As Amended by House Committee

Session of 2019

HOUSE BILL No. 2346

By Committee on Children and Seniors

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

Be it enacted by the Legislature of the State of Kansas:

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

(a) "School board" means the governing body of any school;
(b) "school" means all elementary and high schools;
(c) "Accredited nonpublic school" means all nonpublic elementary and secondary schools accredited by the state board of education;
(d) "basic vision screening" means an age-appropriate eye testing program for each child based on a test chart which is graduated as to size of symbols, or the so-called Snellen test, or any other system or method of testing equal thereto or better in the judgment of the school board that is implemented according to the most recent edition of the Kansas vision screening requirements and guidelines and includes referrals for eye examinations and necessary follow-ups;
(e) "board of education" means the board of education of any school district;
(d) "IDEA part B" means all statewide programs providing special education and related services to children with disabilities aged 3 through 5 in accordance with 20 U.S.C. § 1411, and amendments thereto;
(e) "school district" means any school district organized under the laws of this state; and
(f) "vision screener" means any school nurse, or the nurse's designee, or other person who is trained to administer a vision screening test to students in the state of Kansas in accordance with this section.

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

(1) Each school board shall provide basic vision screening without charge to every pupil annually, for every child participating in IDEA part B programs;
(2) at least once each school year for students enrolled in each kindergarten and each of the grades one through three, five, seven and 10 in a school under the governance of such school board not less than once
every two (2) years. All such tests—district or an accredited nonpublic school; and
(3) any student enrolled in a school district or an accredited nonpublic school within such student's first year of admission.

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

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

(A) The accredited nonpublic school in which the student is enrolled;
or
(B) upon request by the student's parent or guardian, by the board of education of the school district in which the student resides.

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

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

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

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

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