

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1342 Session of 2019

INTRODUCED BY BROWN, PICKETT, READSHAW, KAUFFMAN, SCHLOSSBERG, MURT, SCHLEGEL CULVER, BARRAR, MILLARD, STRUZZI, DeLUCA, TOOHIL, MEHAFFIE, SCHWEYER, KINSEY, RADER, T. DAVIS, BOBACK, MACKENZIE, CIRESI, YOUNGBLOOD, DEASY, D. MILLER, STURLA AND KORTZ, APRIL 29, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 20, 2020

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in school health services, further
6 providing for health services and providing for vision
7 screening and examinations.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1402(a) of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, is
12 amended to read:

13 Section 1402. Health Services.--(a) Each child of school
14 age shall be given by methods established by the Advisory Health
15 Board, [(1) a vision test by a school nurse, medical technician
16 or teacher, (2)] (1) a hearing test by a school nurse or medical
17 technician, [(3)] (2) a measurement of height and weight by a
18 school nurse or teacher, who shall use the measurement to

1 compute a child's weight-for-height ratio, [(4)] (3) tests for  
2 tuberculosis under medical supervision, and [(5)] (4) such other  
3 tests as the Advisory Health Board may deem advisable to protect  
4 the health of the child. [Vision tests shall be given at least  
5 annually and other tests at intervals established by the  
6 Advisory Health Board.]

7 \* \* \*

8 Section 2. The act is amended by adding a section to read:

9 Section 1403.1. Vision Screening and Examinations.--(a) (1)

10 Prior to admission to school for the first time, a parent or  
11 legal guardian shall present to the school entity or nonpublic  
12 school certification from a primary care provider or vision  
13 screeener that the child has passed or failed a vision screening  
14 performed by a primary care provider or a vision screening  
15 conducted by screeners with specific training in vision  
16 screening techniques and protocols approved by the Department of  
17 Health or has completed a comprehensive eye exam conducted by an  
18 ophthalmologist or optometrist within the previous twelve  
19 months.

20 (2) The Advisory Health Board shall promulgate regulations  
21 to establish vision screening standards based on instrument-  
22 based vision screening technologies or visual acuity testing,  
23 taking into consideration national guidelines from the American  
24 Academy of Pediatrics- AND AMERICAN ASSOCIATION FOR PEDIATRIC <--  
25 OPHTHALMOLOGY AND STRABISMUS.

26 (b) (1) Every school year at a school entity or nonpublic  
27 school, until a child completes the fifth grade and AT LEAST <--  
28 every two years thereafter until the child graduates from the  
29 twelfth grade, the child shall have a vision screening performed  
30 by school health personnel or screeners with specific training

1 in vision screening techniques and protocols approved by the  
2 Advisory Health Board. The results of the vision screening shall  
3 be supplied to the parent or legal guardian of the child.

4 (2) For a child who fails a required vision screening, a  
5 comprehensive eye examination, performed by an ophthalmologist  
6 or optometrist, shall also be required. Notification of the  
7 parent or legal guardian of the failed screening shall be  
8 accompanied by notification of requirement for a comprehensive  
9 examination that must be completed within one hundred twenty  
10 (120) days or before the start of the next school year,  
11 whichever comes first., AND A LIST OF VISION RESOURCES COMPILED <--  
12 BY THE DEPARTMENT OF HEALTH. Notification may also include a  
13 form, to be completed by the examining ophthalmologist or  
14 optometrist, to be used for reporting the results of the  
15 examination. The report may include, but not be limited to, the  
16 following:

17 (i) Date of report.

18 (ii) Name, address and date of birth of the child.

19 (iii) Name of the child's school.

20 (iv) A summary of significant findings, including best  
21 corrected visual acuity, diagnosis, treatment, prognosis,  
22 whether or not a return visit is recommended and, if so, when.

23 (v) Recommended educational adjustments for the child, if  
24 any, which may include preferential seating in the classroom,  
25 eyeglasses for full-time use in school, eyeglasses for part-time  
26 use in school, sight-saving eyeglasses or any other  
27 recommendations.

28 (vi) Name, address and signature of the examiner.

29 (3) The examination report may be accompanied by an envelope  
30 for return of the form to school health personnel so the

1 completion status and result of the examination under subsection  
2 (b) (2) may be recorded.

3 (c) No child shall be denied admission or excluded from  
4 attending school for the reason that the parent or legal  
5 guardian failed to furnish a report of the child's vision  
6 screening or to have an examination completed upon failure of  
7 the vision screening. A parent or legal guardian who fails to <--  
8 present the required report within a year of a failed exam shall  
9 be notified by the school entity or nonpublic school of, to the  
10 extent available, vision resources.

11 (d) A school entity or nonpublic school shall not be  
12 required to provide comprehensive eye examination or held  
13 financially responsible for the treatment of a child who fails  
14 the required vision screening.

15 (e) This section shall apply to school years beginning after  
16 the regulations are promulgated by the Advisory Health Board  
17 under subsection (a) (2).

18 (f) As used in this section, the following words and phrases  
19 shall have the meanings given to them in this subsection unless  
20 the context clearly indicates otherwise:

21 "Nonpublic school." As defined in section 922.1-A.

22 "School entity." A school district, charter school, regional  
23 charter school, cyber charter school, intermediate unit or area  
24 career and technical school.

25 Section 3. This act shall take effect in 60 days.