CHAPTER 316

SENATE BILL 1456

AN ACT

AMENDING TITLE 36, CHAPTER 7.2, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2; RELATING TO VISION SCREENING.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Heading change
The chapter heading of title 36, chapter 7.2, Arizona Revised Statutes, is changed from "CHILD HEARING PROGRAMS" to "CHILD HEARING EVALUATION AND VISION SCREENING PROGRAMS".

Sec. 2. Title 36, chapter 7.2, Arizona Revised Statutes, is amended by adding article 2, to read:

ARTICLE 2. VISION SCREENING FOR CHILDREN

36-899.10. Vision screening; administration; rules; notification; definitions

A. Each school shall provide vision screening services to the following:

1. Students upon initial entry to school and not more than two additional grade levels as prescribed by the department by rule. A school, at the school's discretion, may provide vision screening services to students who are in grade levels that are not prescribed by rule.

2. Students who receive or are being considered for special education services and who have not been screened in the last year pursuant to this section.

3. Students for whom a teacher has requested a screening and who have not been screened in the last year pursuant to this section.

4. Students who are not reading at grade level by the third grade pursuant to the state assessment required in section 15-741, if the rules adopted by the department do not require screening in the third grade.

B. A school nurse, a volunteer or other school personnel who have undergone training developed or approved by the department shall administer the vision screenings except that those individuals who are trained to administer vision screenings before the effective date of this section are not required to retrain pursuant to this subsection.

C. A vision screening conducted pursuant to this section does not satisfy a requirement for a medical professional to complete a vision screening of a child according to established guidelines for pediatric care.

D. The school district governing board or charter school governing body shall provide the vision screening results to the parent or guardian of each student who did not pass the vision screening within forty-five days after the vision screening and shall comply with all applicable privacy laws. The results shall identify that the student did not pass the vision screening and the need for a comprehensive eye and vision examination. The results shall state that a vision screening is not equivalent to a comprehensive eye and vision examination.

E. A school district governing board or charter school governing body providing vision screening services shall provide to the department annual data submissions in a department-approved format that complies with student privacy laws.
F. A student is not required to submit to any vision screening required by this section if a parent or guardian of the student objects and submits a statement of the objection to the school for any reason including that the student received a comprehensive eye and vision examination in the last year or if the student has a current diagnosis of permanent vision loss.

G. For the purposes of assisting and implementing the vision screening requirements established by this section, the department or its delegate, subject to available monies, may:

1. Develop and provide vision screening training to screeners designated in subsection B of this section.
2. Provide schools with materials the department determines by rule to be necessary for conducting vision screenings.
3. Compile any school vision screening data, with all individual identifying information removed, for review and analysis by researchers, public agencies or any foundation, nonprofit organization or other organization that provides free approved vision screening services or training, grants for vision screening services, eyeglasses or examinations.

H. The department of health services shall adopt rules pursuant to title 41, chapter 6 to carry out this section. The rules may not require materials and equipment specific to any one provider and shall include, where consistent with the requirements of this section, feedback from the public education programs required to implement the vision screenings. Rules adopted to carry out subsection A of this section shall be done in consultation with the department of education.

J. For the purposes of this section:
1. "Comprehensive eye and vision examination" means a vision examination performed by an optometrist or ophthalmologist.
2. "Department" means the department of health services.
3. "School" means a school district or charter school that provides instruction in preschool or kindergarten programs and grades one through twelve, or any combination of those programs or grades.
4. "Vision screening" means using a vision screening methodology approved or prescribed by rules adopted by the department pursuant to this section that, as age appropriate, include the evaluation of visual acuity, depth perception and color vision and that may include refraction.
5. "Vision screening services" means services that include identifying, testing and evaluating a child's vision and identifying the need for follow-up services, as prescribed by rules adopted by the department pursuant to this section.
6. "Volunteer" includes any individual or member of a foundation, nonprofit organization or other organization that provides vision screenings and is invited to provide vision screenings by the school.
APPROVED BY THE GOVERNOR JUNE 7, 2019.