

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: Allen M. Christensen

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a school district or charter school to ensure that 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 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:



26 [53A-11-203](#), as last amended by Laws of Utah 2011, Chapter 132

27

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 who is at least 3-1/2 years old, but is less than
35 nine years old.

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

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

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

43 (3) (a) The division:

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

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

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

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

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

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

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

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

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

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

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

72 (i) is a school nurse;

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

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

75 (b) The division shall:

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

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

80 (c) An individual described in Subsection (6)(a) is not liable for damages that result
81 from acts or omissions related to the vision screening, unless the acts or omissions are willful
82 or grossly negligent.

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

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

87 (i) allow a licensed health professional who provides vision care to private patients to

88 participate as a screener in a free vision screening program for a child [~~nine~~] 3-1/2 years [~~of~~
89 ~~age~~] old or older;

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

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

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

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

97 (ii) shall provide the child's results of the free vision screening on a form produced by
98 the school or school district, which:

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

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

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

105 (8) The Department of Health shall:

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

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

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