

## SB0067S01 compared with SB0067

~~deleted text~~ shows text that was in SB0067 but was deleted in SB0067S01.

inserted text shows text that was not in SB0067 but was inserted into SB0067S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Senator Luz Robles proposes the following substitute bill:

### ANNUAL EYE EXAMINATION FOR CHILDREN IN GRADES KINDERGARTEN THROUGH THREE

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Luz Robles**

House Sponsor: \_\_\_\_\_

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#### LONG TITLE

#### General Description:

This bill amends the health examinations required in public schools.

#### Highlighted Provisions:

This bill:

- ▶ extends the public school vision screening from age seven to age eight; ~~and~~
- ▶ requires a public school that performs vision screening to develop a process to notify a parent or guardian if a child fails the vision screening or needs follow-up care ~~;~~ and
- ▶ provides limited immunity to vision screeners who are trained or supervised by the State Office of Education;

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### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

**53A-11-203**, as last amended by Laws of Utah 2010, Chapter 273

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-11-203** is amended to read:

#### **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.

~~(1)~~ (2) A child under ~~[seven]~~ 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~~[As used in this section, "division" means the Division of Services for the Blind and Visually Impaired, State Office of Education];~~ 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.

~~(2)~~ (3) (a) The division 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 ~~[seven]~~ eight.

(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."

~~(3)~~ (4) A school district may conduct free vision screening clinics for children aged 3-1/2 to ~~[seven]~~ eight.

~~(4)~~ (5) (a) The division shall maintain a central register of children, aged 3-1/2 to

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[seven] eight, who fail vision screening and who are referred for follow-up treatment.

(b) The register described in Subsection [(4)] (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 [seven] eight to the division.

[(5)] (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 [seven] eight.

(b) A 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.

[(6)] (7) (a) Except as provided in Subsection [(6)] (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 [eight] nine years of age or older;

(ii) establish guidelines to administer a free vision screening program described in Subsection [(6)] (7)(b)(i); and

(iii) establish penalties for a violation of the requirements of Subsection [(6)] (7)(c).

(c) A licensed health professional or other person who participates as a screener in a free vision screening program described in Subsection [(6)] (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."

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(d) A school district may provide information to a parent or guardian of the availability of follow up vision services for a student.

~~[(7)]~~ (8) The Department of Health shall~~[-]~~:

~~(a)~~ by rule, set standards and procedures for vision screening required by this chapter~~[- and shall]~~, 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.

~~[(8)]~~ (9) The division shall supervise screening, referral, and follow-up required by this chapter.

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### Legislative Review Note

~~as of 2-3-11 9:50 AM~~

~~Office of Legislative Research and General Counsel~~