

SECOND REGULAR SESSION

[CORRECTED]

HOUSE BILL NO. 1269

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES JETTON (Sponsor), COOPER (120), SMITH (14), DEEKEN, BAKER (123), KRAUS, DAY, DENISON, DUSENBERG, YATES, KUESSNER, PEARCE, RUESTMAN, HUNTER, CUNNINGHAM (145), DIXON, GUEST, QUINN, CHINN, SCHNEIDER, MOORE, HOBBS, SANDER, ROBB, BROWN (30), PHILLIPS, WITTE, MEINERS, SWINGER, HENKE, LOWE (44), CURLS, BAKER (25), FLOOK, NANCE, SATER, PORTWOOD, SUTHERLAND, TILLEY, BRUNS, JONES, McGHEE, RICHARD, PARSON, WELLS, FRANZ, DETHROW, LEMBKE, MYERS, BLACK, BRINGER, SHOEMYER, LOW (39), JOLLY, SALVA, DOUGHERTY, KRATKY, ZWEIFEL, FRASER, YAEGER, SCHOEMEHL, ROORDA, WAGNER, LAMPE, SMITH (150), NOLTE, WRIGHT (159), ICET, SELF, DEMPSEY, THRELKELD, CHAPPELLE-NADAL, WILDBERGER, WHORTON, HAYWOOD, AVERY, SCHAD, WETER, WALLACE, BEARDEN, SILVEY AND DARROUGH (Co-sponsors).

Read 1st time January 9, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4067L.011

AN ACT

To repeal section 192.935, RSMo, and to enact in lieu thereof two new sections relating to vision examinations for school children.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 192.935, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 167.195 and 192.935, to read as follows:

167.195. 1. Beginning July 1, 2007, every child enrolling in kindergarten or first grade in a public elementary school in this state shall receive one comprehensive vision examination performed by a state licensed optometrist or ophthalmologist. The examination, or a copy of a prior examination if the child has previously received a vision examination under this section, shall be submitted to the school no later than January 1 of the first year in which the student is enrolled at the school.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

7 **2. The state board of education shall promulgate rules establishing the criteria for**
8 **meeting the requirements of subsection 1 of this section, which may include, but are not**
9 **limited to, forms or other proof of such examination, or other rules as are necessary for the**
10 **enforcement of this section.**

11 **3. The department of elementary and secondary education, in conjunction with the**
12 **department of health and senior services, shall compile and maintain a list of sources to**
13 **which children who may need vision examinations or children who have been found to**
14 **need further examination or vision correction may be referred for treatment on a free or**
15 **reduced cost basis. The sources may include individuals, and federal, state, local**
16 **government, and private programs. The department of elementary and secondary**
17 **education shall ensure that the superintendent of schools, the principal of each elementary**
18 **school, the school nurse or other person responsible for school health services, and the**
19 **parent organization for each district elementary school receives an updated copy of the list**
20 **each year prior to school opening. Professional and service organizations concerned with**
21 **vision health may assist in gathering and disseminating the information, at the direction**
22 **of the department of elementary and secondary education.**

23 **4. For purposes of this section, the following comprehensive vision examinations**
24 **shall be performed:**

- 25 **(1) Complete case history;**
- 26 **(2) Visual acuity at distance:**
 - 27 **(a) Unaided (mono plus binocular);**
 - 28 **(b) Last prescription or habitual prescription (mono plus binocular);**
- 29 **(3) External examination, including pupil reactivity;**
- 30 **(4) Internal examination (ophthalmoscopic examination);**
- 31 **(5) Retinoscopy;**
- 32 **(6) Refractive status:**
 - 33 **(a) Subjective refraction to best visual acuity at distance;**
 - 34 **(b) Subjective refraction at near;**
- 35 **(7) Measurement of binocularity, including vergences, phoric, and accommodative**
36 **ability;**
- 37 **(8) Color vision screening;**
- 38 **(9) Glaucoma screening, including tonometry.**

39 **5. Findings from the examination shall be kept by the optometrist or**
40 **ophthalmologist for a period of six years.**

41 **6. For purposes of this section, the office of any optometrist or ophthalmologist**
42 **conducting a comprehensive vision examination shall contain, in good working condition,**
43 **the following minimum equipment:**

- 44 **(1) Ophthalmoscope;**
- 45 **(2) Retinoscope or its equivalent;**
- 46 **(3) Tonometer;**
- 47 **(4) Visual Field Testing Device;**
- 48 **(5) Color Vision Testing Device;**
- 49 **(6) Keratometer or its equivalent;**
- 50 **(7) Biomicroscope;**
- 51 **(8) Lenses for subjective testing;**
- 52 **(9) Blood pressure measuring device.**

53 **7. In the event that a parent or legal guardian of a child subject to this section shall**
54 **submit to the appropriate school administrator a written request that the child be excused**
55 **from taking a vision examination as provided in this section on the grounds of religious**
56 **beliefs, that child shall be so excused.**

 192.935. 1. There is hereby created in the state treasury the "Blindness Education,
2 Screening and Treatment Program Fund". The fund shall consist of moneys donated pursuant
3 to subsection 7 of section 301.020, RSMo, and subsection 3 of section 302.171, RSMo.
4 Unexpended balances in the fund at the end of any fiscal year shall not be transferred to the
5 general revenue fund or any other fund, the provisions of section 33.080, RSMo, to the contrary
6 notwithstanding.

7 2. Subject to the availability of funds in the blindness education, screening and treatment
8 program fund, the department shall develop a blindness education, screening and treatment
9 program to provide blindness prevention education and to provide screening and treatment for
10 persons who do not have adequate coverage for such services under a health benefit plan.

11 3. The program shall provide for:

- 12 (1) Public education about blindness and other eye conditions;
- 13 (2) Screenings and eye examinations to identify conditions that may cause blindness;

14 [and]

- 15 (3) Treatment procedures necessary to prevent blindness;

16 **(4) Any additional costs for vision examinations under section 167.195, RSMo, that**
17 **are not covered by existing public health insurance. Subject to appropriations, moneys**
18 **from the fund shall be used to pay for those additional costs, provided that the costs do not**
19 **exceed ninety-nine thousand dollars per year.**

20 4. The department may contract for program development with any department-approved
21 nonprofit organization dealing with regional and community blindness education, eye donor and
22 vision treatment services.

23 5. The department may adopt rules to prescribe eligibility requirements for the program.

24 6. No rule or portion of a rule promulgated pursuant to the authority of this section shall
25 become effective unless it has been promulgated pursuant to the provisions of chapter 536,
26 RSMo.

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