

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

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Robles

House Sponsor: _____

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.

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

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.



28 (1) As used in this section, "division" means the Division of Services for the Blind and
29 Visually Impaired, State Office of Education.

30 ~~[(1)]~~ (2) A child under ~~[seven]~~ eight years of age entering school for the first time in
31 this state must present the following to the school:

32 (a) a certificate signed by a licensed physician, optometrist, or other licensed health
33 professional approved by the division, stating that the child has received vision screening to
34 determine the presence of amblyopia or other visual defects~~[- As used in this section,~~
35 ~~"division" means the Division of Services for the Blind and Visually Impaired, State Office of~~
36 ~~Education];~~ or

37 (b) a written statement signed by at least one parent or legal guardian of the child that
38 the screening violates the personal beliefs of the parent or legal guardian.

39 ~~[(2)]~~ (3) The division shall provide vision screening report forms to a person approved
40 by the division to conduct a free vision screening for children aged 3-1/2 to ~~[seven]~~ eight.

41 ~~[(3)]~~ (4) A school district may conduct free vision screening clinics for children aged
42 3-1/2 to ~~[seven]~~ eight.

43 ~~[(4)]~~ (5) (a) The division shall maintain a central register of children, aged 3-1/2 to
44 ~~[seven]~~ eight, who fail vision screening and who are referred for follow-up treatment.

45 (b) The register described in Subsection ~~[(4)]~~ (5)(a) shall include the name of the child,
46 age or birthdate, address, cause for referral, and follow-up results.

47 (c) A school district shall report referral follow-up results for children aged 3-1/2 to
48 ~~[seven]~~ eight to the division.

49 ~~[(5)]~~ (6) The division shall coordinate and supervise the training of a person who
50 serves as a vision screener for a free vision screening clinic for children aged 3-1/2 to ~~[seven]~~
51 eight.

52 ~~[(6)]~~ (7) (a) Except as provided in Subsection ~~[(6)]~~ (7)(b), a licensed health
53 professional providing vision care to private patients may not participate as a screener in a free
54 vision screening program provided by a school district.

55 (b) A school district may:

56 (i) allow a licensed health professional who provides vision care to private patients to
57 participate as a screener in a free vision screening program for a child ~~[eight]~~ nine years of age
58 or older;

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

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

62 (c) A licensed health professional or other person who participates as a screener in a
63 free vision screening program described in Subsection ~~[(6)]~~ (7)(b):

64 (i) may not market, advertise, or promote the licensed health professional's business in
65 connection with providing the free screening at the school; and

66 (ii) shall provide the child's results of the free vision screening on a form produced by
67 the school or school district, which may not include contact information other than the name of
68 the licensed health professional.

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

71 ~~[(7)]~~ (8) The Department of Health shall~~[-]~~:

72 (a) by rule, set standards and procedures for vision screening required by this chapter~~[-~~
73 ~~and shall]~~, which shall include a process for notifying the parent or guardian of a child who
74 fails a vision screening or is identified as needing follow-up care; and

75 (b) provide the division with copies of rules, standards, instructions, and test charts
76 necessary for conducting vision screening.

77 ~~[(8)]~~ (9) The division shall supervise screening, referral, and follow-up required by this
78 chapter.

Legislative Review Note
as of 2-3-11 9:50 AM

Office of Legislative Research and General Counsel