

SESSION OF 2019

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2346

As Amended by House Committee on Children
and Seniors

Brief*

HB 2346, as amended, would amend state standards for free school-administered vision screenings to add new definitions and amend others, modify the frequency of the vision screenings to specify the grade levels and specific circumstances under which the screenings would occur, provide for vision screenings for students in accredited nonpublic schools, require screenings be performed by a vision screener who would be required to follow the most recent state vision screening guidelines, and require vision screening results and any necessary referral for an examination by an ophthalmologist or optometrist be reported to the parents or guardians of any examined student. The bill would also establish an eight-member Kansas Children's Vision Health and School Readiness Commission (Commission) to ensure implementation of the provisions of the bill; provide for the appointment of the members, who would serve without reimbursement for meeting expenses; and establish the duties of the Commission.

Definitions

The bill would define the following new terms:

- "Accredited nonpublic school" would mean all nonpublic elementary and secondary schools accredited by the State Board of Education;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- “Board of education” would mean the board of education of any school district;
- “IDEA part B” would mean all statewide programs providing special education and related services to children with disabilities aged three through five in accordance with 20 U.S.C. § 1411, and amendments thereto;
- “School district” would mean any school district organized under the laws of this state; and
- “Vision screener” would mean 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 [Section 1 of the bill].

The bill would amend the definition of “basic vision screening” to mean an age-appropriate eye testing program for each child 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.

Frequency of Vision Screenings

The bill would provide children with free basic vision screenings as follows:

- Annually for children with disabilities aged three through five years who are participating in IDEA part B programs;
- At least once each school year for students enrolled in kindergarten and each of the grades one through three, five, seven, and ten in a school district or an accredited nonpublic school; and

- Within the first year of admission for any student enrolled in a school district or an accredited nonpublic school.

Entity Responsible for Providing Vision Screening

The bill would require the board of education of the school district in which a student is enrolled to provide basic vision screening to every student enrolled in such school district.

The bill would require basic vision screening be provided to every student in an accredited nonpublic school by either the accredited nonpublic school in which the student is enrolled or, upon request by the student's parent or guardian, by the board of education of the school district in which the student resides.

Performance and Reporting of Vision Screenings

The bill would require basic vision screening be performed by a vision screener designated by the board of education or by an accredited nonpublic school. The bill would require vision screeners follow the most recent state vision screening guidelines. The bill would require the results of the screening and any necessary referral for an examination by an ophthalmologist or optometrist be reported to the parents or guardians of any examined student and require any such referral to show no preference in favor of any ophthalmologist or optometrist.

Kansas Children's Vision Health and School Readiness Commission

Commission Membership and Reimbursement

The bill would require an eight-member Commission be established to ensure the implementation of the provisions of the bill, with membership appointed by the State Board of Education and composed of one member representing each of the following: optometrists, ophthalmologists, a health organization dedicated to preventing blindness, the Department of Education, the Kansas Department of Health and Environment, school nurses, public health nurses, and school administrators.

The bill would require the Commission members serve without reimbursement for meeting expenses.

Duties of the Commission

The bill would establish the following duties of the Commission:

- Overseeing the revision of state vision screening requirements and guidelines at least once every seven years;
- Providing standardized vision screening referral letters and eye professional examination reports as referenced in the Kansas vision screening requirements and guidelines;
- 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
- Establishing a system to collect data from school health personnel concerning the results of the

original screenings and referral outcomes, and issuing an annual report to the Secretary of Health and Environment and the Commissioner of Education.

Background

The bill was introduced by the House Committee on Children and Seniors at the request of Representative Dierks. In the House Committee hearing, a representative of the Kansas Vision Coalition Task Force testified in favor of the bill, stating the Kansas Vision Screening Guidelines, which were last revised in 2004, were updated in 2018 and released early in 2019 and used evidence-based screening tools and procedures to create age-specific recommendations. The proponent stated the bill would amend Kansas vision screening laws established in 1959, with a minor change in 2001, to reflect the current evidence-based practices and requirements for vision screening for preschoolers and to provide a systemic method of regularly reviewing and updating the guidelines as technology and research change. Written-only proponent testimony was provided by a public school teacher.

No other testimony was provided.

The House Committee amended the bill to clarify basic vision screening would be provided by the board of education of the school district in which the student is enrolled, without a requirement the student reside in the school district.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department of Education indicates some school districts receive in-kind services from medical professionals for vision screening services. Any additional costs not received by the in-kind services as a result of enactment of the bill would be borne by the local school board. The Department of Education estimates the eight-member Commission that would be

established by the bill would meet four times during FY 2020 at a cost of \$150 per member. As a result, the Department of Education estimates enactment of the bill would require additional FY 2020 expenditures totaling \$4,800 (eight members at \$150 in meeting expenses per member per meeting, including travel, for four meetings), all from the State General Fund. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2020 Governor's Budget Report*.

[*Note:* The intent to request a revised fiscal note to clarify expenditures was expressed during the House Committee hearing because the bill would provide Commission members receive no reimbursement for meeting expenses.]