

[First Reprint]

SENATE, No. 2804

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED JUNE 27, 2018

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SYNOPSIS

Requires young children entering public schools or Head Start Programs for first time to have comprehensive eye examination completed.

CURRENT VERSION OF TEXT

As reported by the Senate Education Committee on December 6, 2018, with amendments.

(Sponsorship Updated As Of: 5/24/2019)

1 AN ACT concerning the vision of certain children and
2 supplementing chapter 40 of Title 18A of the New Jersey
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. The State Board of Education shall require a child age 6
9 and under who is entering a public preschool, public school, or a
10 Head Start Program for the first time to have a comprehensive eye
11 examination completed by an optometrist or ophthalmologist by
12 January 1 of the child's initial year of enrollment in the school or
13 program.

14 b. ¹The Department of Health shall maintain a list of resources
15 from which a parent or guardian may obtain a free or reduced price
16 comprehensive eye examination for a child. The list shall be posted
17 on the department's Internet website and updated annually. The
18 department shall also provide the list annually to each public
19 preschool, public school, and Head Start Program, and the list shall
20 be made available by the public preschool, public school, and Head
21 Start Program to the parents or guardians of all enrolled children.

22 c.¹ A principal, director, or other person in charge of a public
23 preschool, public school, or Head Start Program shall collect from
24 the child's parent or guardian evidence of the child's
25 comprehensive eye examination, as provided by regulation of the
26 State board.

27 ¹In the case of a parent or guardian who has not provided
28 evidence of the child's comprehensive eye exam, the principal,
29 director, or other person in charge of a public preschool, public
30 school, or Head Start Program shall notify the parents or guardians
31 every three months following the child's initial enrollment of the
32 requirement regarding the comprehensive eye examination.¹

33 ¹[c.] d.¹ A comprehensive eye examination that was performed
34 ¹no more than one year¹ prior to a child's initial enrollment in a
35 public preschool, public school, or Head Start Program shall be
36 deemed to satisfy the requirement of this section.

37 ¹[d.] e.¹ The State Board of Education shall adopt rules and
38 regulations pursuant to the "Administrative Procedure Act,"
39 P.L.1968, c.410 (C.52:14B-1 et seq.), to implement the provisions
40 of this section.

41 ¹[e.] f. There is hereby created a special fund in the Department
42 of Education, which shall be entitled the "Comprehensive Eye
43 Examination Fund." The fund shall be maintained in a separate
44 account and administered by the commissioner to carry out the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted December 6, 2018.

1 provisions of this section. The fund shall consist of (1) any monies
2 appropriated by the State for the purposes of the fund; (2) any
3 monies donated for the purposes of the fund; and (3) all interest and
4 investment earnings received on monies in the fund. The fund shall
5 be used to cover the costs of comprehensive eye examinations
6 conducted pursuant to this section, for any uninsured children and
7 children without applicable healthcare coverage.

8 g.¹ As used in this section, "comprehensive eye examination"
9 means an evaluation that includes a child's history, external and
10 ophthalmoscopic examination, visual acuity, ocular alignment and
11 motility, refraction, and assessment of accommodation and
12 binocular vision, performed by an optometrist or ophthalmologist.

13

14 2. This act shall take effect in the first full school year
15 following the date of enactment.