## House Study Bill 673 - Introduced

HOUS	E FILE
BY	(PROPOSED COMMITTEE ON
	HUMAN RESOURCES BILL BY
	CHAIRPERSON SMITH)

## A BILL FOR

- 1 An Act providing for vision screenings for certain students,
- 2 and including applicability provisions.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 1 Section 1. NEW SECTION. 135.39D Student vision screening.
- 2 1. a. School districts and accredited nonpublic schools
- 3 shall provide vision screenings to all students entering
- 4 kindergarten and grades one, three, six, and nine; transfer
- 5 students; and students referred by a parent, guardian, or
- 6 teacher for screening as provided in this section.
- 7 b. A school district or accredited nonpublic school shall
- 8 provide a vision screening for a student beginning a school
- 9 year in kindergarten within sixty days of the first day the
- 10 student begins school.
- 11 c. A student is excused from the vision screening if a
- 12 parent or guardian presents school officials with documentation
- 13 of a student's comprehensive eye examination performed by a
- 14 licensed ophthalmologist or licensed optometrist within the
- 15 past twelve months. School officials shall retain a copy of
- 16 the results of the student's eye examination.
- 17 2. a. School personnel shall retain each student's vision
- 18 screening results and provide each student's parent or quardian
- 19 with the results and any follow-up recommendations for vision
- 20 correction or care as necessary.
- 21 b. The parent or quardian of a student who demonstrates
- 22 during the vision screening specific visual problems, as
- 23 identified by the department of public health, shall cause
- 24 the student to undergo a comprehensive eye examination by a
- 25 licensed ophthalmologist or licensed optometrist within six
- 26 months and provide documentation of the examination to the
- 27 appropriate school official.
- 28 c. If a parent or guardian fails to provide documentation
- 29 that the required follow-up examination has occurred, school
- 30 officials shall notify the parent or guardian in writing of the
- 31 current student vision screening and examination requirements
- 32 as established by law and also notify the department of public
- 33 health.
- 34 d. School officials shall not prohibit a student from
- 35 attending school due to the failure of a parent or guardian

1 to provide documentation of the student's comprehensive eye 2 examination.

- Area education agencies, pursuant to section 273.3,
- 4 shall make every effort to provide, in collaboration with
- 5 local community organizations, vision screening services to
- 6 children ages two through four. The area education agencies
- 7 and the organizations providing the vision screenings shall
- 8 notify the parent or quardian of the child if a comprehensive
- 9 eye examination by a licensed ophthalmologist or licensed
- 10 optometrist is recommended.
- 4. a. A licensed ophthalmologist, licensed optometrist,
- 12 licensed physician, or certified vision screener shall conduct
- 13 vision screenings required by this section. A certified
- 14 vision screener is an individual trained in vision screening
- 15 techniques within the past three years and certified by
- 16 the department of public health. The department of public
- 17 health, in cooperation with the department of education, shall
- 18 establish vision screening training standards.
- 19 b. The department of public health shall approve vision
- 20 screening techniques and protocols recommended by a nationally
- 21 recognized organization such as the American academy of
- 22 pediatrics, the American academy of ophthalmology, or the
- 23 national eye institute.
- 24 5. The department of public health, in cooperation with the
- 25 department of education, shall adopt rules to administer this
- 26 section. The department of public health shall submit a report
- 27 to the general assembly by January 1, annually, regarding
- 28 student vision screenings results for the most recently
- 29 completed school year. The first report, due January 1, 2013,
- 30 shall include an assessment by the department about whether a
- 31 source of financial assistance for parents and guardians would
- 32 increase compliance with required follow-up comprehensive eye
- 33 examinations.
- 34 Sec. 2. Section 280.7A, Code 2009, is repealed June 30,
- 35 2011.

- 1 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance
- 2 with section 25B.2, subsection 3, the state cost of requiring
- 3 compliance with any state mandate included in this Act shall
- 4 be paid by a school district from state school foundation aid
- 5 received by the school district under section 257.16. This
- 6 specification of the payment of the state cost shall be deemed
- 7 to meet all the state funding-related requirements of section
- 8 25B.2, subsection 3, and no additional state funding shall
- 9 be necessary for the full implementation of this Act by and
- 10 enforcement of this Act against all affected school districts.
- 11 Sec. 4. APPLICABILITY DATE. This Act applies to school
- 12 years beginning on or after July 1, 2011.
- 13 EXPLANATION
- 14 This bill establishes vision screenings for students who
- 15 are at specific grade levels, who are referred, or who are
- 16 transferring schools to be provided by school districts and
- 17 accredited nonpublic schools.
- 18 Every student beginning in kindergarten shall receive a
- 19 vision screening within 60 days of starting the school year.
- 20 A student is excused from a vision screening if a parent
- 21 or quardian presents school officials documentation that
- 22 the student received an eye exam within 12 months. School
- 23 officials are required to keep a copy of the eye exam results.
- 24 School personnel shall retain the results of students'
- 25 vision screenings and inform parents and guardians of the
- 26 results. A student who demonstrates specific visual problems
- 27 during the screening will be required to have a comprehensive
- 28 eye exam by a licensed ophthalmologist or optometrist within
- 29 six months. A parent or guardian is required to provide school
- 30 officials with documentation of the exam.
- 31 A parent or guardian who fails to provide documentation
- 32 of the required eye exam shall be notified in writing of
- 33 the current student vision requirements under law and the
- 34 department of public health (DPH) shall be informed. A student
- 35 shall not be prohibited from attending school due to the

- 1 failure of a parent or guardian to provide documentation of a
- 2 required eye exam.
- 3 Area education agencies, in collaboration with community
- 4 organizations, shall provide vision screening services to
- 5 children ages two through four.
- 6 Licensed medical personnel or certified vision screeners
- 7 must provide the vision screenings. Vision screenings shall
- 8 be provided using techniques and protocols approved by DPH,
- 9 as established by nationally recognized organizations with
- 10 expertise in vision screening.
- 11 DPH, in cooperation with the department of education, is
- 12 required to adopt rules regarding the requirements of this new
- 13 Code section. DPH shall submit an annual report to the general
- 14 assembly by January 1, regarding the vision screening results.
- 15 The first report is due January 1, 2013. The report shall
- 16 include an assessment about compliance with required follow-up
- 17 eye exams and whether financial assistance would increase
- 18 compliance.
- 19 Code section 280.7A, which is the current statute about
- 20 student eye care, is repealed June 30, 2011. The current law
- 21 provides that a parent or guardian receive a student vision
- 22 card when a child registers for preschool or kindergarten with
- 23 the goal of every child receiving an eye exam by age seven.
- 24 Current law also provides that school districts may encourage
- 25 the receipt of eye exams by students receiving special
- 26 education services.
- 27 The bill may include a state mandate as defined in Code
- 28 section 25B.3. The bill requires that the state cost of
- 29 any state mandate included in the bill be paid by a school
- 30 district from state school foundation aid received by the
- 31 school district under Code section 257.16. The specification
- 32 is deemed to constitute state compliance with any state mandate
- 33 funding-related requirements of Code section 25B.2. The
- 34 inclusion of this specification is intended to reinstate the
- 35 requirement of political subdivisions to comply with any state

- 1 mandates included in the bill.
- 2 The bill applies to school years beginning on or after July
- 3 1, 2011.