

SB 964

THE STATE SENATE
Monday, February 23, 2009

Senate Bill No. 964
As Amended

SENATE BILL NO. 964 - By: Paddock of the Senate and Cox of the House.

[education - vision screening - modifying membership -
effective date -
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:

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

2. ~~Beginning in the 2007-08 school year, the~~ The parent or
guardian of each student enrolled in first or third grade at a
public school in this state shall provide within thirty (30) days of
the beginning of the school year certification to school personnel
that the student passed a vision screening within the previous

1 twelve (12) months. Such screening shall be conducted by personnel
2 listed on the statewide registry as maintained by the State
3 Department of Health.

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

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

- 13 a. One one licensed Oklahoma optometrist,
14 b. one licensed Oklahoma ophthalmologist,
15 c. the State Commissioner of Health, or designee,
16 d. the State Superintendent of Public Instruction, or
17 designee, and
18 e. one representative of the State Department of Health,
19 one representative of the State Department of
20 Education and one representative of a statewide
21 organization for the prevention of blindness. The
22 State Board of Health shall adopt rules to establish
23 vision screening standards pursuant to this section

1 ~~and the State Department of Health shall establish and~~
2 ~~thereafter maintain a statewide registry, available~~
3 ~~via the Internet, which shall contain a list of~~
4 ~~qualified screeners.~~

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

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

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

- 20 a. qualified vision screeners,
- 21 b. qualified vision screener trainers, and
- 22 c. qualified trainers of vision screener trainers which
23 are recognized by another state or national entity

1 involved with vision screening with substantially
2 similar published standards and qualifications.

3 4. The Department shall:

- 4 a. establish and thereafter maintain a statewide
5 registry, available via the internet, which shall
6 contain a list of approved vision screeners,
7 b. maintain a list of approved vision screener trainers
8 and trainers of vision screener trainers, and
9 c. maintain the standards for vision screening and
10 referral.

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

- 13 a. noncompliance or incomplete or partial compliance with
14 the provisions of this section or the rules adopted by
15 the Board to implement the provisions of this section,
16 b. referring persons to a business in which the applicant
17 has a financial interest or a business which is owned
18 or operated by someone within the third degree of
19 consanguinity or affinity of the applicant, or
20 c. conduct which demonstrates that the applicant is
21 providing services in a manner which does not warrant
22 public trust.

1 6. The advisory committee may make recommendations to the Board
2 for establishing a requirement for background checks and provide a
3 listing of offenses that disqualify a vision screener, vision
4 screener trainer or trainer of vision screener trainers for
5 recognition pursuant to this section.

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

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

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

- 17 a. date of report,
18 b. name, address and date of birth of the student,
19 c. name of the student's school,
20 d. type of examination,
21 e. a summary of significant findings, including
22 diagnoses, medication used, duration of action of

1 medication, treatment, prognosis, whether or not a
2 return visit is recommended and, if so when,
3 f. recommended educational adjustments for the child, if
4 any, which may include: preferential seating in the
5 classroom, eyeglasses for full-time use in school,
6 eyeglasses for part-time use in school, sight-saving
7 eyeglasses, and any other recommendations, and
8 g. name, address and signature of the examiner;

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

13 E. School districts shall notify parents or guardians of
14 students who enroll in kindergarten, first, or third grade for the
15 2007-08 school year and each year thereafter of the requirements of
16 this section.

17 F. The State Board of Education shall adopt rules for the
18 implementation of this section except as provided in subsection B of
19 this section. The State Department of Education shall issue a
20 report annually on the impact and effectiveness of this section.

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

22 SECTION 3. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-18-09 - DO
4 PASS, As Amended and Coauthored.