

FIRST REGULAR SESSION

# HOUSE BILL NO. 486

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DAVIS, ABEL, KENNEDY, HARLAN, RICHARDSON, GRIESHEIMER, FROELKER (Co-sponsors), HILGEMANN, SELBY, SCHWAB, MONACO, BARRY, RIBACK WILSON (25), BURTON, HOHULIN, KOLLER, WILSON (42), JOLLY, BONNER, McKENNA, HAYWOOD, MYERS, TROUPE, GAMBARO, MILLER, AND SECREST.

Read 1<sup>st</sup> time January 23, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

0660L.03I

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### AN ACT

To repeal section 192.935, RSMo 2000, relating to vision examinations for students, and to enact in lieu thereof two new sections relating to the same subject.

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

Section A. Section 192.935, RSMo 2000, is repealed and two new sections enacted in lieu thereof, to be known as sections 167.195 and 192.935, to read as follows: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, 2002, every individual enrolling in kindergarten or first grade in a public elementary school in this state, or in a Head Start program in this state, shall receive a comprehensive vision examination performed by a state licensed optometrist or ophthalmologist. The examination shall be submitted to the school or Head Start program no later than January first of the first year in which the student is enrolled at the school or program.**

**2. The state board of education shall promulgate criteria for meeting the requirements of subsection 1 of this section, which may include, but are not limited to, forms or other proof of such examination, a maximum number of years before a new examination is required or other rules as are necessary for the enforcement of this section.**

**3. The department of elementary and secondary education shall, in conjunction with the department of health, compile and maintain a list of sources, to which children who may need vision examinations or children who have been found to need further examination or vision correction may be referred for treatment on a free or reduced cost**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

15 **basis. The sources may include individuals and federal, state, local governmental and**  
16 **private programs. The department of elementary and secondary education shall ensure**  
17 **that the superintendent of schools, the principal of each elementary school, the school**  
18 **nurse or other person responsible for school health services, and the parent organization**  
19 **for each district elementary school receives an updated copy of the list each year prior to**  
20 **school opening. Professional and service organizations concerned with vision health may**  
21 **assist in gathering and disseminating the information, at the direction of the department**  
22 **of elementary and secondary education.**

23 **4. No rule or portion of a rule promulgated pursuant to this section shall become**  
24 **effective unless it has been promulgated pursuant to chapter 536, RSMo.**

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[.]; and

16 **(4) Eye examinations pursuant to section 167.195, RSMo, for those children for**  
17 **whom public or private health insurance does not cover the cost of the examination.**

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

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

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