who passed a test by grade; and
6 (5) the number of students who failed a test or who were referred
7 for further testing.
8 (k) Not later than October 1 each year, the department shall report
9 for the previous school year:
10 (1) a compilation of the information received from school
11 corporations under subsection (j);
12 (2) information received under section 13 of this chapter,
13 including:
14 (A) the number of school corporations that applied for a
15 waiver;
16 (B) the number of waivers approved;
17 (C) the number of waivers denied;
18 (D) the name of each school corporation that applied for a
19 waiver and whether the waiver was approved or denied; and
20 (E) the reason for the approval or denial;
21 (3) the total number of students eligible for testing; and
22 (4) the total number of students tested;
23 to the legislative council in electronic format under IC 5-14-6.

