

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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 children’s vision screening registry.

PETITION OF:

NAME:

Jason M. Lewis

DISTRICT/ADDRESS:

Fifth Middlesex

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1886 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to establish a children’s vision screening registry.

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, as appearing in the 2014 Official Edition,
2 is hereby amended by inserting after section 24N, the following new section:-

3 Section 24O. (a) The department shall, subject to appropriation, establish and maintain a
4 statewide children’s vision registry, and may establish this as an integrated module within the
5 computerized immunization registry established in section 24M;

6 (b) The children’s vision registry shall collect and maintain children’s vision screening
7 results and eye exam information with identifying information of child and provider and shall
8 include appropriate controls to protect the security of the system and the privacy of the
9 information;

10 (c) All licensed providers who perform vision screening shall report to the children's
11 vision registry such data related to vision screening as the department determines is necessary to
12 ensure that children receive the vision screening as required by section 57 of chapter 71 of the
13 General Laws;

14 (d) The department shall promulgate rules and regulations to implement the children's
15 vision registry and allocate staff for technical assistance and data analysis to support this registry.

16 (e) Children's vision information shall only be released from the children's vision
17 registry to the following individuals and agencies without further express consent of the
18 individual, or the individual's parent or guardian if the individual is a minor, unless the individual
19 or the parent or guardian objects to such disclosure: (1) licensed health care providers providing
20 direct care to the individual patient (2) early education health managers or designees (3)
21 elementary and secondary school nurses (4) staff of state agencies or state programs whose
22 duties include education and outreach related to the improvement of children's vision health
23 outcomes.

24 Authorized persons may conduct research studies provided that the researcher submit a
25 written request to the department for information and execute a research agreement that protects
26 the individual's confidentiality of the information provided.

27 The department may enter into collaborative agreements with the managers of children's
28 vision registries of other states and exchange individual or group information provided that
29 maximum protections are afforded the confidentiality of citizens of the commonwealth in
30 accordance with state law.

31 Information contained in the children’s vision registry shall be confidential, shall not
32 constitute a public record and shall not otherwise be disclosed except in accordance with this
33 section. Such confidential information shall not be subject to subpoena or court order, and shall
34 not be admissible as evidence in any action of any kind before a court, tribunal, agency, board or
35 person.

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

40 SECTION 2.

41 (a) The department shall establish a special commission on childhood vision and eye
42 health to monitor compliance with section 57 of chapter 71 in ensuring that all children receive
43 eye examinations and appropriate preventative measures, including monitoring treatment for
44 vision impairment identified by such tests, and developing recommendations for improving the
45 children’s vision registry.

46 (b) The commission shall consist of the commissioner of the department of public health
47 or her designee; the commissioner of the department of elementary and secondary education or
48 his designee, the commissioner of early education and care or his designee; a member of the
49 Children’s Vision Massachusetts Coalition, a member of the Massachusetts School Nurses
50 Organization, a member of the Massachusetts Society of Optometrists, and a member of the
51 Massachusetts Society of Eye Physicians and Surgeons, Association and a member of the

52 Massachusetts Chapter of the American Academy of Pediatrics. The commissioner of the
53 department of public health or designee shall chair the commission.

54 (c) The commission shall review the commonwealth's success at screening and treating
55 all of its children for vision impairments and eye disease, identify populations that do not receive
56 screening, eye examinations, or necessary related treatments, and explore the impacts of vision
57 screening and treatment on commonwealth education outcomes. The commission shall review
58 the success of schools in meeting the vision screenings requirements in section 57 of chapter 71,
59 including: -

60 (1) compliance with vision screening and eye exam requirements in section 57 of chapter
61 71 by school and district including public and private schools;

62 (2) number of children, by grade, by school, by district who do not receive vision
63 screenings, eye exams, or treatment;

64 (3) number of children, by grade, by school, by district with a diagnosed vision condition;
65 and

66 (4) other evaluation, surveillance and recommended interventions as determined by the
67 commission.

68 (d) The commission shall submit a report, with recommendations, to the secretary of
69 health and human services, the commissioner of the department of public health, the
70 commissioner of early education and care, the commissioner of the department of education, the
71 clerks of the senate and house of representatives, the joint committee on health care financing,
72 and the joint committee on public health no later than twelve months after its establishment and

73 then annually that includes findings under subsection (c) and recommendations for improvement
74 of the children's vision registry and vision health outcomes for children. The commission shall
75 be established not later than 90 days from the effective date of this act.