

HOUSE No. 5089

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 12, 2026.

The committee on Children, Families and Persons with Disabilities, to whom were referred the petition (accompanied by bill, House, No. 202) of Christine P. Barber, Sean Garballey and others for legislation to establish a children's vision and eye health advisory council; and the petition (accompanied by bill, House, No. 280) of Bridget Plouffe for legislation to provide insurance coverage for vision screening for children, reports recommending that the accompanying bill (House, No. 5089) ought to pass.

For the committee,

JAY D. LIVINGSTONE.

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In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to close the achievement gap by addressing disparities in children's vision.

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 is hereby amended by adding after section
2 248 the following 2 sections:-
3 Section 249. There shall be a children's vision and eye health advisory council within
4 the department.
5 The council shall be appointed by the commissioner, who shall serve as chair, and shall serve
6 with 14 additional members, including the commissioner of the Department of Elementary and
7 Secondary Education, or a designee; the Commissioner of Early Education and Care, or a
8 designee; the Assistant Secretary for MassHealth, or a designee; 1 member of the Massachusetts
9 School Nurse Organization; 1 member of the Massachusetts Society of Optometrists; 1 member
10 of the Massachusetts Society of Eye Physicians and Surgeons; 1 member of the Massachusetts
11 Chapter of the American Academy of Pediatrics; 1 member of the Massachusetts Academy of
12 Family Physicians; 1 representative from the Massachusetts League of Community Health
13 Centers; 1 member of the Massachusetts Federation for Children with Special Needs; 1 member
14 of the Children's Vision Massachusetts Coalition; 3 parents to be appointed by the

15 commissioner, one of whom shall be a recipient of MassHealth and one of whom shall reside in a
16 gateway city. The commissioner may appoint additional members that the commissioner deems
17 appropriate.

18 Council members shall receive no compensation for their services but shall be allowed actual and
19 necessary expenses in the performance of their council duties.

20 The council shall consult with and advise the department on matters related to the establishment,
21 maintenance, operation and evaluation of children's vision and eye health in the Commonwealth,
22 including but not limited to the universal children's vision surveillance registry, public health
23 campaigns designed to encourage improved children's eye health, and expansion of screening
24 systems to other age groups. The council shall establish recommendations for improved
25 children's vision and eye health to facilitate short and long-term vision and eye health goals.

26 The advisory council shall report findings and recommendations annually to the Joint Committee
27 on Public Health and Joint Committee on Ways and Means.

28 SECTION 2. Chapter 111 of the General Laws is further amended by adding after section 238
29 the following section:-

30 Section 249AA. The department shall establish, maintain, and operate a computerized registry of
31 children's vision screening and eye care. The registry shall record the results of vision and eye
32 health screenings and follow-up eye care and shall include appropriate controls to protect the
33 security of the system and the privacy of the information.

34 The department shall promulgate rules and regulations to implement children's vision registry.

35 All licensed healthcare providers practicing who administer vision and eye health screenings and
36 eye exams shall report to the registry such data related to screenings as the department
37 determines is necessary to ensure adequate and equitable eye care.

38 Information in the registry shall only be released from the registry to the following individuals
39 and agencies without further express consent of the individual or the individual's parent or
40 guardian if the individual is a minor, unless the individual or the parent or guardian objects to
41 such disclosure: (1) licensed health care providers providing direct care to the individual patient;
42 (2) preschool, elementary and secondary school nurses; (3) staff of state agencies or state
43 programs whose duties include education and outreach related to the improvement of children's
44 eye care amongst their clients.

45 The department may designate appropriate users who shall have access only to the individually
46 identifiable information for which access is authorized. Authorized users, including employees
47 of the department, who in good faith disclose or refuse to disclose information to the
48 immunization registry, shall not be liable in any cause of action arising from the disclosure or
49 nondisclosure of such information. The department may revoke access privileges for just cause.
50 Persons authorized by the commissioner may conduct research studies to further enhance
51 understanding of children's vision needs in the Commonwealth; provided, however, that the
52 researcher shall submit a written request for information and shall execute a research agreement
53 that protects the confidentiality of the information provided.

54 Information contained in the children's vision registry shall be confidential, shall not constitute a
55 public record, and shall not otherwise be disclosed, except in accordance with this section. Such
56 confidential information shall not be subject to subpoena or court order and shall not be
57 admissible as evidence in any action of any kind before a court, tribunal, agency, board or
58 person.

59 The department shall establish procedures that allow for an individual, or if the individual is a
60 minor, then the individual's parent or guardian to amend incorrect information in the children's

61 vision registry and shall provide, upon request, a record of all individuals and agencies that have
62 accessed an individual's information.

63 SECTION 3. Section 57 of chapter 71, as appearing in the 2020 Official Edition, is hereby
64 amended by striking out, in line 4, the words "the individual request of a parent or guardian of a
65 pupil in",

66 SECTION 4. Said section 57 of said chapter 71, as so appearing, is hereby further amended by
67 inserting, in line 27, after the word "entering", the following words:-
68 "preschool or"

69 SECTION 5. Said section 57 of said chapter 71, as so appearing, is hereby further amended by
70 striking out the second paragraph.

71 SECTION 6. Said section 57 of said chapter 71, as so appearing, is hereby further amended by
72 inserting, in line 52, after the word "personnel", the following words:- and the children's vision
73 registry established in section 238A of chapter 111.