

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 2699

Short Title: Vision Care Program Changes. (Public)

Sponsors: Representatives Coleman, Wright, Yongue, Haire (Primary Sponsors); Adams, B. Allen, L. Allen, Bell, Church, Cole, Cunningham, Earle, Faison, Gibson, Goodwin, Jones, Ed Jones, Lucas, Luebke, McAllister, Pierce, Saunders, Sutton, Tolson, Wainwright, Warren, Womble, and Wray.

Referred to: Health, if favorable, Appropriations.

May 25, 2006

A BILL TO BE ENTITLED

1 AN ACT TO ENACT CHANGES IN THE IMPLEMENTATION OF THE
2 GOVERNOR'S VISION CARE PROGRAM; AND TO APPROPRIATE FUNDS
3 TO IMPLEMENT THE PROGRAM.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 130A-440.1 reads as rewritten:

7 "**§ 130A-440.1. (Effective beginning with the 2006-2007 school year)**
8 **Comprehensive eye examination required.**

9 (a) Every child in this State entering kindergarten in the public schools shall
10 obtain a comprehensive eye examination pursuant to the terms of this section not more
11 than ~~six months~~ one year prior to the date of school entry.

12 (b) The comprehensive eye examination required under this section shall be
13 conducted by an optometrist or ophthalmologist licensed to practice in this ~~State~~ State
14 or another state. No child shall attend kindergarten unless a comprehensive eye
15 examination transmittal ~~form~~ form or out-of-state certification form, developed pursuant
16 to G.S. 130A-441, indicating that the child has received the comprehensive eye
17 examination required by this section, is presented to the school ~~principal, except in~~
18 ~~eases where the child has moved to North Carolina within the 60 days immediately~~
19 ~~preceding school entry, in which case the child shall have 60 days~~ principal. In lieu of a
20 comprehensive eye examination transmittal form, a child may present written
21 certification from an out-of-state licensed optometrist or ophthalmologist verifying that
22 a comprehensive eye examination substantially similar to that required by this section
23 was performed by the certifying provider within one year immediately preceding the
24 child's school entry in this State. If the comprehensive eye examination transmittal form
25 or out-of-state certification is not presented on or before the first day, the principal shall

1 present a notice of deficiency to the parent, guardian, or responsible person. The parent,
2 guardian, or responsible person shall have 180 calendar days from the date of school
3 entry to submit the eye examination transmittal form or out-of-state certification
4 required under this section. In the event a child is unable to obtain services after the
5 ~~60-day~~ 180-day period has elapsed, the principal shall report this information to the
6 Governor's Commission on Early Childhood Vision Care so that the Commission may
7 identify alternative ways to provide services to these children.

8 The comprehensive eye examination shall consist of a complete and thorough
9 examination of the eye and human visual system that includes an evaluation,
10 determination, and diagnosis of:

- 11 (1) Visual acuity at distance and near;
- 12 (2) Alignment and ocular motility;
- 13 (3) Binocular fusion abnormalities, including tracking;
- 14 (4) Actual refractive errors, including verification by subject means;
- 15 (5) Any color vision disorder;
- 16 (6) Intraocular pressure as may be medically appropriate; and
- 17 (7) Ocular health, including internal and external assessment.

18 Health assessment vision screening under G.S. 130A-440 does not meet the
19 requirements of this section.

20 (c) The comprehensive eye examination transmittal form and the out-of-state
21 certification shall contain a summary of the comprehensive eye examination performed
22 by the optometrist or ophthalmologist. Any treatment recommendations by the
23 optometrist or ophthalmologist, such as spectacles for schoolwork, shall appear in the
24 summary and school health card.

25 (d) This section shall not apply to children entering kindergarten in private
26 church schools, schools of religious charter, or qualified nonpublic schools regulated by
27 Article 39 of Chapter 115C of the General Statutes.

28 (e) G.S. 130A-441, 130A-442, and 130A-443, pertaining to health assessments,
29 apply to comprehensive eye examinations required under this section.

30 (f) State and local public health and public school officials, members of the
31 Governor's Commission on Early Childhood Vision Care, and area optometrists and
32 ophthalmologists shall work together to inform parents about the Governor's Vision
33 Care Program and to ensure to the extent possible that all children entering public
34 school kindergarten have access to comprehensive eye examinations."

35 **SECTION 2.** There is appropriated from the General Fund to the
36 Department of Health and Human Services, Division of Public Health, the sum of six
37 million five hundred thousand dollars (\$6,500,000) for the 2006-2007 fiscal year.
38 These funds, combined with funds appropriated for the vision care program for the
39 2005-2006 fiscal year, shall be used to provide vision care services, including
40 administrative costs, in accordance with this act.

41 **SECTION 3.** Section 2 of this act becomes effective July 1, 2006. The
42 remainder of this act is effective when it becomes law.