
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 780 Session of
2023

INTRODUCED BY GEBHARD, SCHWANK, AUMENT, REGAN AND PENNYCUICK,
JUNE 14, 2023

REFERRED TO EDUCATION, JUNE 14, 2023

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 for vision screening and
7 examinations, providing for eye health and vision
8 examinations and further providing for examinations by
9 examiners of own choice.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Sections 1402(a) and 1403.1(a), (b) (1) and (2)
13 and (d) of the act of March 10, 1949 (P.L.30, No.14), known as
14 the Public School Code of 1949, are amended to read:

15 Section 1402. Health Services.--(a) Each child of school
16 age shall be given by methods established by the Advisory Health
17 Board, (1) a hearing test by a school nurse or medical
18 technician, (1.1) a vision screening by school health personnel
19 or a screener or an eye health and vision examination by an
20 ophthalmologist or optometrist, and (2) a measurement of height
21 and weight by a school nurse or teacher, who shall use the

1 measurement to compute a child's weight-for-height ratio[, (3)
2 tests for tuberculosis under medical supervision, and (4) such
3 other tests as the Advisory Health Board may deem advisable to
4 protect the health of the child]. A vision screening or an eye
5 health and vision examination shall be performed on an annual
6 basis.

7 * * *

8 Section 1403.1. Vision Screening and Examinations.--(a) (1)
9 Prior to admission to school for the first time, a parent or
10 legal guardian shall present to the school entity or nonpublic
11 school certification from [a primary care provider or vision
12 screener that the child has passed or failed a vision screening
13 performed by a primary care provider or a vision screening
14 conducted by screeners with specific training in vision
15 screening techniques and protocols approved by the Department of
16 Health or has completed] an ophthalmologist or optometrist that
17 the child has passed or failed a comprehensive eye health and
18 vision exam conducted by an ophthalmologist or optometrist
19 within the previous twelve 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, American Optometric Association and
25 American Association for Pediatric Ophthalmology and Strabismus.

26 (b) (1) [Every] Except as provided under section 1403.2,
27 every school year at a school entity or nonpublic school, until
28 a child completes the fifth grade and at least every two years
29 thereafter until the child graduates from the twelfth grade, the
30 child shall have a vision screening performed by school health

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

5 (2) For a child who fails a required vision screening, a
6 comprehensive eye health and vision examination, performed by an
7 ophthalmologist or optometrist, shall also be required.

8 Notification of the parent or legal guardian of the failed
9 screening shall be accompanied by notification of requirement
10 for a comprehensive eye health and vision examination that must
11 be completed within one hundred twenty (120) days or before the
12 start of the next school year, whichever comes first, and a list
13 of vision resources compiled by the Department of Health.

14 Notification may also include a form, to be completed by the
15 examining ophthalmologist or optometrist, to be used for
16 reporting the results of the examination. The report may
17 include, but not be limited to, the following:

18 (i) Date of report.

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

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

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

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

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

30 * * *

1 (d) A school entity or nonpublic school shall not be
2 required to provide comprehensive eye health and vision
3 examinations or held financially responsible for the treatment
4 of a child who fails the required vision screening.

5 * * *

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

7 Section 1403.2. Eye Health and Vision Examinations.--(a)

8 Except as provided under subsections (c) and (e), children of
9 school age in this Commonwealth shall be given an eye health and
10 vision examination:

11 (1) upon admission to school;

12 (2) while in the fourth grade;

13 (3) while in the eighth grade;

14 (4) as part of the evaluation of and prior to the student
15 becoming subject to 29 U.S.C. § 794 (relating to

16 nondiscrimination under Federal grants and programs); and

17 (5) as part of the evaluation of and prior to the student's
18 enrollment in a Title I reading program as defined by 20 U.S.C.
19 Ch. 70 Subch. I (relating to improving the academic achievement
20 of the disadvantaged).

21 (b) A school district or joint school board that institutes
22 an eye health and vision examination program under subsection
23 (c) shall be exempt from providing eye health and vision
24 examinations as required under subsection (a).

25 (c) A school district or joint school board may institute an
26 eye health and vision examination program for children of school
27 age. Before a school district or joint school board institutes
28 an eye health and vision examination program under this
29 subsection, the program shall be approved by the Secretary of
30 Health.

1 (d) The parent or guardian of a child of school age shall
2 submit evidence that the child received an eye health and vision
3 examination in accordance with subsection (a).

4 (e) This section shall apply to a child who is enrolled in a
5 public or nonpublic school.

6 (f) As used in this section, the term "eye health and vision
7 examination" means an evaluation performed by an ophthalmologist
8 or optometrist that includes all of the following:

9 (1) An evaluation of vision history.

10 (2) An external and internal ophthalmic examination.

11 (3) An assessment of vision acuity, ocular alignment and
12 motility and refraction.

13 (4) An assessment of accommodation and binocular vision.

14 Section 3. Section 1407 of the act is amended to read:

15 Section 1407. Examinations by Examiners of Own Choice.--In
16 lieu of the medical or dental examinations prescribed by this
17 article, any child of school age may furnish the local school
18 officials with a medical or dental report of examination made at
19 his own expense by his family physician [or], family dentist,
20 ophthalmologist or optometrist on a form approved by the
21 Secretary of Health for this purpose. The in lieu examinations
22 shall be made and the report shall be furnished prior to the
23 date fixed for the regularly scheduled examination but no
24 earlier than four months prior to the opening of the school term
25 during which the regular examination is scheduled.

26 Section 4. This act shall take effect in 60 days.