
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 2904 **Hearing Date:** June 27, 2018
Author: Carrillo
Version: June 13, 2018
Urgency: No **Fiscal:** No
Consultant: Brandon Darnell

Subject: Pupil health: mobile vision care services: schoolsites.

NOTE: This bill has been amended to replace its contents and this is the first time the bill is being heard in its current form.

SUMMARY

This bill adds nonprofit mobile vision care service providers to the list of persons or entities authorized to provide the required testing of students' sight, and authorizes the governing board of a school district to enter into memorandum of understanding with a nonprofit mobile vision care services provider to provide vision care services to pupils at the schoolsite of the public school.

BACKGROUND

Existing law:

- 1) Requires the governing board of any school district to provide for the testing of the sight and hearing of each pupil enrolled in the schools of the district.
- 2) Requires those tests be adequate in nature and shall be given only by:
 - a) Duly qualified supervisors of health employed by the district.
 - b) Certificated employees of the district or of the county superintendent of schools who possess the qualifications prescribed by the Commission for Teacher Preparation and Licensing.
 - c) Contract with an agency duly authorized to perform those services by the county superintendent of schools of the county in which the district is located, under guidelines established by the State Board of Education.
 - d) Accredited schools or colleges of optometry, osteopathic medicine, or medicine.
- 3) Requires the records of the tests to serve as evidence of the need of the pupils for the educational facilities provided physically handicapped individuals.
- 4) Authorizes the governing boards of school districts to purchase or rent the equipment necessary to conduct the tests may be purchased or rented by governing boards of school districts. (Education Code § 49452)

- 5) Authorizes a parent or guardian having control or charge of any child enrolled in the public schools to file annually with the principal of the school in which the child is enrolled a statement in writing, signed by the parent or guardian, stating that he will not consent to a physical examination of his or her child. (EC § 49451)
- 6) Requires a student's vision to be appraised by the school nurse or other authorized person during the kindergarten year or upon first enrollment or entry in a California school district, and in grades 2, 5, and 8. (EC § 49455)

ANALYSIS

This bill adds nonprofit mobile vision care service providers to the list of persons or entities authorized to provide the required testing of students' sight, and authorizes the governing board of a school district to enter into memorandum of understanding with a nonprofit mobile vision care services provider to provide vision care services to pupils at the schoolsite of the public school. Specifically, this bill:

- 1) Adds nonprofit mobile vision care service providers to the list of persons or entities authorized to provide the testing of students' sight that the governing board of a school district is required to conduct for each student enrolled in the schools of the school district.
- 2) Authorizes a public school maintaining kindergarten or any of grades 1 to 12, inclusive, to enter into a memorandum of understanding with a nonprofit mobile vision care services provider to provide vision care services to pupils at the schoolsite of the public school.
- 3) Requires the vision care services to be noninvasive, and to consist only of providing vision examinations and eyeglasses.
- 4) Requires the public school, before vision care services are provided at the schoolsite of a public school, to notify parents and guardians of the upcoming provision of vision care services at the schoolsite, and requires that notification to include a form on which a parent or guardian may indicate that he or she does not consent to vision care services being provided to his or her child.
- 5) Authorizes the parent or guardian to opt out of his or her child receiving the vision care services by submitting the completed form to the public school before the vision care services are provided at the schoolsite.
- 6) Specifies that a parent or guardian who has already submitted an annual statement opting out of physical examinations is deemed to have opted out of his or her child receiving the vision care services.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "Vision impairment in children is common and uncorrected vision problems can impair child development, lead to

behavioral problems in the classroom, interfere with early developing literacy and learning, and even cause permanent vision loss. A study conducted by the National Center for Children's Vision and Eye Health found that nearly 3% of children younger than 18 years are blind or visually impaired. In California we have over 9 million children so at that rate about 270,000 have some form of vision impairment.

Visual functioning is a strong indicator of academic performance in school-age children and vision disorders can continue to affect health and well-being throughout adulthood. It is critical to detect these symptoms and treat them as early as possible, especially for children whose families cannot afford, or do not have access to, optometric services.

According to a study published in the *Journal of Public Health Management and Practices*, 95% of first-graders in California who need glasses don't have them. Additionally, nearly one in four (24%) adolescents with correctable vision impairment is currently not receiving competent vision correction.

These issues compound as racial and socioeconomic inequities persist, as the likelihood of experiencing vision impairment is significantly greater for Latino and non-Hispanic black youth. In the face of this vision gap it is imperative to connect schools and students in need with qualified non-profits who can conduct proper eye exams and provide eye glasses."

- 2) ***Los Angeles County pilot program.*** In an effort to determine whether children's access to, and utilization of, vision care services can be increased by providing vision care services at schools, existing law required the California Department of Health Care Services to establish a pilot program in the County of Los Angeles that enables school districts to allow students enrolled in Medi-Cal managed care plans to receive vision care services at the schoolsite through the use of a mobile vision service provider. The vision care services available under this pilot program were limited to vision examinations and providing eyeglasses and are supplemental to the vision testing required by schools in the Education Code. The pilot program operated for two years from January 1, 2015, to January 1, 2017. The Budget Act of 2018 appropriates \$1,000,000 to reimburse a qualifying mobile vision service provider for furnishing mobile vision care services previously covered under the pilot program and not otherwise reimbursable under the Medi-Cal program for dates of service on or after July 1, 2018, through December 31, 2018.
- 3) ***2011 study.*** A 7-year study, "Uncorrected refractive error among first-grade students of different racial/ethnic groups in southern California: results a year after school-mandated vision screening," of 11,332 first-grade students published in the *Journal of Public Health Management and Practice*, concluded that "95% of children with decreased visual acuity (858 of 906 children) lacked eyeglasses that would have helped them attain normal vision. The lack of eyeglasses was more common in boys and African American/Latino children compared with that in girls and non-Hispanic white children, respectively."

- 4) **Author's amendments.** This bill authorizes nonprofit mobile vision care service providers to provide the state-mandated vision testing for students enrolled in public school. This was not the author's intent. Accordingly, the author would like to amend the bill to only authorize nonprofit mobile vision care service providers to provide supplement vision care on school campuses. Staff recommends that the bill be amended to reflect the author's intent, as shown below:

- Delete Section 1 from the bill.
- Amended Section 49452.5, as follows:

“(a) A public school maintaining kindergarten or any of grades 1 to 12, inclusive, may enter into a memorandum of understanding with a nonprofit mobile vision care services provider to provide vision care services to pupils at the schoolsite of the public school. Supplemental vision screenings provided under this section shall not replace the vision screening pursuant to section 49455 and are exclusively for the purpose of identifying pupils in need of an eye examination. Vision care services shall be noninvasive, and shall consist only of providing vision examinations and eyeglasses.

(b) Before vision care services are provided at the schoolsite of a public school pursuant to subdivision (a), the public school shall have a memorandum of understanding in place with a nonprofit mobile vision care services provider and the public school shall notify parents and guardians, in accordance with Section 48985, of the upcoming provision of vision care services at the schoolsite. Notification shall include a form on which a parent or guardian may indicate that he or she does not consent to vision care services being provided, pursuant to subdivision (a), to his or her child. The parent or guardian may opt out of his or her child receiving vision care services, pursuant to subdivision (a), by submitting the completed form to the public school before vision care services are provided at the schoolsite. A parent or guardian who has already submitted a written statement in accordance with Section 49451 is deemed to have opted out of his or her child receiving vision care services pursuant to subdivision (a).”

- 5) **Previous legislation.** SB 870 (Senate Budget and Fiscal Review Committee, Chapter 40, Statutes of 2014) Among other things, implements a pilot program in Los Angeles County no sooner than January 1, 2015, and concluding December 31, 2017, to expand pediatric vision examinations and services through the use of mobile vision providers.

SB 1172 (Steinberg, Chapter 925, Statutes of 2014) deletes the existing vision screening requirements and instead, requires, during the kindergarten year or upon first enrollment or entry in a California school district of a pupil at an elementary school, and in grades 2, 5, and 8, the pupil's vision to be appraised by the school nurse or other authorized person.

AB 1840 (Campos, Chapter 803, Statutes of 2014) clarifies that a child's vision is permitted to be appraised by using an eye chart or any scientifically validated photoscreening test. This bill requires photoscreening tests to be performed, under an agreement with, or the supervision of, an optometrist or

ophthalmologist, by the school nurse or a trained individual who meets requirements established by the Department of Education.

SB 430 (Wright, 2013) would have required a pupil to receive a vision examination from a physician, optometrist, or ophthalmologist and requires that screening to include a test for binocular function, refraction, and eye health. SB 430 was never heard in the Assembly Health Committee.

SUPPORT

California School Employees Association
Vision to Learn

OPPOSITION

None received

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