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April 6, 2021

ENGROSSED HOUSE
BILL NO. 1598

By: Provenzano, Lepak and
Waldron of the House

and

Quinn and **Hicks** of the
Senate

An Act relating to students; amending 70 O.S. 2011, Section 1210.284, as last amended by Section 79, Chapter 229, O.S.L. 2013 (70 O.S. Supp. 2020, Section 1210.284), which relates to vision screening of students; authorizing the State Department of Education to approve vision screeners to conduct certain screenings; updating references; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.284, as last amended by Section 79, Chapter 229, O.S.L. 2013 (70 O.S. Supp. 2020, Section 1210.284), is amended to read as follows:

Section 1210.284. A. 1. The parent or legal 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

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

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

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

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

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

- d. qualifications for initial recognition and renewal of recognition of trainers of vision screener trainers, 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 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

1 c. conduct which demonstrates that the applicant is
2 providing services in a manner which does not warrant
3 public trust.

4 4. The Board, giving consideration to the recommendations of
5 the Infant and Children's Health Advisory Council created in ~~Section~~
6 ~~44 of this act~~ Section 1-103a.1 of Title 63 of the Oklahoma
7 Statutes, shall promulgate rules to implement the provisions of this
8 section.

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

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

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

- 22 a. date of report,
23 b. name, address and date of birth of the student,
24 c. name of the student's school,

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

12 ~~D.~~ E. No student shall be prohibited from attending school for

13 a parent's or legal guardian's failure to furnish a report of the

14 student's vision screening or an examiner's failure to furnish the

15 results of a student's comprehensive eye examination required by

16 this section.

17 ~~E.~~ F. School districts shall notify parents or legal guardians

18 of students who enroll in kindergarten, first⁷ or third grade for

19 the 2007-08 school year and each year thereafter of the requirements

20 of this section.

21 ~~F.~~ G. The State Board of Education shall adopt rules for the

22 implementation of this section except as provided in subsection B of

23 this section. The State Department of Education shall issue a

24 report annually on the impact and effectiveness of this section.

1 SECTION 2. This act shall become effective July 1, 2021.

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

6 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
7 April 6, 2021 - DO PASS
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