581-021-0031

Vision Screening

(1) Definitions:

(a) “Education provider” means:

(A) Oregon prekindergarten as defined in OAR 581-019-0005 to 0035; and

(B) School district board as defined in ORS 332.002.

(b) “Eye examination” means an eye exam that:

(A) Is conducted by a person licensed by the Oregon Board of Optometry under ORS 683.010 to 683.340 a person licensed by the Oregon Medical Board under ORS 677 and trained in eye surgery and eye disease; and

(B) Involves any diagnosis of the eye and any measurement or assistance of the powers or range of vision of the eye.

(c) “Health care practitioner,” for the purposes of this rule, means a Physician (MD), Physician’s Assistant (PA), Doctor of Osteopathic Medicine (DO) licensed by the Oregon Medical Board, a Nurse Practitioner licensed by the Oregon State Board of Nursing, or a Naturopathic Physician licensed by the Board of Naturopathic Medicine.

(d) “Vision screening” means an eye screening test to identify potential vision health that is conducted by:

(A) A person licensed by the Oregon Board of Optometry under ORS 683.010 to 683.340;

(B) A person licensed by the Oregon Medical Board under ORS 677 and trained in eye surgery and eye disease;

(C) A health care practitioner as defined in section (1)(c) of this rule;

(D) A school nurse, a licensed Registered Nurse or Nurse Practitioner working for a school district to provide school health services, or an employee of an education provider who has successfully completed training on vision screening that is provided by a school nurse or, a licensed Registered Nurse or Nurse Practitioner working for a school district to provide school health services ; or

(E) An organization that has been approved to provide vision screenings by the Department as provided in subsection (6) of this rule.

(e) “Vision Health Record,” for the purposes of this rule, has the same meaning as “Education Records” in OAR 581-021-0220(6).

(2) Each education provider must:

(a) Require a student who is age seven or younger and entering an educational program for the first time to submit certification within 120 days of the student beginning school, that the student received:

(A) A vision screening or an eye examination; and

(B) Any further eye examinations or necessary treatments or assistance of the powers or range of vision of the eye.

(b) If a child enters an educational program without certification of vision screening, provide the parent with informational resources about:

(A) Student vision screenings and eye examinations; and

(B) Any further examinations or necessary eye or vision treatments.

(c) File in the student’s vision health record any certifications or results of vision screening or eye examination;

(d) Ensure that the requirements of this rule are met.

(3) A student is not required to submit certification required in subsection (2) of this rule if the student provides a statement from the parent of the child that:

(a) The student submitted certification to a prior education provider; or

(b) The student’s or parent’s religious beliefs are contrary to vision screening or eye examination.

(4) Failure by a student or parent to meet the requirements of this rule may not result in prohibiting the student from attending school, but may result in withholding report cards or similar actions.

(5) Certification of a vision screening or eye exam is documented using any written communication method selected by the screening entity to report results of the screening and/or eye exam to parents. The communication must include the:

(a) Child’s name;

(b) Vision screening and/or eye examination date;

(c) Results of the screening and/or eye exam; and

(d) Name of the entity conducting the screening and/or eye exam.

(6) The Oregon Department of Education shall annually develop a list of organizations that are approved to perform vision screenings.

(a) The Department will post a Request for Information no later than March 31 of each year. The Request for Information will remain posted through June 30 of that calendar year. The Department will review and approve applications on a rolling basis, beginning as early as January 1 of each year and concluding July 31 of that calendar year.

(b) The Department will convene an advisory group to review applications and make recommendations to the Department. The advisory group will include:

(A) Representatives from the field of optometry and ophthalmology who have expertise in vision screening and experience in pediatric vision care;

(B) Representatives from the field of school health;

(C) Representatives from organizations that provide pediatric vision screening including at least one representative from a culturally specific organization.

(c) To be included on the list of approved organizations,

(A) The organization must instruct all volunteers on how to perform vision screening using an established program which is evidence-based and uses medically accepted standards for screening by non-medically licensed persons, including volunteers;

(B) The organization must demonstrate compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA); and

(C) The organization must use a vision screening method or tool that is designed to detect Hyperopia, Astigmatism, Anisometropia, Myopia, Strabismus, and Amblyopia.

(d) Once an organization has been approved by the Department, the organization may remain on the list for a period of three years.

(7) For each biennium that the Legislature appropriates money to the Department for the purpose of reimbursing education providers or an organization that has been approved to provide vision screenings by the Department as provided in subsection (6) of this rule for vision screening, the Department will administer reimbursements to education providers or an organization that has been approved to provide vision screenings by the Department as provided in subsection (6) of this rule. The Department shall administer the reimbursements as follows:

(a) Each biennium the Department will determine the amount of money available for reimbursement in a given year by dividing the total funds available for that biennium in half.

(b) Reimbursements will be made for vision screenings as defined in this rule.

(c) In the event that claims for reimbursement exceed the amount for available for a given year, the Department will prioritize claims for reimbursement as follows:

(A) Claims for reimbursement for pre-kindergarten programs and grades kindergarten through grade 3 shall be paid in full first. If the approved claims submitted for prekindergarten and grades K-3 exceed the amount available in a given year, the reimbursement shall be divided equally among the approved claims.

(B) Claims for reimbursement for students in grades 4-12 shall be paid from any remaining funds. Priority will be given to claims submitted by schools that serve the highest percentage of students experiencing poverty.