

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 964

By: Paddack of the Senate

3 and

4 Cox of the House

5
6
7 (education - vision screening - modifying membership -
8 effective date -

9 emergency)

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11
12 AUTHOR: Add the following House Coauthor: Billy

13 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
14 entire bill and insert

15 "An Act relating to education; amending Section 1,
16 Chapter 160, O.S.L. 2006 (70 O.S. Supp. 2008,
17 Section 1210.284), which relates to vision
18 screening; modifying membership of certain advisory
19 committee; directing certain advisory committee to
20 make specified recommendations; requiring certain
21 advisory committee to provide specified information;
22 directing the State Department of Health to perform
23 certain duties; permitting the Department to impose
24 certain sanctions in specified circumstances;
authorizing certain advisory committee to make
certain recommendations and provide certain list;
directing the State Board of Health to promulgate
certain rules; providing an effective date; and
declaring an emergency.

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

2 SECTION 1. AMENDATORY Section 1, Chapter 160, O.S.L.
3 2006 (70 O.S. Supp. 2008, Section 1210.284), is amended to read as
4 follows:

5 Section 1210.284 A. 1. ~~Beginning in the 2007-08 school year,~~
6 ~~the~~ The parent or guardian of each student enrolled in kindergarten
7 at a public school in this state shall provide certification to
8 school personnel that the student passed a vision screening within
9 the previous twelve (12) months or during the school year. Such
10 screening shall be conducted by personnel listed on the statewide
11 registry as maintained by the State Department of Health.

12 2. ~~Beginning in the 2007-08 school year, the~~ The parent or
13 guardian of each student enrolled in first or third grade at a
14 public school in this state shall provide within thirty (30) days of
15 the beginning of the school year certification to school personnel
16 that the student passed a vision screening within the previous
17 twelve (12) months. Such screening shall be conducted by personnel
18 listed on the statewide registry as maintained by the State
19 Department of Health.

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

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1 B. 1. The State Department of Health shall form an advisory
2 ~~committee to make recommendations to the Board of Health for vision~~
3 ~~screening standards pursuant to this section. The advisory~~
4 ~~committee shall provide a list of qualified screeners to the State~~
5 ~~Department of Health. The advisory committee shall be comprised of:~~

6 a. ~~One~~ one licensed Oklahoma optometrist,

7 b. one licensed Oklahoma ophthalmologist,

8 c. the State Commissioner of Health, or designee,

9 d. the State Superintendent of Public Instruction, or
10 designee, and

11 e. ~~one representative of the State Department of Health,~~

12 ~~one representative of the State Department of~~

13 ~~Education and one representative of a statewide~~

14 ~~organization for the prevention of blindness. The~~

15 ~~State Board of Health shall adopt rules to establish~~

16 ~~vision screening standards pursuant to this section~~

17 ~~and the State Department of Health shall establish and~~

18 ~~thereafter maintain a statewide registry, available~~

19 ~~via the Internet, which shall contain a list of~~

20 ~~qualified screeners.~~

21 2. The advisory committee shall make recommendations to the
22 State Board of Health on:

23 a. standards for vision screening and referral,

- 1 b. qualifications for initial recognition and renewal of
2 recognition of vision screeners,
3 c. qualifications for initial recognition and renewal of
4 recognition of vision screener trainers,
5 d. qualifications for initial recognition and renewal of
6 recognition of trainers of vision screener trainers,
7 and
8 e. grounds for denial, refusal, suspension or revocation
9 of recognition of vision screeners, vision screener
10 trainers and trainers of vision screener trainers.

11 3. The advisory committee shall provide to the Department a

12 list of:

- 13 a. qualified vision screeners,
14 b. qualified vision screener trainers, and
15 c. qualified trainers of vision screener trainers which
16 are recognized by another state or national entity
17 involved with vision screening with substantially
18 similar published standards and qualifications.

19 4. The Department shall:

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

1 c. maintain the standards for vision screening and
2 referral.

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

5 a. noncompliance or incomplete or partial compliance with
6 the provisions of this section or the rules adopted by
7 the Board to implement the provisions of this section,

8 b. referring persons to a business in which the applicant
9 has a financial interest or a business which is owned
10 or operated by someone within the third degree of
11 consanguinity or affinity of the applicant, or

12 c. conduct which demonstrates that the applicant is
13 providing services in a manner which does not warrant
14 public trust.

15 6. The advisory committee may make recommendations to the Board
16 for establishing a requirement for background checks and provide a
17 listing of offenses that disqualify a vision screener, vision
18 screener trainer or trainer of vision screener trainers for
19 recognition pursuant to this section.

20 7. The Board shall promulgate rules to implement the provisions
21 of this section.

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

3 2. The ophthalmologist or optometrist shall forward a written
4 report of the results of the comprehensive eye examination to the
5 student's school, parent or guardian, and primary health care
6 provider designated by the parent or guardian. The report shall
7 include, but not be limited to:

8 a. date of report,

9 b. name, address and date of birth of the student,

10 c. name of the student's school,

11 d. type of examination,

12 e. a summary of significant findings, including
13 diagnoses, medication used, duration of action of
14 medication, treatment, prognosis, whether or not a
15 return visit is recommended and, if so when,

16 f. recommended educational adjustments for the child, if
17 any, which may include: preferential seating in the
18 classroom, eyeglasses for full-time use in school,
19 eyeglasses for part-time use in school, sight-saving
20 eyeglasses, and any other recommendations, and

21 g. name, address and signature of the examiner;

22 D. No student shall be prohibited from attending school for a
23 parent's or guardian's failure to furnish a report of the student's

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1 vision screening or an examiner's failure to furnish the results of
2 a student's comprehensive eye examination required by this section.

3 E. School districts shall notify parents or guardians of
4 students who enroll in kindergarten, first, or third grade for the
5 2007-08 school year and each year thereafter of the requirements of
6 this section.

7 F. The State Board of Education shall adopt rules for the
8 implementation of this section except as provided in subsection B of
9 this section. The State Department of Education shall issue a
10 report annually on the impact and effectiveness of this section.

11 SECTION 2. This act shall become effective July 1, 2009.

12 SECTION 3. It being immediately necessary for the preservation
13 of the public peace, health and safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval."

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