

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

SENATE BILL 1456

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Heading change

3 The chapter heading of title 36, chapter 7.2, Arizona Revised
4 Statutes, is changed from "CHILD HEARING PROGRAMS" to "CHILD HEARING AND
5 VISION PROGRAMS".

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

8 ARTICLE 2. VISION SCREENING FOR CHILDREN

9 36-899.10. Vision screening; administration; rules;
10 notification; definitions

11 A. EACH SCHOOL SHALL PROVIDE VISION SCREENING SERVICES TO THE
12 FOLLOWING:

13 1. STUDENTS UPON INITIAL ENTRY TO SCHOOL AND NOT MORE THAN TWO
14 ADDITIONAL GRADE LEVELS AS PRESCRIBED BY THE DEPARTMENT BY RULE.

15 2. STUDENTS RECEIVING OR BEING CONSIDERED FOR SPECIAL EDUCATION
16 SERVICES AND WHO HAVE NOT BEEN SCREENED IN THE LAST YEAR PURSUANT TO THIS
17 SECTION.

18 3. STUDENTS WHOSE TEACHER HAS MADE A REQUEST FOR THE STUDENT TO BE
19 SCREENED AND WHO HAS NOT BEEN SCREENED IN THE LAST YEAR PURSUANT TO THIS
20 SECTION.

21 4. STUDENTS WHO ARE NOT READING AT GRADE LEVEL BY THE THIRD GRADE
22 PURSUANT TO THE STATE ASSESSMENT REQUIRED IN SECTION 15-741, IF THE RULES
23 ADOPTED BY THE DEPARTMENT DO NOT REQUIRE SCREENING IN THE THIRD GRADE.

24 B. A SCHOOL NURSE, VOLUNTEER OR OTHER SCHOOL PERSONNEL WHO HAS
25 UNDERGONE TRAINING DEVELOPED OR APPROVED BY THE DEPARTMENT SHALL
26 ADMINISTER THE VISION SCREENINGS EXCEPT THAT THOSE INDIVIDUALS WHO ARE
27 TRAINED TO ADMINISTER VISION SCREENINGS BEFORE THE EFFECTIVE DATE OF THIS
28 ACT SHALL NOT BE REQUIRED TO RETRAIN PURSUANT TO THIS SUBSECTION.

29 C. A VISION SCREENING CONDUCTED PURSUANT TO THIS SECTION DOES NOT
30 SATISFY A REQUIREMENT FOR A MEDICAL PROFESSIONAL TO COMPLETE A VISION
31 SCREENING OF A CHILD ACCORDING TO ESTABLISHED GUIDELINES FOR PEDIATRIC
32 CARE.

33 D. THE SCHOOL GOVERNING BODY SHALL PROVIDE THE VISION SCREENING
34 RESULTS TO THE PARENT OR GUARDIAN OF EACH STUDENT WHO HAS NOT PASSED A
35 VISION SCREENING WITHIN FORTY-FIVE DAYS AFTER THE VISION SCREENING AND
36 SHALL COMPLY WITH ALL APPLICABLE PRIVACY LAWS. THE RESULTS SHALL IDENTIFY
37 THAT THE STUDENT DID NOT PASS THE VISION SCREENING AND THE NEED FOR A
38 COMPREHENSIVE EYE AND VISION EXAMINATION. THE RESULTS SHALL STATE THAT A
39 VISION SCREENING IS NOT EQUIVALENT TO A COMPREHENSIVE EYE AND VISION
40 EXAMINATION.

41 E. THE SCHOOL GOVERNING BODY PROVIDING VISION SCREENING SERVICES
42 SHALL PROVIDE TO THE DEPARTMENT ANNUAL DATA SUBMISSIONS IN A
43 DEPARTMENT-APPROVED FORMAT THAT COMPLIES WITH STUDENT PRIVACY LAWS.

44 F. A STUDENT IS NOT REQUIRED TO SUBMIT TO ANY VISION SCREENING
45 REQUIRED BY THIS SECTION IF A PARENT OR GUARDIAN OF THE STUDENT OBJECTS

1 AND SUBMITS A STATEMENT OF THE OBJECTION TO THE SCHOOL FOR ANY REASON
2 INCLUDING THAT THE STUDENT RECEIVED A COMPREHENSIVE EYE AND VISION
3 EXAMINATION IN THE LAST YEAR OR IF THE STUDENT HAS A CURRENT DIAGNOSIS OF
4 PERMANENT VISION LOSS.

5 G. FOR THE PURPOSES OF ASSISTING AND IMPLEMENTING THE VISION
6 SCREENING REQUIREMENTS ESTABLISHED BY THIS SECTION, THE DEPARTMENT OR ITS
7 DELEGATE MAY:

8 1. DEVELOP AND PROVIDE VISION SCREENING TRAINING TO SCREENERS
9 DESIGNATED IN SUBSECTION B OF THIS SECTION.

10 2. SUBJECT TO AVAILABLE MONIES, PROVIDE SCHOOLS WITH MATERIALS THE
11 DEPARTMENT DETERMINES BY RULE TO BE NECESSARY FOR CONDUCTING VISION
12 SCREENINGS.

13 3. COMPILE ANY SCHOOL VISION SCREENING DATA, WITH ALL INDIVIDUAL
14 IDENTIFYING INFORMATION REMOVED, FOR REVIEW AND ANALYSIS BY RESEARCHERS,
15 PUBLIC AGENCIES OR ANY FOUNDATION, NOT FOR PROFIT OR ORGANIZATION THAT
16 PROVIDES FREE APPROVED VISION SCREENING SERVICES OR TRAINING, GRANTS FOR
17 VISION SCREENING SERVICES, EYE GLASSES OR EXAMINATIONS.

18 H. THE DEPARTMENT SHALL ADOPT RULES PURSUANT TO TITLE 41, CHAPTER 6
19 TO CARRY OUT THIS SECTION. THE RULES MAY NOT REQUIRE MATERIALS AND
20 EQUIPMENT SPECIFIC TO ANY ONE PROVIDER AND SHALL INCLUDE, WHERE CONSISTENT
21 WITH THE REQUIREMENTS OF THIS SECTION, FEEDBACK FROM THE PUBLIC EDUCATION
22 PROGRAMS REQUIRED TO IMPLEMENT THE VISION SCREENINGS. RULES ADOPTED TO
23 CARRY OUT SUBSECTION A OF THIS SECTION SHALL BE DONE IN CONSULTATION WITH
24 THE DEPARTMENT OF EDUCATION.

25 I. FOR THE PURPOSES OF THIS SECTION:

26 1. "COMPREHENSIVE EYE AND VISION EXAMINATION" MEANS A VISION
27 EXAMINATION PERFORMED BY AN OPTOMETRIST OR OPHTHALMOLOGIST.

28 2. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

29 3. "SCHOOL" MEANS A SCHOOL DISTRICT OR CHARTER SCHOOL THAT PROVIDES
30 INSTRUCTION IN PRESCHOOL, KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH
31 TWELVE, OR ANY COMBINATION OF THOSE PROGRAMS OR GRADES.

32 4. "VISION SCREENING" MEANS USING A VISION SCREENING METHODOLOGY
33 APPROVED OR PRESCRIBED BY RULES ADOPTED BY THE DEPARTMENT PURSUANT TO THIS
34 SECTION THAT, AS AGE APPROPRIATE, INCLUDE THE EVALUATION OF VISUAL ACUITY,
35 DEPTH PERCEPTION AND COLOR VISION AND THAT MAY INCLUDE REFRACTION.

36 5. "VISION SCREENING SERVICES" MEANS SERVICES THAT INCLUDE
37 IDENTIFYING, TESTING AND EVALUATING A CHILD'S VISION AND IDENTIFYING THE
38 NEED FOR FOLLOW-UP SERVICES, AS PRESCRIBED BY RULES ADOPTED BY THE
39 DEPARTMENT PURSUANT TO THIS SECTION.

40 6. "VOLUNTEER" INCLUDES ANY INDIVIDUAL OR MEMBER OF A FOUNDATION,
41 NOT FOR PROFIT OR OTHER ORGANIZATION THAT PROVIDES VISION SCREENINGS AND
42 IS INVITED TO PROVIDE VISION SCREENINGS AND IS INVITED TO PROVIDE
43 SCREENINGS BY THE SCHOOL.

1 Sec. 3. Appropriation; department of health services; vision
2 screening

3 The sum of \$100,000 is appropriated from the state general fund in
4 fiscal year 2019-2020 to the department of health services for the
5 purposes prescribed in title 36, chapter 7.2, article 2, Arizona Revised
6 Statutes, as added by this act, including to purchase vision screening
7 kits if monies are available.