

1 **SENATE FLOOR VERSION**

2 February 28, 2024

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1319

By: Seifried of the Senate

and

Newton of the House

6
7
8 [vision screenings - Revolving Fund - expenditure -
9 grants - report - electronic eye chart - platform and
10 data management system - information - codification -
11 effective date -
12 emergency]

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-114.21 of Title 63, unless
16 there is created a duplication in numbering, reads as follows:

17 There is hereby created in the State Treasury a revolving fund
18 for the State Department of Health to be designated the "Public
19 School Vision Screening Modernization Revolving Fund". The fund
20 shall be a continuing fund, not subject to fiscal year limitations,
21 and shall consist of all monies deposited to the credit of the fund
22 by law or from private funds donated for one or both of the purposes
23 listed in this section. All monies accruing to the credit of the
24 fund are hereby appropriated and may be budgeted and expended by the
State Department of Health for the following purposes:

1 1. Awarding grants to public schools as provided by Section 2
2 of this act; and

3 2. Collection of necessary vision screening data including, but
4 not limited to, through the cloud-based platform and data management
5 system described in Section 1210.284 of Title 70 of the Oklahoma
6 Statutes.

7 Expenditures from the fund shall be made upon warrants issued by
8 the State Treasurer against claims filed as prescribed by law with
9 the Director of the Office of Management and Enterprise Services for
10 approval and payment.

11 SECTION 2. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1-114.22 of Title 63, unless
13 there is created a duplication in numbering, reads as follows:

14 A. The State Department of Health may award grants to public
15 schools from the Public School Vision Screening Modernization
16 Revolving Fund created in Section 1 of this act for the purpose of
17 assisting public schools in obtaining vision screening equipment,
18 collecting vision screening data, and obtaining related services to
19 fulfill the requirements of Section 1210.284 of Title 70 of the
20 Oklahoma Statutes.

21 B. The State Department of Health shall electronically submit
22 an annual report on all grants awarded under this section to the
23 President Pro Tempore of the Senate, the Speaker of the House of
24 Representatives, and the Governor by January 15 of each year.

1 SECTION 3. AMENDATORY 70 O.S. 2021, Section 1210.284, as
2 amended by Section 1, Chapter 112, O.S.L. 2022 (70 O.S. Supp. 2023,
3 Section 1210.284), is amended to read as follows:

4 Section 1210.284. A. 1. The parent or guardian of each
5 student enrolled in kindergarten at a public school in this state
6 shall provide certification to school personnel that the student
7 passed a vision screening within the previous twelve (12) months or
8 during the school year. Such screening shall be conducted by
9 personnel listed on the statewide registry as maintained by the
10 State Department of Health, which may include, but not be limited
11 to, Oklahoma licensed optometrists and ophthalmologists.

12 2. The parent or guardian of each student enrolled in first or
13 third grade at a public school in this state shall provide within
14 thirty (30) days of the beginning of the school year certification
15 to school personnel that the student passed a vision screening
16 within the previous twelve (12) months. Such screening shall be
17 conducted by personnel listed on the statewide registry as
18 maintained by the State Department of Health; provided, Oklahoma
19 licensed optometrists and ophthalmologists shall be exempt from such
20 standards.

21 3. The parent or guardian of each student who receives a vision
22 screening as required by this section shall receive notification
23 that a vision screening is not the equivalent of a comprehensive eye
24 exam.

1 B. 1. The Infant and Children's Health Advisory Council
2 created in Section 1-103a.1 of Title 63 of the Oklahoma Statutes
3 shall make recommendations to the State ~~Board~~ Commissioner of Health
4 on:

- 5 a. standards for vision screening and referral; provided,
6 Oklahoma licensed optometrists and ophthalmologists
7 shall be exempt from such standards,
- 8 b. qualifications for initial recognition and renewal of
9 recognition of vision screeners,
- 10 c. qualifications for initial recognition and renewal of
11 recognition of vision screener trainers,
- 12 d. qualifications for initial recognition and renewal of
13 recognition of trainers of vision screener trainers;
14 provided, Oklahoma licensed optometrists and
15 ophthalmologists shall be exempt from any training
16 requirements, and
- 17 e. grounds for denial, refusal, suspension or revocation
18 of recognition of vision screeners, vision screener
19 trainers and trainers of vision screener trainers.

20 2. The Department shall:

- 21 a. establish and thereafter maintain a statewide
22 registry, available via the Internet, which shall
23 contain a list of approved vision screeners,

- 1 b. maintain a list of approved vision screener trainers
2 and trainers of vision screener trainers, ~~and~~
- 3 c. maintain the standards for vision screening and
4 referral. Such standards shall permit the use of an
5 electronic eye chart as a substitute for a printed eye
6 chart to assess relative visual acuity. As used in
7 this subparagraph, "electronic eye chart" means any
8 computerized or other electronic system, device,
9 automated computer program, or method of displaying on
10 an electronic screen medically accepted and properly
11 sized optotypes, which may be letters, numbers, or
12 symbols, that is used to assess an individual's visual
13 acuity. An electronic eye chart shall meet national
14 standards of care and shall meet the guidelines
15 established by the 2016 version, or most recent
16 version if updated, of the Procedures for the
17 Evaluation of the Visual System by Pediatricians
18 produced by the American Academy of Pediatrics, and
- 19 d. subject to availability of funds, maintain a cloud-
20 based platform and data management system that is
21 compliant with the Health Insurance Portability and
22 Accountability Act of 1996 and the Family Educational
23 Rights and Privacy Act of 1974 to collect individual
24 student screening results from each school district,

1 manage and report on compliance, and act as an
2 analytical platform for screening outcomes. The State
3 Department of Education shall share vision screening
4 results and any other relevant information with the
5 State Department of Health for the purpose of
6 implementing this subparagraph. The agencies shall
7 enter into an interagency agreement for the sharing of
8 information as provided by this subparagraph.

9 3. After notice and hearing, the ~~Department~~ State Department of
10 Health may deny, refuse, suspend or revoke approval to an applicant
11 who has a history of:

- 12 a. noncompliance or incomplete or partial compliance with
13 the provisions of this section or the rules adopted by
14 the ~~Board~~ Commissioner to implement the provisions of
15 this section,
- 16 b. referring persons to a business in which the applicant
17 has a financial interest or a business which is owned
18 or operated by someone within the third degree of
19 consanguinity or affinity of the applicant, or
- 20 c. conduct which demonstrates that the applicant is
21 providing services in a manner which does not warrant
22 public trust.

1 4. The ~~Board~~ Commissioner, giving consideration to the
2 recommendations of the Council, shall promulgate rules to implement
3 the provisions of this section.

4 C. 1. The parent or guardian of each student who fails the
5 vision screening required in subsection A of this section shall
6 receive a recommendation to undergo a comprehensive eye examination
7 performed by an ophthalmologist or optometrist.

8 2. The ophthalmologist or optometrist shall forward a written
9 report of the results of the comprehensive eye examination to the
10 student's school, parent or guardian, and primary health care
11 provider designated by the parent or guardian. The report shall
12 include, but not be limited to:

- 13 a. date of report,
- 14 b. name, address and date of birth of the student,
- 15 c. name of the student's school,
- 16 d. type of examination,
- 17 e. a summary of significant findings, including
18 diagnoses, medication used, duration of action of
19 medication, treatment, prognosis, whether or not a
20 return visit is recommended and, if so, when,
- 21 f. recommended educational adjustments for the child, if
22 any, which may include: preferential seating in the
23 classroom, eyeglasses for full-time use in school,

1 eyeglasses for part-time use in school, sight-saving
2 eyeglasses, and any other recommendations, and

3 g. name, address and signature of the examiner.

4 D. No student shall be prohibited from attending school for a
5 parent's or guardian's failure to furnish a report of the student's
6 vision screening or an examiner's failure to furnish the results of
7 a student's comprehensive eye examination required by this section.

8 E. School districts shall notify parents or guardians of
9 students who enroll in kindergarten, first, or third grade for the
10 2007-08 school year and each year thereafter of the requirements of
11 this section.

12 F. The State Board of Education shall adopt rules for the
13 implementation of this section except as provided in subsection B of
14 this section. The State Department of Education shall issue a
15 report annually on the impact and effectiveness of this section.

16 SECTION 4. This act shall become effective July 1, 2024.

17 SECTION 5. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
22 February 28, 2024 - DO PASS AS AMENDED
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