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School Vision Screening Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Hoang Nguyen

Senate Sponsor: Luz Escamilla

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LONG TITLE

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General Description:

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This bill amends provisions related to vision screening in a public school.

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Highlighted Provisions:

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This bill:

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▸ requires a local education agency to follow up with a parent after a student fails an initial

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vision screening;

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▸ allows certain entities to reach out to a student's parent after the student fails a vision

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screening; and

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▸ makes technical and conforming changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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This bill provides a special effective date.

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Utah Code Sections Affected:

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AMENDS:

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53G-9-404, as last amended by Laws of Utah 2023, Chapter 328

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

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Section 1. Section **53G-9-404** is amended to read:

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53G-9-404 . Public education vision screening.

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(1) As used in this section:

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(a) "Health care professional" means an individual licensed under:

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(i) Title 58, Chapter 16a, Utah Optometry Practice Act;

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(ii) Title 58, Chapter 31b, Nurse Practice Act, if the individual is licensed for the

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practice of advance practice registered nursing, as defined in Section 58-31b-102;

- 29 (iii) Title 58, Chapter 42a, Occupational Therapy Practice Act;
- 30 (iv) Title 58, Chapter 67, Utah Medical Practice Act;
- 31 (v) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; or
- 32 (vi) Title 58, Chapter 70a, Utah Physician Assistant Act.
- 33 (b) "Qualifying child" means a child who:
- 34 (i) attends an LEA;
- 35 (ii) is at least three years old; and
- 36 (iii) is not yet 16 years old.
- 37 (c) "Tier one vision screening" means a lower-level evaluation of an individual's vision,
- 38 as determined by Department of Health and Human Services rule.
- 39 (d) "Tier two vision screening" means an individual, higher-level evaluation of an
- 40 individual's vision, as determined by Department of Health and Human Services rule.
- 41 (2) The Department of Health and Human Services shall oversee public education vision
- 42 screening, as described in this section.
- 43 (3) A child who is less than nine years old and has not yet attended public school in the
- 44 state shall, before attending a public school in the state, provide:
- 45 (a) a completed vision screening form, described in Subsection (5)(a)(i), that is signed
- 46 by a health care professional; or
- 47 (b) a written statement signed by a parent that the child will not be screened before
- 48 attending public school in the state.
- 49 (4) The Department of Health and Human Services shall prepare and provide:
- 50 (a) training for a school nurse who supervises an LEA tier one vision screening clinic;
- 51 and
- 52 (b) an online training module for a potential volunteer for an LEA tier one vision
- 53 screening clinic.
- 54 (5)(a) The Department of Health and Human Services shall provide a template for:
- 55 (i) a form for use by a health care professional under Subsection (3)(a) to certify that
- 56 a child has received an adequate vision screening; and
- 57 (ii) a referral form used for the referral and follow up of a qualifying child after a tier
- 58 one or tier two vision screening.
- 59 (b) A template described in Subsection (5)(a) shall include the following statement: "A
- 60 screening is not a substitute for a complete eye exam and vision evaluation by an eye
- 61 doctor."
- 62 (6) The Department of Health and Human Services shall make rules to:

- 63 (a) generally provide for and require the administration of tier one vision screening in
64 accordance with this section, including an opt-out process;
- 65 (b) describe standards and procedures for tier one vision screening, including referral
66 and follow up protocols and reporting a student's significant vision impairment
67 results to the Utah Schools for the Deaf and the Blind;
- 68 (c) outline the qualifications of and parameters for the use of an outside entity to
69 supervise an LEA tier one vision screening clinic when an LEA does not have a
70 school nurse to supervise an LEA tier one vision screening clinic;
- 71 (d) determine when a potential volunteer at an LEA tier one vision screening clinic has a
72 conflict of interest, including if the potential volunteer could profit financially from
73 volunteering;
- 74 (e) determine the regularity of tier one vision screening in order to ensure that a
75 qualifying child receives tier one vision screening at particular intervals; and
- 76 (f) provide for tier two vision screening for a qualifying child, including:
- 77 (i) in coordination with the state board, determining mandatory and optional tier two
78 vision screening for a qualifying child;
- 79 (ii) identification of and training for an individual who provides tier two vision
80 screening;
- 81 (iii)(A) the creation of a symptoms questionnaire that includes questions for a
82 nonprofessionally trained individual to identify an eye focusing or tracking
83 problem as well as convergence insufficiency of a qualifying child; and
- 84 (B) protocol on how to administer the symptoms questionnaire in coordination
85 with tier two vision screening;
- 86 (iv) general standards, procedures, referral, and follow up protocol; and
- 87 (v) aggregate reporting requirements.
- 88 (7)(a) In accordance with Department of Health and Human Services oversight and rule
89 and Subsection (7)(b), an LEA shall[-] :
- 90 (i) conduct free tier one vision screening clinics for all qualifying children who attend
91 the LEA or a school within the LEA[-] ; and
- 92 (ii) notify a parent, through telephone, email, or any other communication an LEA
93 approves within 30 days after a failed tier one vision screening.
- 94 (b) If the parent of a qualifying child requests that the qualifying child not participate in
95 a tier one or tier two vision screening, an LEA may not require the qualifying child to
96 receive the tier one or tier two vision screening.

- 97 (8)(a) Except as provided in Subsection (8)(b), a school nurse shall supervise an LEA
98 tier one vision screening clinic as well as provide referral and followup services.
- 99 (b) If an LEA does not have a school nurse to supervise an LEA tier one vision
100 screening clinic, an LEA may, in accordance with Department of Health and Human
101 Services rule, use an outside entity to supervise an LEA tier one vision screening
102 clinic.
- 103 (9)(a) An LEA shall ensure that a volunteer who assists with an LEA tier one vision
104 screening clinic:
- 105 (i)(A) is trained by a school nurse; or
106 (B) demonstrates successful completion of the training module described in
107 Subsection (4)(b);
- 108 (ii) complies with the requirements of Subsection (9)(c); and
109 (iii) is supervised by a school nurse or, in accordance with Subsection (8)(b), an
110 outside entity.
- 111 (b) In accordance with Department of Health and Human Services rule, an LEA may
112 exclude a person from volunteering at an LEA tier one vision screening clinic if the
113 person has a conflict of interest, including if the person could profit financially from
114 volunteering.
- 115 (c) ~~[A-]~~ A volunteer who assists with an LEA tier one vision screening clinic may not
116 market, advertise, or promote a business in connection with assisting at the LEA tier
117 one vision screening clinic.
- 118 (d) A nonprofit entity that contracts with an LEA to provide vision screening may send a
119 notification home with a student who fails a tier one vision screening that provides:
- 120 (i) information on additional resources; and
121 (ii) instructions on how to obtain follow-up vision care.
- 122 ~~[(d)]~~ (e) A volunteer who assists with an LEA tier one vision screening clinic is not liable
123 for damages that result from an act or omission related to the LEA tier one vision
124 screening clinic, if the act or omission is not willful or grossly negligent.

125 **Section 2. Effective Date.**

126 This bill takes effect on July 1, 2026.