

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING A CHECK-OFF OPTION FOR DRIVERS TO CONTRIBUTE TO THE "SAVE OUR CHILDREN'S SIGHT FUND"; CREATING A FUND; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SAVE OUR CHILDREN'S SIGHT FUND CREATED.--The "save our children's sight fund" is created in the state treasury. Money in the fund shall consist of appropriations, contributions, grants and statutory revenues directed to the fund. Money in the fund is appropriated to the department of health, which shall administer the fund for the purpose of development and implementation of a vision screening program making vision screenings and follow-up comprehensive examinations available to New Mexico children regardless of family income. Expenditures from the fund shall be by warrants of the secretary of finance and administration drawn pursuant to vouchers signed by the secretary of health or the secretary's authorized representative. Money in the fund shall not revert at the end of a fiscal year.

Section 2. A new section of the Public School Code is enacted to read:

"VISION SCREENING.--A school nurse or the nurse's designee, a primary care health provider or a lay eye screener shall administer a vision screening test for students enrolled

in the school in pre-kindergarten, kindergarten, first grade and third grade and for transfer and new students, unless a parent affirmatively prohibits the visual screening."

Section 3. A new section of Chapter 24 NMSA 1978 is enacted to read:

"NOTICE OF THE NEED FOR FURTHER VISION EVALUATION AND AVAILABILITY OF FUNDS.--The department of health shall promulgate rules for award of money from the save our children's sight fund. When the vision screen of a student indicates the need for further evaluation, the student's school shall notify the student's parent of that need and provide information on the availability of funds from the save our children's sight fund. The notice shall state that the parent, if the student is not already covered by health insurance for a comprehensive eye examination, may apply to the fund for the following expenses as a result of the screening:

A. a comprehensive eye examination by an optometrist or ophthalmologist whose services are used to follow up the school vision screen;

B. the cost of contact lenses or polycarbonate lenses and frames for eyeglasses; and

C. replacement insurance for lost or broken lenses."

Section 4. A new section of Chapter 66, Article 6 NMSA HB 1283
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1978 is enacted to read:

"SAVE OUR CHILDREN'S SIGHT FUND OPTION.--The vehicle registration form in use as of January 1, 2008 shall include a check-off option for a driver who wishes to contribute to the save our children's sight fund for a one-dollar (\$1.00) or a five-dollar (\$5.00) fee in addition to the registration fees required by the division. All fees collected from the check-off option shall be paid to the state treasurer to the credit of the save our children's sight fund within two months of receipt."

Section 5. TEMPORARY PROVISION.--The secretary of health shall appoint an advisory committee to establish the standard for an appropriate vision screening. The committee shall consist of a practicing school nurse, a school administrator, a representative of a statewide organization for the prevention of blindness, a licensed New Mexico optometrist, a licensed New Mexico ophthalmologist and a licensed New Mexico pediatrician. The department of health shall promulgate rules to establish vision screening test standards pursuant to this section.

Section 6. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2008. _____