

Superseded 5/12/2015

53A-11-203 Vision screening.

- (1) As used in this section, "division" means the Division of Services for the Blind and Visually Impaired, State Office of Education.
- (2) A child under eight years of age entering school for the first time in this state must present the following to the school:
 - (a) a certificate signed by a licensed physician, optometrist, or other licensed health professional approved by the division, stating that the child has received vision screening to determine the presence of amblyopia or other visual defects; or
 - (b) a written statement signed by at least one parent or legal guardian of the child that the screening violates the personal beliefs of the parent or legal guardian.
- (3)
 - (a) The division:
 - (i) shall provide vision screening report forms to a person approved by the division to conduct a free vision screening for children aged 3-1/2 to eight; and
 - (ii) may work with health care professionals, teachers, and vision screeners to develop protocols that may be used by a parent, teacher, or vision screener to help identify a child who may have conditions that are not detected in a vision screening, such as problems with eye focusing, eye tracking, visual perceptual skills, visual motor integration, and convergence insufficiency; and
 - (iii) shall, once protocols are established under Subsection (3)(a)(ii), develop language regarding the vision problems identified in Subsection (3)(a)(ii) to be included in the notice required by Subsection (3)(b).
 - (b) The report forms shall include the following information for a parent or guardian: "vision screening is not a substitute for a complete eye exam and vision evaluation by an eye doctor."
- (4) A school district may conduct free vision screening clinics for children aged 3-1/2 to eight.
- (5)
 - (a) The division shall maintain a central register of children, aged 3-1/2 to eight, who fail vision screening and who are referred for follow-up treatment.
 - (b) The register described in Subsection (5)(a) shall include the name of the child, age or birthdate, address, cause for referral, and follow-up results.
 - (c) A school district shall report referral follow-up results for children aged 3-1/2 to eight to the division.
- (6)
 - (a) The division shall coordinate and supervise the training of a person who serves as a vision screener for a free vision screening clinic for children aged 3-1/2 to eight.
 - (b) A volunteer vision screener providing services under Subsection (6)(a) is not liable for any civil damages as a result of acts or omissions related to the vision screening unless the acts or omissions were willful or grossly negligent.
- (7)
 - (a) Except as provided in Subsection (7)(b), a licensed health professional providing vision care to private patients may not participate as a screener in a free vision screening program provided by a school district.
 - (b) A school district may:
 - (i) allow a licensed health professional who provides vision care to private patients to participate as a screener in a free vision screening program for a child nine years of age or older;
 - (ii) establish guidelines to administer a free vision screening program described in Subsection (7)(b)(i); and

- (iii) establish penalties for a violation of the requirements of Subsection (7)(c).
- (c) A licensed health professional or other person who participates as a screener in a free vision screening program described in Subsection (7)(b):
 - (i) may not market, advertise, or promote the licensed health professional's business in connection with providing the free screening at the school; and
 - (ii) shall provide the child's results of the free vision screening on a form produced by the school or school district, which:
 - (A) may not include contact information other than the name of the licensed health professional; and
 - (B) shall include a statement: "vision screening is not a substitute for a complete eye exam and vision evaluation by an eye doctor."
- (d) A school district may provide information to a parent or guardian of the availability of follow up vision services for a student.
- (8) The Department of Health shall:
 - (a) by rule, set standards and procedures for vision screening required by this chapter, which shall include a process for notifying the parent or guardian of a child who fails a vision screening or is identified as needing follow-up care; and
 - (b) provide the division with copies of rules, standards, instructions, and test charts necessary for conducting vision screening.
- (9) The division shall supervise screening, referral, and follow-up required by this chapter.