

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 1319

By: Seifried of the Senate

6 and

7 Newton of the House

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

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17 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

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

21 There is hereby created in the State Treasury a revolving fund
22 for the State Department of Health to be designated the "Public
23 School Vision Screening Modernization Revolving Fund". The fund
24 shall be a continuing fund, not subject to fiscal year limitations,

1 and shall consist of all monies deposited to the credit of the fund
2 by law or from private funds donated for one or both of the purposes
3 listed in this section. All monies accruing to the credit of the
4 fund are hereby appropriated and may be budgeted and expended by the
5 State Department of Health for the following purposes:

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

8 2. Collection of necessary vision screening data including, but
9 not limited to, through the cloud-based platform and data management
10 system described in Section 1210.284 of Title 70 of the Oklahoma
11 Statutes.

12 Expenditures from the fund shall be made upon warrants issued by
13 the State Treasurer against claims filed as prescribed by law with
14 the Director of the Office of Management and Enterprise Services for
15 approval and payment.

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

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

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

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

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

18 2. The parent or guardian of each student enrolled in first or
19 third grade at a public school in this state shall provide within
20 thirty (30) days of the beginning of the school year certification
21 to school personnel that the student passed a vision screening
22 within the previous twelve (12) months. Such screening shall be
23 conducted by personnel listed on the statewide registry as
24 maintained by the State Department of Health; provided, Oklahoma

1 licensed optometrists and ophthalmologists shall be exempt from such
2 standards.

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

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

- 11 a. standards for vision screening and referral; provided,
12 Oklahoma licensed optometrists and ophthalmologists
13 shall be exempt from such standards,
- 14 b. qualifications for initial recognition and renewal of
15 recognition of vision screeners,
- 16 c. qualifications for initial recognition and renewal of
17 recognition of vision screener trainers,
- 18 d. qualifications for initial recognition and renewal of
19 recognition of trainers of vision screener trainers;
20 provided, Oklahoma licensed optometrists and
21 ophthalmologists shall be exempt from any training
22 requirements, and

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1 e. grounds for denial, refusal, suspension or revocation
2 of recognition of vision screeners, vision screener
3 trainers and trainers of vision screener trainers.

4 2. The Department shall:

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

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

20 a. noncompliance or incomplete or partial compliance with
21 the provisions of this section or the rules adopted by
22 the ~~Board~~ Commissioner to implement the provisions of
23 this section,
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- 1 b. referring persons to a business in which the applicant
2 has a financial interest or a business which is owned
3 or operated by someone within the third degree of
4 consanguinity or affinity of the applicant, or
5 c. conduct which demonstrates that the applicant is
6 providing services in a manner which does not warrant
7 public trust.

8 4. The ~~Board~~ Commissioner, giving consideration to the
9 recommendations of the Council, shall promulgate rules to implement
10 the provisions of this section.

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

15 2. The ophthalmologist or optometrist shall forward a written
16 report of the results of the comprehensive eye examination to the
17 student's school, parent or guardian, and primary health care
18 provider designated by the parent or guardian. The report shall
19 include, but not be limited to:

- 20 a. date of report,
21 b. name, address and date of birth of the student,
22 c. name of the student's school,
23 d. type of examination,

- 1 e. a summary of significant findings, including
2 diagnoses, medication used, duration of action of
3 medication, treatment, prognosis, whether or not a
4 return visit is recommended and, if so, when,
5 f. recommended educational adjustments for the child, if
6 any, which may include: preferential seating in the
7 classroom, eyeglasses for full-time use in school,
8 eyeglasses for part-time use in school, sight-saving
9 eyeglasses, and any other recommendations, and
10 g. name, address and signature of the examiner.

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

15 E. School districts shall notify parents or guardians of
16 students who enroll in kindergarten, first, or third grade for the
17 2007-08 school year and each year thereafter of the requirements of
18 this section.

19 F. The State Board of Education shall adopt rules for the
20 implementation of this section except as provided in subsection B of
21 this section. The State Department of Education shall issue a
22 report annually on the impact and effectiveness of this section.

23 SECTION 4. This act shall become effective July 1, 2024.
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1 SECTION 5. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
7 04/18/2024 - DO PASS, As Amended.
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