

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 964

By: Paddack of the Senate

and

Cox of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to education; amending Section 1,
11 Chapter 160, O.S.L. 2006 (70 O.S. Supp. 2008, Section
12 1210.284), which relates to vision screening;
13 modifying membership of certain advisory committee;
14 directing certain advisory committee to make
15 specified recommendations; requiring certain advisory
16 committee to provide specified information; directing
17 the State Department of Health to perform certain
18 duties; permitting the Department to impose certain
19 sanctions in specified circumstances; authorizing
20 certain advisory committee to make certain
21 recommendations and provide certain list; directing
22 the State Board of Health to promulgate certain
23 rules; providing an effective date; and declaring an
24 emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 160, O.S.L.

2006 (70 O.S. Supp. 2008, Section 1210.284), is amended to read as

follows:

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

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

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

20 B. 1. The State Department of Health shall form an advisory
21 committee ~~to make recommendations to the Board of Health for vision~~
22 ~~screening standards pursuant to this section. The advisory~~
23 ~~committee shall provide a list of qualified screeners to the State~~
24 ~~Department of Health. The advisory committee shall be comprised of:~~

- 1 a. ~~One~~ one licensed Oklahoma optometrist,
- 2 b. one licensed Oklahoma ophthalmologist,
- 3 c. the State Commissioner of Health, or designee,
- 4 d. the State Superintendent of Public Instruction, or
- 5 designee, and
- 6 e. ~~one representative of the State Department of Health,~~
- 7 ~~one representative of the State Department of~~
- 8 ~~Education and one representative of a statewide~~
- 9 ~~organization for the prevention of blindness. The~~
- 10 ~~State Board of Health shall adopt rules to establish~~
- 11 ~~vision screening standards pursuant to this section~~
- 12 ~~and the State Department of Health shall establish and~~
- 13 ~~thereafter maintain a statewide registry, available~~
- 14 ~~via the Internet, which shall contain a list of~~
- 15 ~~qualified screeners.~~

16 2. The advisory committee shall make recommendations to the

17 State Board of Health on:

- 18 a. standards for vision screening and referral,
- 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,

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

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

8 list of:

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

15 4. The Department shall:

- 16 a. establish and thereafter maintain a statewide
17 registry, available via the Internet, which shall
18 contain a list of approved vision screeners,
19 b. maintain a list of approved vision screener trainers
20 and trainers of vision screener trainers, and
21 c. maintain the standards for vision screening and
22 referral.

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

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

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

16 7. The Board shall promulgate rules to implement the provisions
17 of this section.

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

22 2. The ophthalmologist or optometrist shall forward a written
23 report of the results of the comprehensive eye examination to the
24 student's school, parent or guardian, and primary health care

1 provider designated by the parent or guardian. The report shall
2 include, but not be limited to:

- 3 a. date of report,
- 4 b. name, address and date of birth of the student,
- 5 c. name of the student's school,
- 6 d. type of examination,
- 7 e. a summary of significant findings, including
8 diagnoses, medication used, duration of action of
9 medication, treatment, prognosis, whether or not a
10 return visit is recommended and, if so when,
- 11 f. recommended educational adjustments for the child, if
12 any, which may include: preferential seating in the
13 classroom, eyeglasses for full-time use in school,
14 eyeglasses for part-time use in school, sight-saving
15 eyeglasses, and any other recommendations, and
- 16 g. name, address and signature of the examiner;

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

21 E. School districts shall notify parents or guardians of
22 students who enroll in kindergarten, first, or third grade for the
23 2007-08 school year and each year thereafter of the requirements of
24 this section.

1 F. The State Board of Education shall adopt rules for the
2 implementation of this section except as provided in subsection B of
3 this section. The State Department of Education shall issue a
4 report annually on the impact and effectiveness of this section.

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

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

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