

Senate Engrossed

~~false claims; agriculture; technical correction~~
(now: vision screening; program)

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

CHAPTER 231
SENATE BILL 1319

AN ACT

AMENDING SECTION 36-899.10, ARIZONA REVISED STATUTES; RELATING TO HEALTH SCREENING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-899.10, Arizona Revised Statutes, is amended
3 to read:

4 36-899.10. Vision screening; administration; rules;
5 notification; definitions

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

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

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

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

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

20 B. A school nurse, a volunteer or other school personnel who have
21 undergone training developed or approved by the department shall
22 administer the vision screenings except that those individuals who are
23 trained to administer vision screenings before August 27, 2019 are not
24 required to retrain pursuant to this subsection.

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

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

37 E. A school district governing board or charter school governing
38 body providing vision screening services shall provide to the department
39 annual data submissions in a department-approved format that complies with
40 student privacy laws.

41 F. A student is not required to submit to any vision screening
42 required by this section if a parent or guardian of the student objects
43 and submits a statement of the objection to the school for any reason
44 including that the student received a comprehensive eye and vision
45 examination in the last year or if the student has a current diagnosis of
46 permanent vision loss.

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

4 1. Develop and provide vision screening training to screeners
5 designated in subsection B of this section.

6 2. Provide schools with materials the department determines by rule
7 to be necessary for conducting vision screenings.

8 3. Compile any school vision screening data, with all individual
9 identifying information removed, for review and analysis by researchers,
10 public agencies or any foundation, nonprofit organization or other
11 organization that provides free approved vision screening services or
12 training, grants for vision screening services, eyeglasses or
13 examinations.

14 H. The department of health services shall adopt rules pursuant to
15 title 41, chapter 6 to carry out this section. The rules may not require
16 materials and equipment specific to any one provider and shall include,
17 where consistent with the requirements of this section, feedback from the
18 public education programs required to implement the vision screenings.
19 Rules adopted to carry out subsection A of this section shall be done in
20 consultation with the department of education, **RECOGNIZED NONPROFIT**
21 **ORGANIZATIONS THAT PROVIDE FREE VISION SCREENING SERVICES, TRAINING,**
22 **GRANTS FOR VISION SCREENING SERVICES, EYEGLASSES OR EXAMINATIONS AND**
23 **OPHTHALMOLOGISTS, OPTOMETRISTS, SCHOOL NURSES, PEDIATRICIANS AND SCHOOL**
24 **ADMINISTRATORS.**

25 I. The department may accept gifts, grants, donations, bequests and
26 other forms of voluntary contributions for the purposes of this section.

27 J. For the purposes of this section:

28 1. "Comprehensive eye and vision examination" means a vision
29 examination performed by an optometrist or ophthalmologist.

30 2. "Department" means the department of health services.

31 3. "School" means a school district or charter school that provides
32 instruction in preschool or kindergarten programs and grades one through
33 twelve, or any combination of those programs or grades.

34 4. "Vision screening" means using a vision screening methodology
35 approved or prescribed by rules adopted by the department pursuant to this
36 section that, as age appropriate, include the evaluation of visual acuity,
37 depth perception and color vision and that may include refraction.

38 5. "Vision screening services" means services that include
39 identifying, testing and evaluating a child's vision and identifying the
40 need for follow-up services, as prescribed by rules adopted by the
41 department pursuant to this section.

42 6. "Volunteer" includes any individual or member of a foundation,
43 nonprofit organization or other organization that provides vision
44 screenings and is invited to provide vision screenings by the school.

S.B. 1319

APPROVED BY THE GOVERNOR MAY 20, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 20, 2022.