SENATE DOCKET, NO. 1763 FILED ON: 1/21/2011

SENATE . . . . . No. 1149

The Commonwealth of Massachusetts

PRESENTED BY:

Richard T. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish a vision care registry.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard T. Moore	

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SENATE . . . . . No. 1149

By Mr. Moore, petition (accompanied by bill, Senate, No. 1149) of Moore for legislation to establish a vision care registry [Joint Committee on Public Health].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *850* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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:

SECTION 1. Chapter 111 of the General Laws, as most recently appearing in the 2008 Official Edition, is hereby amended by inserting after section 111C, the following new section:-

Section 111D. Vision care registry; reports

Section 111D. The department shall, subject to appropriation, establish a registry to record reports of failure to receive or pass the vision test required by section 57 of chapter 71 of the General Laws, and such information concerning these cases as it shall deem necessary and appropriate in order to monitor the results of eye examinations and to apply appropriate preventive and control measures, including monitoring treatment for vision impairment 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
46 section 57 of 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
50 under chapter 71 or through some other health care provider

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

53 c) The Commission on Childhood Vision Screening and Treatment shall submit a
54 report to the secretary of health and human services, the commissioner of the department of
55 public health, the commissioner of the department of education, the joint committee on health
56 care 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
60 commonwealth to ensure that all children receive vision screening

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

64 This Commission shall dissolve after submission of its report.

65 SECTION 3. Section 57 of chapter 71 of the General Laws, as appearing in the 2008
66 Official Edition, is hereby amended by inserting after the first paragraph the following:-

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

71 (a) the number of students needing vision screening

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

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

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

75 SECTION 4. Section 57 of chapter 71 of the General Laws, as appearing in the 2008
76 Official Edition, is hereby amended by inserting in the first sentence of the second paragraph,
77 after the word "written," the words "or electronic," and by inserting at the end of the sentence,
78 the phrase, "and to the Vision Care Registry established pursuant to this act."