

1 **SENATE FLOOR VERSION**

2 February 25, 2020

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1399

By: Stanislawski of the Senate

and

Newton of the House

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9 An Act relating to students; amending 70 O.S. 2011,
10 Section 1210.284, as last amended by Section 79,
Chapter 229, O.S.L. 2013 (70 O.S. Supp. 2019, Section
11 1210.284), which relates to vision screening of
students; directing the State Department of Education
12 rather than the State Department of Health to
maintain certain registry; directing the Infant and
Children's Health Advisory Council to make certain
13 recommendations to the State Department of Education
rather than the State Board of Health; removing
14 certain requirements for the recommendations;
directing the State Department of Education rather
15 than the State Department of Health to establish and
maintain certain registry and standards; removing
16 language regarding the approval of certain
applicants; removing language providing for the State
17 Board of Health to promulgate certain rules; removing
language providing for contents of certain report;
18 removing language requiring certain report; providing
an effective date; and declaring an emergency.
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21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.284, as
23 last amended by Section 79, Chapter 229, O.S.L. 2013 (70 O.S. Supp.
24 2019, Section 1210.284), is amended to read as follows:

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

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

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

19 B. 1. The Infant and Children's Health Advisory Council
20 created in ~~Section 44 of this act~~ Section 1-103a.1 of Title 63 of
21 the Oklahoma Statutes shall make recommendations to the ~~State Board~~
22 ~~of Health~~ State Department of Education on:

23 a. standards for vision screening and referral, and
24

- 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 2. The State Department of Education shall:

- 12 a. establish and thereafter maintain a statewide
13 registry, available via the Internet, which shall
14 contain a list of approved vision screeners, and
- 15 ~~b. maintain a list of approved vision screener trainers~~
16 ~~and trainers of vision screener trainers, and~~
- 17 ~~c. maintain the standards for vision screening and~~
18 ~~referral.~~

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

- 21 ~~a. noncompliance or incomplete or partial compliance with~~
22 ~~the provisions of this section or the rules adopted by~~
23 ~~the Board to implement the provisions of this section,~~

1 ~~b. referring persons to a business in which the applicant~~
2 ~~has a financial interest or a business which is owned~~
3 ~~or operated by someone within the third degree of~~
4 ~~consanguinity or affinity of the applicant, or~~
5 ~~e. conduct which demonstrates that the applicant is~~
6 ~~providing services in a manner which does not warrant~~
7 ~~public trust.~~

8 ~~4. The Board, giving consideration to the recommendations of~~
9 ~~the Infant and Children's Health Advisory Council created in Section~~
10 ~~44 of this act, shall promulgate rules to implement the provisions~~
11 ~~of this section.~~

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

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

21 ~~a. date of report,~~
22 ~~b. name, address and date of birth of the student,~~
23 ~~c. name of the student's school,~~
24 ~~d. type of examination,~~

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

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

16 E. School districts shall notify parents or legal guardians of
17 students who enroll in kindergarten, first, or third grade for the
18 2007-08 school year and each year thereafter of the requirements of
19 this section.

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

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

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

COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
February 25, 2020 - DO PASS AS AMENDED