

HB0237S01 compared with HB0237

~~{deleted text}~~ shows text that was in HB0237 but was deleted in HB0237S01.

inserted text shows text that was not in HB0237 but was inserted into HB0237S01.

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 bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Melvin R. Brown proposes the following substitute bill:

VISION SCREENING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melvin R. Brown

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to vision screening services for children.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ~~{~~ → requires the Division of Services for the Blind and Visually Impaired to issue a certificate to a volunteer vision screener who successfully completes training provided by the division;
- ‡ ▶ requires a school district or charter school to ensure that ~~{a volunteer vision screener holds}~~ certain volunteers hold a certificate issued by the division as a condition of providing vision screening services;
- ▶ requires the Division of Services for the Blind and Visually Impaired (division) to

HB0237S01 compared with HB0237

issue a certificate to a volunteer who successfully completes vision screening training provided by the division: and

- ▶ makes technical and conforming changes.

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 2011, Chapter 132

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"~~]:

(a) "Division" means the Division of Services for the Blind and Visually Impaired[~~State Office of Education~~] created under Section 53A-24-302.

(b) "Qualifying child" means a child who is at least 3-1/2 years old~~{ through eight}~~, but is less than nine years old.

(2) A child under ~~[eight]~~ nine years ~~[of age]~~ old 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]~~ a qualifying child; 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

HB0237S01 compared with HB0237

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 or charter school may conduct free vision screening clinics for ~~[children aged 3-1/2 to eight]~~ a qualifying child.

(5) (a) The division shall maintain a central register of ~~[children, aged 3-1/2 to eight,]~~ qualifying children 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 or charter school shall report to the division referral follow-up results for ~~[children aged 3-1/2 to eight to the division]~~ a qualifying child.

~~[(6)(a) The division shall ~~{}~~ coordinate and supervise the training of ~~{}~~ (i) provide training to a person who serves as a ~~{ volunteer}~~ vision screener for a free vision screening clinic for ~~{}~~ children aged 3-1/2 to eight.] { a qualifying child; and~~

~~_____ (ii) issue a certificate to a volunteer vision screener who successfully completes training under Subsection (6)(a)(i):~~

~~_____ (b) A school district or charter school shall ensure that a volunteer vision screener providing services under Subsection (6)(a) holds a certificate issued by the division under Subsection (6)(a)(ii).~~

~~[(b) ~~{}~~ (c) 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. ~~{~~~~

~~}]~~

(6)(a) A school district or charter school shall ensure that a volunteer who serves as a vision screener for a free vision screening clinic for a qualifying child:

HB0237S01 compared with HB0237

(i) is a school nurse;

(ii) holds a certificate issued by the division under Subsection (6)(b)(ii); or

(iii) is directly supervised by an individual described in Subsection (6)(a)(i) or (ii).

(b) The division shall:

(i) provide vision screening training to a volunteer seeking a certificate described in Subsection (6)(b)(ii), using curriculum established by the division; and

(ii) issue a certificate to a volunteer who successfully completes the vision screening training described in Subsection (6)(b)(i).

(c) An individual described in Subsection (6)(a) is not liable for damages that result from acts or omissions related to the vision screening, unless the acts or omissions are 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 or charter school 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] 3-1/2 years [of age] old 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."

HB0237S01 compared with HB0237

(d) A school district or charter school 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.

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Legislative Review Note

~~as of 1-30-15 4:29 PM~~

~~Office of Legislative Research and General Counsel~~