

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1372

By: Newton

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7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 1210.284, as last amended by Section 79,
10 Chapter 229, O.S.L. 2013 (70 O.S. Supp. 2018, Section
11 1210.284), which relates to vision screening;
12 specifying that optometrists may perform screening;
13 adding certain exemptions; and providing an effective
14 date.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.284, as
17 last amended by Section 79, Chapter 229, O.S.L. 2013 (70 O.S. Supp.
18 2018, Section 1210.284), is amended to read as follows:

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

1 Department of Health, which may include, but not be limited to,
2 Oklahoma licensed optometrists.

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

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

14 B. 1. ~~The~~ Except as provided by subparagraph 1 of this
15 paragraph, the Infant and Children's Health Advisory Council created
16 ~~in Section 44 of this act~~ 1-103a.1 of Title 63 of the Oklahoma
17 Statutes shall make recommendations to the State Board of Health on:

18 a. standards for vision screening and referral; provided,
19 Oklahoma licensed optometrists shall be exempt from
20 such standards; the Oklahoma State Board of Examiners
21 in Optometry shall make recommendations to the State
22 Board of Health with respect to equipment and
23 instrumentation used for vision screening. If the
24 State Board of Health does not adopt the

1 recommendations of the Oklahoma State Board of
2 Examiners in Optometry with regard to such equipment
3 and instrumentation, the Board of Examiners in
4 Optometry, by a majority vote of the Board, may
5 require the State Board of Health to adopt such
6 recommendations and the action of the State Board of
7 Examiners in Optometry shall be binding upon the State
8 Board of Health with respect to the use of such
9 equipment and instrumentation,

10 b. qualifications for initial recognition and renewal of
11 recognition of vision screeners,

12 c. qualifications for initial recognition and renewal of
13 recognition of vision screener trainers,

14 d. qualifications for initial recognition and renewal of
15 recognition of trainers of vision screener trainers;
16 provided, Oklahoma licensed optometrists shall be
17 exempt from any training requirements, and

18 e. grounds for denial, refusal, suspension or revocation
19 of recognition of vision screeners, vision screener
20 trainers and trainers of vision screener trainers.

21 2. The Department shall:

22 a. establish and thereafter maintain a statewide
23 registry, available via the Internet, which shall
24 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
- 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~~ 1-103a.1 of Title 63 of the Oklahoma Statutes, 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.

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

- 6 a. date of report,
- 7 b. name, address and date of birth of the student,
- 8 c. name of the student's school,
- 9 d. type of examination,
- 10 e. a summary of significant findings, including
11 diagnoses, medication used, duration of action of
12 medication, treatment, prognosis, whether or not a
13 return visit is recommended and, if so when,
- 14 f. recommended educational adjustments for the child, if
15 any, which may include: preferential seating in the
16 classroom, eyeglasses for full-time use in school,
17 eyeglasses for part-time use in school, sight-saving
18 eyeglasses, and any other recommendations, and
- 19 g. name, address and signature of the examiner.

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

1 E. School districts shall notify parents or guardians of
2 students who enroll in kindergarten, first, or third grade for the
3 2007-08 school year and each year thereafter of the requirements of
4 this section.

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

9 SECTION 2. This act shall become effective November 1, 2019.

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