

SENATE BILL 570

F1, J1

8lr2183

By: **Senators Bates, Klausmeier, Robinson, Salling, and Smith**

Introduced and read first time: January 31, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 28, 2018

CHAPTER _____

1 AN ACT concerning

2 ~~Vision Disorders~~ **Visual Impairments – Requirements for Student Vision**
3 **Screening – ~~Revisions~~ and Information**
4 **(Atticus Act)**

5 FOR the purpose of ~~requiring a vision screening provided to certain students in public~~
6 ~~schools to include the administration of a screening for possible symptoms of certain~~
7 ~~vision disorders~~; requiring certain vision screenings to be given in certain years to
8 certain students unless evidence is presented that the student has been tested by
9 certain doctors ~~or screened for the symptoms of certain vision disorders~~; requiring
10 the results of ~~a certain screening for vision disorders to be made part of a certain~~
11 ~~record~~, certain screenings be given to the parents or guardians of certain students
12 with certain educational materials, ~~and reported to certain entities~~; requiring ~~a~~
13 ~~specific notice be sent~~ that certain additional information be provided to the parents
14 or guardians of certain students who fail a certain vision screening; ~~requiring a~~
15 ~~parent or guardian to report, on a certain form, to certain entities on the~~
16 ~~recommended services received by a student who may have possible symptoms of a~~
17 ~~vision disorder~~; requiring the county board of education or the county health
18 department to report to the Maryland Department of Health the results of screenings
19 for the symptoms of vision disorders; exempting a student whose parent or guardian
20 objects to a certain vision screening on certain grounds from taking the screening;
21 and generally relating to student screening ~~requirements for vision disorders~~ and
22 information on visual impairments.

23 BY repealing and reenacting, with amendments,

24 Article – Education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 7-404
 2 Annotated Code of Maryland
 3 (2014 Replacement Volume and 2017 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 5 That the Laws of Maryland read as follows:

6 **Article – Education**

7 7-404.

8 (a) (1) ~~(H)~~ Each county board or county health department shall provide
 9 hearing and vision screenings for all students in the public schools.

10 ~~(H) 1. A VISION SCREENING SHALL INCLUDE THE~~
 11 ~~ADMINISTRATION OF A SCREENING THAT IS DESIGNED TO DETECT POSSIBLE~~
 12 ~~SYMPTOMS OF VISION DISORDERS.~~

13 ~~2. A SCREENING FOR VISION DISORDERS SHALL~~
 14 ~~INCLUDE, AT MINIMUM, SCREENING FOR SYMPTOMS OF THE FOLLOWING VISION~~
 15 ~~DISORDERS:~~

16 ~~A. ACCOMMODATIVE DYSFUNCTION;~~

17 ~~B. AMBLYOPIA;~~

18 ~~C. ANISOCORIA;~~

19 ~~D. ANISOMETROPIA;~~

20 ~~E. ASTIGMATISM;~~

21 ~~F. CONVERGENCE INSUFFICIENCY;~~

22 ~~G. HYPEROPIA;~~

23 ~~H. MYOPIA;~~

24 ~~I. NYSTAGMUS;~~

25 ~~J. OCULOMOTOR DYSFUNCTION; AND~~

26 ~~K. STRABISMUS.~~

1 (2) Each county health department shall provide and fund hearing and
2 vision screenings for all students:

3 (i) In any private school that has received a certificate of approval
4 under § 2–206 of this article; and

5 (ii) In any nonpublic educational facility in this State approved as a
6 special education facility by the Department.

7 (b) (1) Unless evidence is presented that a student has been tested **BY AN**
8 **OPTOMETRIST OR OPHTHALMOLOGIST OR SCREENED FOR THE SYMPTOMS OF**
9 **VISION DISORDERS UNDER SUBSECTION (A)(1)(II)2 OF THIS SECTION** within the past
10 year, the screenings required under subsection (a) of this section shall be given in the year
11 that a student enters a school system, enters the first grade, and enters the eighth or ninth
12 grade.

13 (2) Further screening shall be done in accordance with:

14 (i) The bylaws adopted by the State Board; or

15 (ii) Policies adopted by a county board or a county health
16 department.

17 (c) (1) The results of the hearing and vision screenings ~~AND SCREENING FOR~~
18 ~~POSSIBLE SYMPTOMS OF VISION DISORDERS~~ required by this section shall be:

19 [(1)] (I) Made a part of the permanent record file of each student;

20 [(2)] (II) Given to the parents **OR GUARDIANS** of [any] **EACH** student
21 [who fails the screenings], **WITH ~~EDUCATION~~ EDUCATIONAL MATERIALS THAT**
22 **INCLUDE THE FOLLOWING:**

23 1. **A DISCLAIMER THAT A VISION SCREENING IS NOT A**
24 **SUBSTITUTE FOR A COMPREHENSIVE EYE EXAM PERFORMED BY AN OPTOMETRIST**
25 **OR OPHTHALMOLOGIST;**

26 2. **AN OVERVIEW OF ~~THE SYMPTOMS OF VISION~~**
27 **~~DISORDERS~~ VISUAL IMPAIRMENTS** AND AN EXPLANATION OF THE POTENTIAL
28 **EDUCATIONAL IMPACT OF UNTREATED ~~VISION DISORDERS~~ VISUAL IMPAIRMENTS;**
29 **AND**

30 3. **A LIST OF AT-RISK GROUPS THAT ARE ENCOURAGED**
31 **TO HAVE A COMPREHENSIVE EYE EXAMINATION BY AN OPTOMETRIST OR**
32 **OPHTHALMOLOGIST; and**

1 [(3)] (III) Reported to the county board or the county health department.

2 (2) ~~A SEPARATE NOTICE SHALL BE SENT~~ ADDITIONAL INFORMATION
3 SHALL BE PROVIDED TO THE PARENTS OR GUARDIANS OF A STUDENT WHO FAILS
4 THE VISION SCREENING FOR SYMPTOMS OF A VISION DISORDER THAT INCLUDES:

5 (I) NOTICE THAT THE RESULTS OF THE SCREENING INDICATE
6 THAT THE STUDENT MAY HAVE A VISION DISORDER; AND

7 ~~(H) A DETAILED SUMMARY OF THE POTENTIAL VISION~~
8 ~~DISORDER THAT THE STUDENT MAY HAVE AND AN EXPLANATION OF THE IMPACT~~
9 ~~THE VISION DISORDER MAY HAVE ON THE STUDENT'S EDUCATIONAL~~
10 ~~PERFORMANCE.~~

11 (II) A RECOMMENDATION TO THE PARENT OR GUARDIAN THAT
12 THE STUDENT BE TESTED BY AN OPTOMETRIST OR OPHTHALMOLOGIST;

13 (III) A DESCRIPTION OF THE WARNING SIGNS, SYMPTOMS, RISK
14 FACTORS, AND BEHAVIORAL PROBLEMS ASSOCIATED WITH VISION DISORDERS OR
15 EYE CONDITIONS;

16 (IV) A DESCRIPTION OF THE DIFFERENCE BETWEEN EYE
17 EXAMINATIONS AND THE VISION SCREENINGS REQUIRED UNDER THIS SECTION;

18 (V) INFORMATION ON HOW TO ENROLL IN THE MARYLAND
19 MEDICAL ASSISTANCE PROGRAM; AND

20 (VI) INFORMATION ON LOCALLY AVAILABLE FREE OR LOW-COST
21 NONPROFIT PROGRAMS THAT PROVIDE EYE EXAMINATIONS AND EYEGASSES FOR
22 CHILDREN, IF ANY.

23 (d) On a form provided by the county board or the county health department, a
24 parent or guardian shall report to the county board or the county health department on the
25 recommended services received by a student who failed the screenings ~~OR WHO MAY HAVE~~
26 ~~POSSIBLE SYMPTOMS OF A VISION DISORDER.~~

27 (e) The county board or the county health department shall report to the
28 Maryland Department of Health the results of the hearing and vision screenings ~~AND~~
29 ~~SCREENINGS FOR SYMPTOMS OF VISION DISORDERS~~ and, to the extent practicable, the
30 number of students receiving the recommended services.

31 (f) In cooperation with the Maryland Department of Health, the Department of
32 Education shall adopt standards, rules, and regulations to carry out the provisions of this
33 section.

1 (g) A student whose parent or guardian objects in writing to hearing and vision
2 screening ~~OR A SCREENING FOR SYMPTOMS OF VISION DISORDERS~~ on the ground that
3 it conflicts with the tenets and practice of a recognized church or religious denomination of
4 which he is an adherent or member may not be required to take these screenings.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.