

As Amended by House Committee

Session of 2019

HOUSE BILL No. 2346

By Committee on Children and Seniors

2-14

1 AN ACT relating to schools; vision screenings; amending K.S.A. 72-6241
2 and 72-6242 and repealing the existing sections.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 72-6241 is hereby amended to read as follows: 72-
6 6241. As used in this act:

7 (a) ~~"School board" means the governing body of any school;~~

8 (b) ~~"school" means all elementary and high schools;~~

9 (c) *"Accredited nonpublic school" means all nonpublic elementary
10 and secondary schools accredited by the state board of education;*

11 (b) *"basic vision screening" means an age-appropriate eye testing
12 program for each child based on a test chart which is graduated as to size
13 of symbols, or the so-called Snellen test, or any other system or method of
14 testing equal thereto or better in the judgment of the school board that is
15 implemented according to the most recent edition of the Kansas vision
16 screening requirements and guidelines and includes referrals for eye
17 examinations and necessary follow-ups;*

18 (c) *"board of education" means the board of education of any school
19 district;*

20 (d) *"IDEA part B" means all statewide programs providing special
21 education and related services to children with disabilities aged 3 through
22 5 in accordance with 20 U.S.C. § 1411, and amendments thereto;*

23 (e) *"school district" means any school district organized under the
24 laws of this state; and*

25 (f) *"vision screener" means any school nurse, or the nurse's designee,
26 or other person who is trained to administer a vision screening test to
27 students in the state of Kansas in accordance with this section.*

28 Sec. 2. K.S.A. 72-6242 is hereby amended to read as follows: 72-
29 6242. (a) *The following children shall be provided a basic vision screening
30 without charge:*

31 (1) ~~Each school board shall provide basic vision screening without
32 charge to every pupil annually, for every child participating in IDEA part
33 B programs;~~

34 (2) *at least once each school year for students enrolled in each
35 kindergarten and each of the grades one through three, five, seven and 10
36 in a school under the governance of such school board not less than once*

1 every two ~~(2)~~ years. All such tests— district or an accredited nonpublic
2 school; and

3 (3) any student enrolled in a school district or an accredited
4 nonpublic school within such student's first year of admission.

5 (b) (1) Every student **enrolled** in a school district shall be provided
6 basic vision screening by the board of education of the school district in
7 which the student ~~resides and~~ is enrolled.

8 (2) Every student **enrolled** in an accredited nonpublic school shall be
9 provided basic vision screening by either:

10 (A) The accredited nonpublic school in which the student is enrolled;
11 or

12 (B) upon request by the student's parent or guardian, by the board of
13 education of the school district in which the student resides.

14 (c) Basic vision screening shall be performed by a ~~teacher or some~~
15 ~~other person~~ vision screener designated by the ~~school~~ board of education
16 or by an accredited nonpublic school. Vision screeners shall be required to
17 follow the most recent state vision screening guidelines for performing
18 vision screening pursuant to the requirements of this law. The results of the
19 test screening and, if necessary, the ~~desirability of referral for an~~
20 examination by a ~~qualified physician, an ophthalmologist or optometrist~~
21 shall be reported to the parents or guardians of ~~such pupils. Information~~
22 ~~relating to the desirability of any examined student. The referral for an~~
23 examination by a ~~qualified physician, an ophthalmologist or optometrist~~
24 shall not show preference in favor of any such ~~professional person~~
25 ~~ophthalmologist or optometrist.~~

26 (2) ~~The requirements of this subsection shall not apply to a pupil who~~
27 ~~has had a basic vision screening examination within six months prior to~~
28 ~~the provision of basic vision screening in the school in which the pupil is~~
29 ~~enrolled.~~

30 (b)(d) Each ~~pupil~~ student needing assistance in achieving mastery of
31 basic reading, writing and mathematics skills shall be encouraged to obtain
32 an eye examination by an optometrist or ophthalmologist to determine if
33 the ~~pupil~~ student suffers from conditions ~~which~~ that impair the ability to
34 read. Expense for such examination, if not reimbursed through medicaid,
35 ~~Healthwave~~, private insurance or any other governmental or private
36 program, shall be the responsibility of the ~~pupil's~~ student's parent or
37 guardian.

38 (e) A Kansas children's vision health and school readiness
39 commission shall be established to ensure the implementation of this
40 section. Members of the commission shall be appointed by the state board
41 of education. The commission shall be comprised of:

42 (1) One optometrist;

43 (2) one ophthalmologist;

- 1 (3) *one representative of a health organization dedicated to*
2 *preventing blindness;*
3 (4) *one representative of the department of education;*
4 (5) *one representative of the department of health and environment;*
5 (6) *one school nurse;*
6 (7) *one public health nurse; and*
7 (8) *one school administrator.*
8 (f) *Members of the commission will not be reimbursed for meeting*
9 *expenses.*
10 (g) *The duties of the commission are as follows:*
11 (1) *Overseeing revision of state vision screening requirements and*
12 *guidelines no fewer than once every seven years;*
13 (2) *providing standardized vision screening referral letters and eye*
14 *professional examination reports as referenced in the Kansas vision*
15 *screening requirements and guidelines;*
16 (3) *identifying state resources that assist in providing opportunities to*
17 *offer free or low-cost eye exams for students who fail vision screenings*
18 *and are unable to afford an examination on their own; and*
19 (4) *establishing a system to collect data from school health personnel*
20 *concerning the results of the original screenings and referral outcomes, as*
21 *well as issuing an annual report to the secretary of health and*
22 *environment and the commissioner of education.*
23 Sec. 3. K.S.A. 72-6241 and 72-6242 are hereby repealed.
24 Sec. 4. This act shall take effect and be in force from and after its
25 publication in the statute book.