The Commonwealth of Massachusetts

PRESENTED BY:

Christine P. Barber

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:

<table>
<thead>
<tr>
<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
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<tbody>
<tr>
<td>Christine P. Barber</td>
<td>34th Middlesex</td>
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<tr>
<td>Jason M. Lewis</td>
<td>Fifth Middlesex</td>
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<td>Sean Garballey</td>
<td>23rd Middlesex</td>
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<td>Aaron Vega</td>
<td>5th Hampden</td>
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<td>Daniel J. Ryan</td>
<td>2nd Suffolk</td>
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<td>Michelle M. DuBois</td>
<td>10th Plymouth</td>
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<td>Kay Khan</td>
<td>11th Middlesex</td>
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<td>David M. Rogers</td>
<td>24th Middlesex</td>
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<td>Kenneth L. Gordon</td>
<td>21st Middlesex</td>
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<td>Carmine L. Gentile</td>
<td>13th Middlesex</td>
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<td>Kate Hogan</td>
<td>3rd Middlesex</td>
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<td>Jay D. Livingstone</td>
<td>8th Suffolk</td>
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<td>Daniel Cullinane</td>
<td>12th Suffolk</td>
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<td>Joan B. Lovely</td>
<td>Second Essex</td>
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<td>John W. Scibak</td>
<td>2nd Hampshire</td>
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<td>Carlos Gonzalez</td>
<td>10th Hampden</td>
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<td>Marjorie C. Decker</td>
<td>25th Middlesex</td>
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<td>Paul Tucker</td>
<td>7th Essex</td>
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<td>Jose F. Tosado</td>
<td>9th Hampden</td>
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<td>Alice Hanlon Peitsch</td>
<td>14th Norfolk</td>
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<tr>
<td>Gailanne M. Cariddi</td>
<td>1st Berkshire</td>
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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:

SECTION 1. Chapter 111 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after section 24N, the following new section:-

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

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

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

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

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

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

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

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

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

SECTION 2.

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

(b) The commission shall consist of the commissioner of the department of public
health or her designee; the commissioner of the department of elementary and secondary
education or his designee, the commissioner of early education and care or his designee; a
member of the Children’s Vision Massachusetts Coalition, a member of the Massachusetts
School Nurses Organization, a member of the Massachusetts Society of Optometrists, and a
member of the Massachusetts Society of Eye Physicians and Surgeons, Association and a
member of the Massachusetts Chapter of the American Academy of Pediatrics. The
commissioner of the department of public health or designee shall chair the commission.

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

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

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

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

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

(d) The commission shall submit a report, with recommendations, to the secretary of health and human services, the commissioner of the department of public health, the commissioner of early education and care, the commissioner of the department of education, the clerks of the senate and house of representatives, the joint committee on health care financing, and the joint committee on public health no later than twelve months after its establishment and then annually that includes findings under subsection (c) and recommendations for improvement of the children’s vision registry and vision health outcomes for children. The commission shall be established not later than 90 days from the effective date of this act.