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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
55th Legislature, 1st Session, 2021

Bill Number SB353 **Sponsor** Sanchez
Tracking Number .219102.3 **Committee Referrals** SEC/SFC
Short Title Eye Tests For School Kids
Analyst Hoxie **Original Date** 2/15/2021
Last Updated _____

BILL SUMMARY

Synopsis of Bill

Senate Bill 353 (SB353) amends both the Public School Code and Early Childhood Care and Education Act to require all students birth through age 10 who enter public school to have a vision examination by a licensed optometry practitioner by January 1 of the school year in which they first enroll. SB353 provides for a parent or guardian to opt out in writing. SB353 requires the Board of Optometry to create training requirements for school vision screeners and establish the criteria for vision examinations required by schools under the bill. SB353 goes into effect July 1, 2021.

FISCAL IMPACT

SB353 does not contain an appropriation.

SB353 requires the Public Education Department (PED) and the Early Childhood Education and Care Department (ECECD) to partner with the Department of Health (DOH) to compile a list of federal, state, local government or private programs that can provide vision examinations to students at a low cost or for free. According to conversations with PED, the department does not anticipate incurring any costs from this provision of SB353.

SUBSTANTIVE ISSUES

Vision Exam Requirements in Public Schools and Preschool Programs. While existing law requires annual vision screenings for public school students, SB353 amends Section 22-13-30 NMSA 1978 to require comprehensive vision examinations for all students under the age of 10 entering a New Mexico public school, preschool, or Head Start program for the first time. Students are only exempt from this provision if a written request is received from a student's parent or guardian. SB353 requires the comprehensive vision exams to be administered by a licensed optometry practitioner. Information obtained in a comprehensive vision examination is required to include:

- A student's complete case history;

- A student's aided and unaided near and distance vision; and
- The lens prescription needed to correct vision challenges found through the examination.

SB353 requires schools to submit a copy of the results of all students' comprehensive vision examinations to DOH. Both DOH and the licensed optometry practitioner who administered the examination will retain a student's eye examination results for seven years.

Currently, Section 22-13-30 NMSA 1978 requires a school designee to administer a vision screening to all prekindergarten, kindergarten, and third grade students. A vision screening serves to detect the presence of visual health issues in order to refer a student to an optometrist if that is deemed necessary. The training requirements to perform a vision screening in New Mexico's public schools are currently unclear. SB353 requires the Board of Optometry to promulgate rules on the training requirements of persons conducting vision screenings in schools. In contrast with a vision screening, a comprehensive eye exam is an in-depth examination performed by an optometrist and requires specialized equipment to fully evaluate a child's vision and eye health. The American Optometric Association notes vision screenings offered in schools are not comprehensive exams and can miss vision problems. The association reports nationally up to 61 percent of students who only receive an eye screening do not follow up with an optometrist.

According to PED, free vision evaluations are provided to students through some school-based health centers. There are approximately 70 school-based health centers in New Mexico, representing less than one school-based health center per public school district.

Free and Low-Cost Vision Examinations. SB353 requires PED and DOH to provide a list of government programs or private programs offering free or low-cost vision examinations for students. PED shall ensure the superintendent, school principal of each elementary school, school nurse, and parent organizations receive an updated copy of this list prior to the first day of the fall semester. Similarly, SB353 requires ECECD and DOH to provide a list of government programs or provide programs offering free or low-cost vision examinations to preschool or Head Start students. ECECD is required to ensure the superintendent of schools, principal of each public preschool or Head Start program, school nurse, and affiliated parent organizations are provided an updated copy of this list prior to the first day of the fall semester.

ADMINISTRATIVE IMPLICATIONS

SB353 requires the Board of Optometry and Department of Health to promulgate rules establishing the criteria for comprehensive vision examinations, the training requirements for those conducting vision screenings, and the forms of evidence of an examination that parents are required to submit.

TECHNICAL ISSUES

SB353 requires all students in grade levels lower than fourth grade to take a comprehensive vision examination prior to starting school. However, page 2, line 6, of the bill requires a student who is younger than 10 years of age and entering a New Mexico public school or the first time to take a comprehensive vision examination.

OTHER SIGNIFICANT ISSUES

Academic Performance. Studies indicate unchecked vision disorders can hinder a student's academic development and social interactions. Students who experience vision challenges

specifically struggle with reading comprehension. Studies note that often when students have poor vision they are unaware and consequently do not report the issue to a teacher or parent. The lack of reporting can cause vision challenges to go unaddressed, which can continue to negatively impact a student's academic outcomes.

SOURCES OF INFORMATION

- LESC Files
- New Mexico Medical Board

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