

**SENATE . . . . . No. 850**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act to Establish a Vision Care Registry.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 111 of the General Laws, as most recently appearing in the 2006  
2 Official Edition, is hereby amended by inserting after section 111C, the following new section:-

3 Section 111D. Vision care registry; reports

4 Section 111D. The department shall, subject to appropriation, establish a registry to  
5 record reports of failure to receive or pass the vision test required by section 57 of chapter 71 of  
6 the General Laws, and such information concerning these cases as it shall deem necessary and  
7 appropriate in order to monitor the results of eye examinations and to apply appropriate  
8 preventive and control measures, including monitoring treatment for vision impairment  
9 identified by such tests.

10 The commissioner shall require the reporting of any child who fails to receive or pass the  
11 vision test required in said section 57, and the submission of such specified additional  
12 information on reported cases or control populations as he deems necessary and appropriate for

13 the recognition, prevention, or control of eye diseases or conditions, as well as the treatment  
14 received in each case.

15 The department shall, subject to appropriation, maintain comprehensive records of all  
16 reports submitted pursuant to this section. Such reports shall be confidential in accordance with  
17 section seventy of chapter 111, and shall be released by the department only upon written request  
18 of the patient, his guardian, executor, attorney, or other person designated in writing by said  
19 patient. Such reports and records or information contained therein, may also be released by the  
20 department to persons authorized by the commissioner to conduct research studies or to other  
21 persons, but no such studies shall identify the subjects of said reports or records.

22 Nothing in this section shall be construed to compel any individual to submit to medical  
23 or department examination or supervision.

24 The department shall make such rules and regulations as are necessary to implement the  
25 provisions of this section pursuant to chapter thirty A.

26 SECTION 2. The department shall establish a special commission on childhood vision  
27 screening and treatment to work in conjunction with the vision care registry to study the success  
28 of the vision test required by section 57 of chapter 71 in ensuring that all children receive eye  
29 examinations and appropriate preventive and control measures, including monitoring treatment  
30 for vision impairment identified by such tests. The commission shall consist of the  
31 commissioner of the department of public health or his designee, the commissioner of the  
32 department of elementary and secondary education or his designee, a member of the  
33 Massachusetts Vision Coalition, a member of the Massachusetts School Nurses Organization, a  
34 member of the Massachusetts Society of Optometrists, and a member of the Massachusetts

35 Society of Eye Physicians and Surgeons, a member of the Massachusetts Association of  
36 Nonprofit Schools and Colleges. The commissioner of the department of public health or his  
37 designee shall chair the commission.

38           b) The Commission on Childhood Vision Screening and Treatment shall review the  
39 commonwealth's success at screening and treating all of its school age children for vision  
40 impairments and eye disease, identify populations that do not receive screening, and explore the  
41 impacts of vision screening and treatment on the commonwealth educational outcomes. The  
42 commission shall:

43           1)     Review the success of public schools in meeting the vision screenings  
44 requirements in section 57 of chapter 71

45           2)     The rate at which children diagnosed with vision impairments under section 57 of  
46 chapter 71 receive treatment for such impairments

47           3)     The rate at which those schools that do not fall under the vision screening  
48 requirements in section 57 of chapter 71 receive testing and treatment

49           4)     Identify childhood populations that do not receive vision screenings, either under  
50 chapter 71 or through some other health care provider

51           5)     Explore the impact of failing to receive vision screening and treatment with  
52 education outcomes

53           c) The Commission on Childhood Vision Screening and Treatment shall submit a report  
54 to the secretary of health and human services, the commissioner of the department of public  
55 health, the commissioner of the department of education, the joint committee on health care

56 financing, and the joint committee on public health no later than six months after its  
57 establishment that includes findings under subsection (b), recommendations and suggested  
58 legislation. The report must include recommendations for:

59 1) Ways to enhance the school-aged vision screening program in the commonwealth  
60 to ensure that all children receive vision screening

61 2) Ways of coordinating school – based vision screening with the public and private  
62 health sectors so that children diagnosed with a vision impairment or potential vision impairment  
63 can receive treatment for these impairments

64 This Commission shall dissolve after submission of its report.

65 SECTION 3. Report to the Department of Public Health Vision Care Registry

66 Section 57 of chapter 71 of the General Laws, as most recently appearing in the 2006  
67 Official Edition, is hereby amended by inserting after the first paragraph the following:-

68 The committee, or the board of health in those municipalities where school health  
69 services are the responsibility of the board of health, shall submit an annual report to the Vision  
70 Registry in the Department of Public Health outlining the results of its vision screening  
71 performed under this chapter. The report shall include:

72 (a) the number of students needing vision screening

73 (b) the number of these eligible students who received screening

74 (c) the number of eligible students who did not receive screening

75 (d) the number of screened students found to have potential vision impairments

76           Section 57 of chapter 71 of the General Laws, as most recently appearing in the 2004  
77 Official Edition, is hereby amended by inserting in the first sentence of the second paragraph,  
78 after the word “written,” the words “or electronic,” and by inserting at the end of the sentence,  
79 the phrase, “and to the Vision Care Registry established pursuant to this act.”