

THE HOUSE OF REPRESENTATIVES  
Monday, March 30, 2009

Committee Substitute for  
ENGROSSED  
Senate Bill No. 964

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 964 - By:  
PADDACK of the Senate and COX AND BILLY of the House.

An Act relating to education; amending Section 1, Chapter 160, O.S.L. 2006 (70 O.S. Supp. 2008, Section 1210.284), which relates to vision screening; modifying membership of certain advisory committee; directing certain advisory committee to make specified recommendations; requiring certain advisory committee to provide specified information; directing the State Department of Health to perform certain duties; permitting the Department to impose 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.

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

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

3 Section 1210.284 A. 1. ~~Beginning in the 2007-08 school year, the~~ The parent or  
4 guardian of each student enrolled in kindergarten at a public school in this state shall  
5 provide certification to school personnel that the student passed a vision screening  
6 within the previous twelve (12) months or during the school year. Such screening shall

1 be conducted by personnel listed on the statewide registry as maintained by the State  
2 Department of Health.

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

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

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

- 16 a. ~~One~~ one licensed Oklahoma optometrist,
- 17 b. one licensed Oklahoma ophthalmologist,
- 18 c. the State Commissioner of Health, or designee,
- 19 d. the State Superintendent of Public Instruction, or designee, and
- 20 e. ~~one representative of the State Department of Health, one~~  
21 ~~representative of the State Department of Education and one~~  
22 ~~representative of a statewide organization for the prevention of~~

1 blindness. ~~The State Board of Health shall adopt rules to establish~~  
2 ~~vision screening standards pursuant to this section and the State~~  
3 ~~Department of Health shall establish and thereafter maintain a~~  
4 ~~statewide registry, available via the Internet, which shall contain a list~~  
5 ~~of qualified screeners.~~

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

- 8 a. standards for vision screening and referral.
- 9 b. qualifications for initial recognition and renewal of recognition of  
10 vision screeners,
- 11 c. qualifications for initial recognition and renewal of recognition of  
12 vision screener trainers,
- 13 d. qualifications for initial recognition and renewal of recognition of  
14 trainers of vision screener trainers, and
- 15 e. grounds for denial, refusal, suspension or revocation of recognition of  
16 vision screeners, vision screener trainers and trainers of vision  
17 screener trainers.

18 3. The advisory committee shall provide to the Department a list of:

- 19 a. qualified vision screeners,
- 20 b. qualified vision screener trainers, and

1           c.     qualified trainers of vision screener trainers which are recognized by  
2                     another state or national entity involved with vision screening with  
3                     substantially similar published standards and qualifications.

4           4. The Department shall:

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

7           b.     maintain a list of approved vision screener trainers and trainers of  
8                     vision screener trainers, and

9           c.     maintain the standards for vision screening and referral.

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

12          a.     noncompliance or incomplete or partial compliance with the provisions  
13                     of this section or the rules adopted by the Board to implement the  
14                     provisions of this section,

15          b.     referring persons to a business in which the applicant has a financial  
16                     interest or a business which is owned or operated by someone within  
17                     the third degree of consanguinity or affinity of the applicant, or

18          c.     conduct which demonstrates that the applicant is providing services in  
19                     a manner which does not warrant public trust.

20          6. The advisory committee may make recommendations to the Board for  
21 establishing a requirement for background checks and provide a listing of offenses that

1 disqualify a vision screener, vision screener trainer or trainer of vision screener trainers  
2 for recognition pursuant to this section.

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

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

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

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

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

8 F. The State Board of Education shall adopt rules for the implementation of this  
9 section except as provided in subsection B of this section. The State Department of  
10 Education shall issue a 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 of the public  
13 peace, health and safety, an emergency is hereby declared to exist, by reason whereof  
14 this act shall take effect and be in full force from and after its passage and approval.

15 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 03-26-09 - DO  
16 PASS, As Amended and Coauthored.

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