

FIRST REGULAR SESSION

SENATE BILL NO. 311

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PEARCE.

Read 1st time February 22, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1595S.011

AN ACT

To repeal section 167.194, RSMo, and to enact in lieu thereof one new section relating to the children's vision examination program.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 167.194, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 167.194, to read as follows:

167.194. 1. Beginning July 1, 2008, every child enrolling in kindergarten
2 or first grade in a public elementary school in this state shall receive one
3 comprehensive vision examination performed by a state licensed optometrist or
4 physician. Evidence of the examination shall be submitted to the school no later
5 than January first of the first year in which the student is enrolled at the school,
6 provided that the evidence submitted in no way violates any provisions of Public
7 Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability and
8 Accountability Act of 1996.

9 2. The state board of education, in conjunction with the department of
10 health and senior services, shall promulgate rules establishing the criteria for
11 meeting the requirements of subsection 1 of this section, which may include, but
12 are not limited to, forms or other proof of such examination, or other rules as are
13 necessary for the enforcement of this section. The form or other proof of such
14 examination shall include but not be limited to identifying the result of the
15 examinations performed under subsection 4 of this section, the cost for the
16 examination, the examiner's qualifications, and method of payment through
17 either:

18 (1) Insurance;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 (2) The state Medicaid program;

20 (3) Complimentary; or

21 (4) Other form of payment.

22 3. The department of elementary and secondary education, in conjunction
23 with the department of health and senior services, shall compile and maintain a
24 list of sources to which children who may need vision examinations or children
25 who have been found to need further examination or vision correction may be
26 referred for treatment on a free or reduced-cost basis. The sources may include
27 individuals, and federal, state, local government, and private programs. The
28 department of elementary and secondary education shall ensure that the
29 superintendent of schools, the principal of each elementary school, the school
30 nurse or other person responsible for school health services, and the parent
31 organization for each district elementary school receives an updated copy of the
32 list each year prior to school opening. Professional and service organizations
33 concerned with vision health may assist in gathering and disseminating the
34 information, at the direction of the department of elementary and secondary
35 education.

36 4. For purposes of this section, the following comprehensive vision
37 examinations shall include but not be limited to:

38 (1) Complete case history;

39 (2) Visual acuity at distance (aided and unaided);

40 (3) External examination and internal examination (ophthalmoscopic
41 examination);

42 (4) Subjective refraction to best visual acuity.

43 5. Findings from the evidence of examination shall be provided to the
44 department of health and senior services and kept by the optometrist or physician
45 for a period of seven years.

46 6. In the event that a parent or legal guardian of a child subject to this
47 section shall submit to the appropriate school administrator a written request
48 that the child be excused from taking a vision examination as provided in this
49 section, that child shall be so excused.

50 [7. Pursuant to section 23.253 of the Missouri sunset act:

51 (1) The provisions of the new program authorized under this section shall
52 automatically sunset on June 30, 2012, unless reauthorized by an act of the
53 general assembly; and

54 (2) If such program is reauthorized, the program authorized under this

55 section shall automatically sunset eight years after the effective date of the
56 reauthorization of this section; and

57 (3) This section shall terminate on September first of the calendar year
58 immediately following the calendar year in which the program authorized under
59 this section is sunset.]

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Bill

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