

House Bill 34

By: Representatives Mitchell of the 88<sup>th</sup>, Brown of the 69<sup>th</sup>, Rynders of the 152<sup>nd</sup>, Graves of the 137<sup>th</sup>, Bruce of the 64<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to student health, so as to enact the "Georgia's Children's Vision  
3 Improvement and Learning Readiness Act of 2005"; to provide for legislative findings; to  
4 provide for the State Board of Education to apply for federal funds to develop a state  
5 program to provide comprehensive eye examinations for children entering first grade; to  
6 require comprehensive eye examinations for all children entering first grade; to provide for  
7 a definition of comprehensive eye examination; to provide for the development of program  
8 eligibility criteria, a list of providers, a system of provider reimbursement, and a method for  
9 evaluation and reporting; to develop and disseminate educational materials about the need  
10 for and benefits of comprehensive eye examinations for children; to provide for related  
11 matters; to provide for an effective date contingent upon specific appropriations; to repeal  
12 conflicting laws; and for other purposes.

13 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

14 **SECTION 1.**

15 This Act shall be known and may be cited as the "Georgia's Children's Vision Improvement  
16 and Learning Readiness Act of 2005."

17 **SECTION 2.**

18 Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
19 relating to student health, is amended by striking Code Section 20-2-770, relating to rules and  
20 regulations for nutritional screening and eye, ear, and dental examinations of students, and  
21 inserting in its place the following:

22 "20-2-770.

23 The Department of Human Resources is authorized and directed, in cooperation with the  
24 State Board of Education, to promulgate rules and regulations to provide for a nutritional  
25 screening and ~~eye~~, ear, and dental examinations for each student entering the first grade in

1 the public schools of this state and at such other times as such rules and regulations shall  
 2 provide. Such rules and regulations shall provide procedures for local boards of health to  
 3 provide for such examinations and screenings and for the issuance of a certificate to the  
 4 parent or parents of children entering the first grade indicating that such examinations and  
 5 screenings have been made, and such certificates shall be turned in to the school officials  
 6 at the time of enrollment. Such rules and regulations shall further provide that the  
 7 examinations and screenings required in this Code section may be made by private  
 8 practitioners and authorize the certification provided for in this Code section by such  
 9 private practitioners."

### 10 SECTION 3.

11 Said part is further amended by adding a new Code Section 20-2-770.1 to read as follows:  
 12 "20-2-770.1.

13 (a) The General Assembly finds, determines, and declares:

14 (1) Eighty percent of what children learn is acquired through the visual processing of  
 15 information;

16 (2) Visual impairment is one of the ten most common causes of disability in America.  
 17 In children, visual impairment is associated with developmental delays and the need for  
 18 special education, vocational, and social services. At least 20 percent of children with  
 19 learning disabilities have been found to have prominent visual information processing  
 20 problems;

21 (3) It is estimated that more than ten million children from birth to age ten suffer from  
 22 vision problems, with one in 20 preschoolers and one in four school age children  
 23 affected; and

24 (4) It is estimated that only 14 percent of children under the age of six receive a  
 25 comprehensive eye examination and only one-third of all children have had an eye  
 26 examination or vision screening prior to entering school.

27 (b) In the event that federal grants shall become available to fund the development of a  
 28 state program to provide comprehensive eye examinations for children entering first grade,  
 29 the State Board of Education shall apply for such grants and shall be authorized and  
 30 directed to promulgate rules and regulations requiring comprehensive eye examinations for  
 31 all children entering the first grade in the public schools of this state. Such rules and  
 32 regulations shall provide for the issuance of a certificate to the parent or guardian of a child  
 33 entering first grade indicating that a comprehensive eye examination has been conducted.  
 34 Such certificate shall be turned in to the school officials at the time of enrollment.

35 (c) For purposes of this Code section, the term 'comprehensive eye examination' includes  
 36 an assessment of a patient's history, a general medical observation, an external and

1 ophthalmoscopic examination, and an assessment of gross visual field, visual acuity, ocular  
2 alignment and motility, refraction, and binocular vision and accommodation conducted by  
3 an optometrist or an ophthalmologist.

4 (d) To the extent federal funds become available, the State Board of Education, in  
5 conjunction with the Department of Community Health, shall develop criteria for  
6 determining eligibility for participation in the comprehensive eye examination program,  
7 a list of providers, a system for provider reimbursement, and a method for evaluation and  
8 reporting of the operations and activities carried out under the program.

9 (e) The State Board of Education shall develop and disseminate to parents, teachers, and  
10 the public educational materials regarding the need for and benefits of comprehensive eye  
11 examinations for children. The Department of Human Resources shall assist the State  
12 Board of Education in the development of such materials."

13 **SECTION 4.**

14 This Act shall become effective only if funds are specifically appropriated for the purposes  
15 of this Act in an appropriations Act making specific reference to this Act and shall become  
16 effective when funds so appropriated become available for expenditure.

17 **SECTION 5.**

18 All laws and parts of laws in conflict with this Act are repealed.