

**VISION SCREENING AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melvin R. Brown**

Senate Sponsor: \_\_\_\_\_

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**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 a certificate issued by the division as a condition of providing vision screening services; 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

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

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

30 **53A-11-203. Vision screening.**

31 (1) As used in this section[, "division"]:

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

34 (b) "Qualifying child" means a child 3-1/2 years old through eight years old.

35 (2) A child under eight years [~~of age~~] old entering school for the first time in this state  
36 must present the following to the school:

37 (a) a certificate signed by a licensed physician, optometrist, or other licensed health  
38 professional approved by the division, stating that the child has received vision screening to  
39 determine the presence of amblyopia or other visual defects; or

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

42 (3) (a) The division:

43 (i) shall provide vision screening report forms to a person approved by the division to  
44 conduct a free vision screening for [~~children aged 3-1/2 to eight~~] a qualifying child; and

45 (ii) may work with health care professionals, teachers, and vision screeners to develop  
46 protocols that may be used by a parent, teacher, or vision screener to help identify a child who  
47 may have conditions that are not detected in a vision screening, such as problems with eye  
48 focusing, eye tracking, visual perceptual skills, visual motor integration, and convergence  
49 insufficiency; and

50 (iii) shall, once protocols are established under Subsection (3)(a)(ii), develop language  
51 regarding the vision problems identified in Subsection (3)(a)(ii) to be included in the notice  
52 required by Subsection (3)(b).

53 (b) The report forms shall include the following information for a parent or guardian:  
54 "vision screening is not a substitute for a complete eye exam and vision evaluation by an eye  
55 doctor."

56 (4) A school district or charter school may conduct free vision screening clinics for  
57 [~~children aged 3-1/2 to eight~~] a qualifying child.

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

59 qualifying children who fail vision screening and who are referred for follow-up treatment.

60 (b) The register described in Subsection (5)(a) shall include the name of the child, age  
61 or birthdate, address, cause for referral, and follow-up results.

62 (c) A school district or charter school shall report to the division referral follow-up  
63 results for [~~children aged 3-1/2 to eight to the division~~] a qualifying child.

64 (6) (a) The division shall [~~coordinate and supervise the training of~~]:

65 (i) provide training to a person who serves as a volunteer vision screener for a free  
66 vision screening clinic for [~~children aged 3-1/2 to eight.~~] a qualifying child; and

67 (ii) issue a certificate to a volunteer vision screener who successfully completes  
68 training under Subsection (6)(a)(i).

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

72 [~~(b)~~] (c) A volunteer vision screener providing services under Subsection (6)(a) is not  
73 liable for any civil damages as a result of acts or omissions related to the vision screening  
74 unless the acts or omissions were willful or grossly negligent.

75 (7) (a) Except as provided in Subsection (7)(b), a licensed health professional  
76 providing vision care to private patients may not participate as a screener in a free vision  
77 screening program provided by a school district.

78 (b) A school district or charter school may:

79 (i) allow a licensed health professional who provides vision care to private patients to  
80 participate as a screener in a free vision screening program for a child ~~H~~→ [nine] 3-1/2 ←~~H~~ years  
80a [~~of age~~] old or  
81 older;

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

84 (iii) establish penalties for a violation of the requirements of Subsection (7)(c).

85 (c) A licensed health professional or other person who participates as a screener in a  
86 free vision screening program described in Subsection (7)(b):

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

89 (ii) shall provide the child's results of the free vision screening on a form produced by

90 the school or school district, which:

91 (A) may not include contact information other than the name of the licensed health  
92 professional; and

93 (B) shall include a statement: "vision screening is not a substitute for a complete eye  
94 exam and vision evaluation by an eye doctor."

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

97 (8) The Department of Health shall:

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

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

103 (9) The division shall supervise screening, referral, and follow-up required by this  
104 chapter.

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**Legislative Review Note**  
**as of 1-30-15 4:29 PM**

**Office of Legislative Research and General Counsel**