

An Act

ENROLLED HOUSE
BILL NO. 3823

By: Newton of the House

and

Rosino of the Senate

An Act relating to schools; amending 70 O.S. 2021, Section 1210.284, which relates to vision screening; specifying that optometrists and ophthalmologists may perform screening; adding certain exemptions; and providing an effective date.

SUBJECT: Schools

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 1210.284, is amended to read as follows:

Section 1210.284 A. 1. 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, which may include, but not be limited to, Oklahoma licensed optometrists and ophthalmologists.

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

licensed optometrists and ophthalmologists shall be exempt from such standards.

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

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

- a. standards for vision screening and referral; provided, Oklahoma licensed optometrists and ophthalmologists shall be exempt from such standards,
- b. qualifications for initial recognition and renewal of recognition of vision screeners,
- c. qualifications for initial recognition and renewal of recognition of vision screener trainers,
- d. qualifications for initial recognition and renewal of recognition of trainers of vision screener trainers; provided, Oklahoma licensed optometrists and ophthalmologists shall be exempt from any training requirements, and
- e. grounds for denial, refusal, suspension or revocation of recognition of vision screeners, vision screener trainers and trainers of vision screener trainers.

2. The Department shall:

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

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

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

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

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

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

- a. date of report,
- b. name, address and date of birth of the student,
- c. name of the student's school,
- d. type of examination,
- e. a summary of significant findings, including diagnoses, medication used, duration of action of medication, treatment, prognosis, whether or not a return visit is recommended and, if so when,

- f. recommended educational adjustments for the child, if any, which may include: preferential seating in the classroom, eyeglasses for full-time use in school, eyeglasses for part-time use in school, sight-saving eyeglasses, and any other recommendations, and
- g. name, address and signature of the examiner.

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

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

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

SECTION 2. This act shall become effective November 1, 2022.

Passed the House of Representatives the 8th day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 26th day of April, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____