

1 **SENATE FLOOR VERSION**

2 February 25, 2019

3 SENATE BILL NO. 803

By: Smalley

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7 An Act relating to schools; amending 70 O.S. 2011,  
8 Section 1210.284, as last amended by Section 79,  
9 Chapter 229, O.S.L. 2013 (70 O.S. Supp. 2018, Section  
10 1210.284), which relates to vision screening;  
11 specifying that optometrists may perform screening;  
12 adding certain exemptions; and providing an effective  
13 date.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.284, as  
16 last amended by Section 79, Chapter 229, O.S.L. 2013 (70 O.S. Supp.  
17 2018, Section 1210.284), is amended to read as follows:

18 Section 1210.284. A. 1. The parent or guardian of each  
19 student enrolled in kindergarten at a public school in this state  
20 shall provide certification to school personnel that the student  
21 passed a vision screening within the previous twelve (12) months or  
22 during the school year. Such screening shall be conducted by  
23 personnel listed on the statewide registry as maintained by the  
24 State Department of Health, which may include, but not be limited  
to, Oklahoma licensed optometrists.

1           2. The parent or guardian of each student enrolled in first or  
2 third grade at a public school in this state shall provide within  
3 thirty (30) days of the beginning of the school year certification  
4 to school personnel that the student passed a vision screening  
5 within the previous twelve (12) months. Such screening shall be  
6 conducted by personnel listed on the statewide registry as  
7 maintained by the State Department of Health.

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

12           B. 1. The Infant and Children's Health Advisory Council  
13 created in Section ~~44 of this act~~ 1-103a.1 of Title 63 of the  
14 Oklahoma Statutes shall make recommendations to the State Board of  
15 Health on:

- 16           a. standards for vision screening and referral; provided,  
17           Oklahoma licensed optometrists shall be exempt from  
18           such standards,
- 19           b. qualifications for initial recognition and renewal of  
20           recognition of vision screeners,
- 21           c. qualifications for initial recognition and renewal of  
22           recognition of vision screener trainers,
- 23           d. qualifications for initial recognition and renewal of  
24           recognition of trainers of vision screener trainers;

1 provided, Oklahoma licensed optometrists shall be  
2 exempt from any training requirements, and

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

6 2. The Department shall:

7 a. establish and thereafter maintain a statewide  
8 registry, available via the Internet, which shall  
9 contain a list of approved vision screeners,

10 b. maintain a list of approved vision screener trainers  
11 and trainers of vision screener trainers, and

12 c. maintain the standards for vision screening and  
13 referral.

14 3. After notice and hearing, the Department may deny, refuse,  
15 suspend or revoke approval to an applicant which has a history of:

16 a. noncompliance or incomplete or partial compliance with  
17 the provisions of this section or the rules adopted by  
18 the Board to implement the provisions of this section,

19 b. referring persons to a business in which the applicant  
20 has a financial interest or a business which is owned  
21 or operated by someone within the third degree of  
22 consanguinity or affinity of the applicant, or  
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1 c. conduct which demonstrates that the applicant is  
2 providing services in a manner which does not warrant  
3 public trust.

4 4. The Board, giving consideration to the recommendations of  
5 the Infant and Children's Health Advisory Council created in Section  
6 ~~44 of this act~~ 1-103a.1 of Title 63 of the Oklahoma Statutes, shall  
7 promulgate rules to implement the provisions of this section.

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

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

- 17 a. date of report,
- 18 b. name, address and date of birth of the student,
- 19 c. name of the student's school,
- 20 d. type of examination,
- 21 e. a summary of significant findings, including  
22 diagnoses, medication used, duration of action of  
23 medication, treatment, prognosis, whether or not a  
24 return visit is recommended and, if so when,

1 f. recommended educational adjustments for the child, if  
2 any, which may include: preferential seating in the  
3 classroom, eyeglasses for full-time use in school,  
4 eyeglasses for part-time use in school, sight-saving  
5 eyeglasses, and any other recommendations, and

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

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

11 E. School districts shall notify parents or guardians of  
12 students who enroll in kindergarten, first, or third grade for the  
13 2007-08 school year and each year thereafter of the requirements of  
14 this section.

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

19 SECTION 2. This act shall become effective November 1, 2019.

20 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
21 February 25, 2019 - DO PASS  
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