

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Christine P. Barber and Sean Garballey

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/14/2025</i>

HOUSE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2132 OF 2023-2024.]

The Commonwealth of Massachusetts

**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. Section 57 of chapter 71, as appearing in the 2022 Official Edition, is
2 hereby amended by striking out, in line 4, the words “the individual request of a parent or
3 guardian of a pupil in”.

4 SECTION 2. Said section 57 of said chapter 71, as so appearing, is hereby further
5 amended by inserting after the word “entering”, in line 27, the following words:- “preschool or”.

6 SECTION 3. Said section 57 of said chapter 71, as so appearing, is hereby further
7 amended by striking out the second paragraph.

8 SECTION 4. Said section 57 of said chapter 71, as so appearing, is hereby further
9 amended by inserting, in line 52, after the word “personnel”, the following words:- “and the
10 children’s vision registry established in section 38A of chapter 69.”

11 SECTION 5. Chapter 69 of the General Law, as so appearing, is hereby amended by
12 adding after section 37 the following section:-

13 Section 38. There shall be a children’s vision and eye health advisory council within the
14 department.

15 The council shall be appointed by the commissioner, who shall serve as chair, and shall
16 consist of 13 additional members, including the commissioner of the Department of Public
17 Health, or a designee; the Commissioner of Early Education and Care, or a designee; the
18 Assistant Secretary for MassHealth, or a designee; 1 member of the Massachusetts School Nurse
19 Organization; 1 member of the Massachusetts Society of Optometrists; 1 member of the
20 Massachusetts Society of Eye Physicians and Surgeons; 1 member of the Massachusetts Chapter
21 of the American Academy of Pediatrics; 1 member of the Massachusetts Academy of Family
22 Physicians; 1 representative from the Massachusetts League of Community Health Centers; 1
23 member of the Massachusetts Federation for Children with Special Needs; 1 member of the
24 Children’s Vision Massachusetts Coalition; 3 parents to be appointed by the commissioner, one
25 of whom shall be a recipient of MassHealth, and one of whom shall reside in a gateway city. The
26 commissioner may appoint additional members that the commissioner deems appropriate.

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

29 The council shall consult with and advise the department on matters related to the
30 establishment, maintenance, operation and evaluation of children’s vision and eye health in the
31 Commonwealth, including but not limited to the universal children’s vision surveillance registry,
32 public health campaigns designed to encourage improved children’s eye health, and expansion of

33 screening systems to other age groups. The council shall establish recommendations for
34 improved children's vision and eye health to facilitate short and long-term vision and eye health
35 goals.

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

38 SECTION 6. Chapter 69 of the General Laws, as so appearing, is further amended by
39 adding after section 38 the following section:-

40 Section 38A. The department shall establish, maintain, and operate a computerized
41 registry of children's vision screening and eye care. The registry shall record the results of vision
42 and eye health screenings and follow-up eye care and shall include appropriate controls to
43 protect the security of the system and the privacy of the information.

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

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

49 Information in the registry shall only be released from the registry to the following
50 individuals and agencies without further express consent of the individual or the individual's
51 parent or guardian if the individual is a minor, unless the individual or the parent or guardian
52 objects to such disclosure: (1) licensed health care providers providing direct care to the
53 individual patient; (2) preschool, elementary and secondary school nurses; (3) staff of state

54 agencies or state programs whose duties include education and outreach related to the
55 improvement of children's eye care amongst their clients.

56 The department may designate appropriate users who shall have access only to the
57 individually identifiable information for which access is authorized. Authorized users, including
58 employees of the department, who in good faith disclose or refuse to disclose information to the
59 immunization registry, shall not be liable in any cause of action arising from the disclosure or
60 nondisclosure of such information. The department may revoke access privileges for just cause.

61 Persons authorized by the commissioner may conduct research studies to further enhance
62 understanding of children's vision needs in the Commonwealth; provided, however, that the
63 researcher shall submit a written request for information and shall execute a research agreement
64 that protects the confidentiality of the information provided.

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

70 The department shall establish procedures that allow for an individual, or if the individual
71 is a minor, then the individual's parent or guardian to amend incorrect information in the
72 children's vision registry and shall provide, upon request, a record of all individuals and agencies
73 that have accessed an individual's information.