

1 ENGROSSED SENATE
2 BILL NO. 1399

By: Stanislawski of the Senate

3 and

4 Newton of the House

5
6 An Act relating to students; amending 70 O.S. 2011,
7 Section 1210.284, as last amended by Section 79,
8 Chapter 229, O.S.L. 2013 (70 O.S. Supp. 2019, Section
9 1210.284), which relates to vision screening of
10 students; authorizing the State Department of
11 Education to approve vision screeners to conduct
12 certain screenings; updating references; providing an
13 effective date; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.284, as
16 last amended by Section 79, Chapter 229, O.S.L. 2013 (70 O.S. Supp.
17 2019, Section 1210.284), is amended to read as follows:

18 Section 1210.284. A. 1. The parent or legal guardian of each
19 student enrolled in kindergarten at a public school in this state
20 shall provide certification to school personnel that the student
21 passed a vision screening within the previous twelve (12) months or
22 during the school year. Such screening shall be conducted by
23 personnel listed on the statewide registry as maintained by the
24 State Department of Health.

2. The parent or legal guardian of each student enrolled in
first or third grade at a public school in this state shall provide

1 within thirty (30) days of the beginning of the school year
2 certification to school personnel that the student passed a vision
3 screening within the previous twelve (12) months. Such screening
4 shall be conducted by personnel listed on the statewide registry as
5 maintained by the State Department of Health or by personnel
6 approved by the State Department of Education as provided in
7 subsection C of this section.

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

12 B. 1. The Infant and Children's Health Advisory Council
13 created in ~~Section 44 of this act~~ Section 1-103a.1 of Title 63 of
14 the Oklahoma Statutes shall make recommendations to the State Board
15 of Health on:

- 16 a. standards for vision screening and referral,
- 17 b. qualifications for initial recognition and renewal of
18 recognition of vision screeners,
- 19 c. qualifications for initial recognition and renewal of
20 recognition of vision screener trainers,
- 21 d. qualifications for initial recognition and renewal of
22 recognition of trainers of vision screener trainers,
23 and

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1 e. grounds for denial, refusal, suspension or revocation
2 of recognition of vision screeners, vision screener
3 trainers and trainers of vision screener trainers.

4 2. The Department shall:

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

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

- 14 a. noncompliance or incomplete or partial compliance with
15 the provisions of this section or the rules adopted by
16 the Board to implement the provisions of this section,
17 b. referring persons to a business in which the applicant
18 has a financial interest or a business which is owned
19 or operated by someone within the third degree of
20 consanguinity or affinity of the applicant, or
21 c. conduct which demonstrates that the applicant is
22 providing services in a manner which does not warrant
23 public trust.
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1 4. The Board, giving consideration to the recommendations of
2 the Infant and Children's Health Advisory Council created in ~~Section~~
3 ~~44 of this act~~ Section 1-103a.1 of Title 63 of the Oklahoma
4 Statutes, shall promulgate rules to implement the provisions of this
5 section.

6 C. In addition to the statewide registry maintained by the
7 State Department of Health, the State Department of Education shall
8 be authorized to approve vision screeners to conduct vision
9 screenings pursuant to this section.

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

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

- 19 a. date of report,
- 20 b. name, address and date of birth of the student,
- 21 c. name of the student's school,
- 22 d. type of examination,
- 23 e. a summary of significant findings, including
- 24 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.~~ E. No student shall be prohibited from attending school for
10 a parent's or legal guardian's failure to furnish a report of the
11 student's vision screening or an examiner's failure to furnish the
12 results of a student's comprehensive eye examination required by
13 this section.

14 ~~E.~~ F. School districts shall notify parents or legal guardians
15 of students who enroll in kindergarten, first~~7~~ or third grade for
16 the 2007-08 school year and each year thereafter of the requirements
17 of this section.

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

22 SECTION 2. This act shall become effective July 1, 2020.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health or 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 Passed the Senate the 10th day of March, 2020.

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Presiding Officer of the Senate

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7 Passed the House of Representatives the ____ day of _____,
8 2020.

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Presiding Officer of the House
of Representatives

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