



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: State Board of Health

- Preproposal Statement of Inquiry was filed as WSR 15-05-083 ; or
- Expedited Rule Making--Proposed notice was filed as WSR \_ ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

**Title of rule and other identifying information:** (Describe Subject)

Chapter 246-760 WAC, Rules Concerning Vision Screening. This proposal identifies Washington State Board of Health approved tools by grade level for both near and distance vision screening, allows for optional vision screening, specifies clinical criteria for referral, provides guidance for referrals to community providers, outlines the qualifications for screening personnel, and adds a definition section in addition to other small technical changes.

**Hearing location(s):** Red Lion Hotel, Columbia Room  
802 George Washington Way  
Richland, WA 99352

Date: 11/09/16

Time: 1:30 PM

**Submit written comments to:**

Name: Sierra Rotakhina  
Address: PO Box 47990  
Olympia, WA 98504-7990  
e-mail: <https://fortress.wa.gov/doh/policyreview>  
fax 360-236-4088 by (date) 10/27/2016

**Assistance for persons with disabilities:** Contact

Sierra Rotakhina by 11/02/2016

TTY (800) 833-6388 or () 711

**Date of intended adoption:** 11/09/2016

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The proposed rules are intended to implement expert recommendations that provide guidance for school based vision screening aimed at detecting vision disorders that may significantly impact a child's life skills, including the ability to learn. The proposal adds near vision screening requirements mandated through enacted 2016 legislation (SB 6245). This proposal repeals section -090, and combines Washington State Board of Health approved tools by grade level for both near and distance vision screening and the clinical criteria for referral into a table in new section -071. It also allows for optional vision screening, clarifies guidance for referrals to community providers and the qualifications required for screening personnel, and adds a definition section in addition to other small technical changes.

**Reasons supporting proposal:**

This revision is necessary to ensure vision screening rules reflect the appropriate standard of care and best science. Expanding the rule to include near vision screening will help ensure more children are screened and vision problems that could hinder learning are identified earlier. The proposal is intended to ensure the rules are clear, up to date, and responsive to recent legislative mandates.

**Statutory authority for adoption:**

RCW 28A.210.020

**Statute being implemented:**

RCW 28A.210.020

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**DATE** 09/27/2016

**NAME** (type or print)

Michelle Davis

**SIGNATURE**

**TITLE**

Executive Director, Washington State Board of Health

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** September 28, 2016

**TIME:** 2:21 PM

**WSR 16-20-043**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None

**Name of proponent:** (person or organization) Washington State Board of Health

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Sierra Rotakhina	111 Israel Rd SE, Tumwater, WA 98501	360-236-4106
Implementation..... Superintendent of Public Instruction	600 Washington St SE, Olympia, WA 985041	360-725-6000
Enforcement..... Superintendent of Public Instruction	600 Washington St SE, Olympia, WA 985041	360-725-6000

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Sierra Rotakhina

Address: PO Box 47990

Olympia, WA 98504-7990

phone 360-236-4106

fax 360-236-4088

e-mail [sierra.rotakhina@sboh.wa.gov](mailto:sierra.rotakhina@sboh.wa.gov)

No: Please explain:

**WAC 246-760-001** (~~(What is the purpose of these rules?)~~) **Purpose and application of auditory and visual screening standards for school districts.** (~~(These rules implement chapter 32, Laws of 1971. Under this chapter,)~~) Each board of school directors in the state shall provide for and require screening of the auditory and visual acuity of children attending schools in their districts to determine if any (~~(children have defects sufficient to retard them in their studies)~~) **child demonstrates auditory or visual problems that may negatively impact their learning.** Each board of school directors shall establish procedures to implement these rules.

NEW SECTION

**WAC 246-760-010** **Definitions, abbreviations, and acronyms.** The definitions, abbreviations, and acronyms in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "AAPOS" or "American Association for Pediatric Ophthalmology and Strabismus" means the national organization that advances the quality of children's eye care, supports the training of pediatric ophthalmologists, supports research activities in pediatric ophthalmology, and advances the care of adults with strabismus.

(2) "Crowding bars" means four individual lines surrounding a single optotype.

(3) "Crowding box" or "surround box" means crowding bars on all four sides extended to form a crowding rectangle surrounding a single line of optotypes.

(4) "Distance vision" means the ability of the eye to see images clearly at a calibrated distance.

(5) "HOTV letters" means a test using the letters H, O, T, and V calibrated of a certain size used to assess visual acuity.

(6) "Instrument-based vision screening device" means a U.S. Food and Drug Administration approved instrument for vision screening that uses automated technology to provide information about amblyopia and reduced-vision risk factors such as estimates of refractive error and eye misalignment.

(7) "Lay person" means any individual who is conducting school-based vision screening other than a school nurse, a school principal or his or her designee, or a licensed vision care professional. This includes, but is not limited to, retired nurses, nursing students, parents, and school staff.

(8) "LEA vision test(s)" means a test used to measure visual acuity using specific symbols or numbers, designed for those who do not know how to read the letters of the alphabet.

(9) "Licensed vision care professional" means a licensed ophthalmologist or licensed optometrist.

(10) "Near vision acuity" means the ability of the human eye to see objects with clarity at close range, also termed near point acuity or near acuity.

(11) "Optotype" means figures, numbers or letters of different sizes used in testing visual acuity.

(12) "Principal's designee" means a public health nurse, special educator, teacher or administrator designated by the school principal and responsible for supervision, training, reporting and referral of vision screening in instances where the school nurse or school principal is not filling this role.

(13) "School nurse" means a registered nurse acting as the health professional in a school whose specialized practice and attendant tasks and activities advance student health, well-being and achievement; and conforms to Washington state educational and nursing laws according to chapters 18.79 RCW and 246-840 WAC, and WAC 181-79A-223.

(14) "Sloan letters" means a test using ten specially formed letters which include C, D, H, K, N, O, R, S, V and Z to assess visual acuity.

(15) "Visual acuity" refers to the ability of the visual system to discern fine distinctions in the environment as measured with printed or projected visual stimuli.

AMENDATORY SECTION (Amending WSR 02-20-079, filed 9/30/02, effective 10/31/02)

**WAC 246-760-020 ((How frequently must)) Frequency for schools to screen children((?)**. (1) A school((s)) shall conduct auditory and ((visual)) distance vision and near vision acuity screening of children:

((1)) (a) In kindergarten and grades one, two, three, five, and seven; and

((2) For any child)) (b) Showing symptoms of possible loss in auditory or visual acuity and who are referred to the district by parents, guardians, ((or)) school staff, or student self-report.

(2) If resources are available, a school may:

(a) Expand vision screening to any other grade;

(b) Conduct other optional vision screenings at any grade using evidence-based screening tools and techniques; or

(c) Expand vision screening to other grades and conduct optional vision screenings as outlined in (a) and (b) of this subsection.

(3) If resources permit, schools shall annually ((screen)) conduct auditory screening for children at other grade levels.

AMENDATORY SECTION (Amending WSR 02-20-079, filed 9/30/02, effective 10/31/02)

**WAC 246-760-070 ((What visual acuity screening equipment must be used?)) Vision screening.** ((Personnel conducting the screening must use a Snellen test chart for screening for distance central vision acuity. Either the Snellen E chart or the standard Snellen distance acuity chart may be used as appropriate to the child's age and abilities. The test chart must be properly illuminated and glare free.

Other screening procedures equivalent to the Snellen test may be used only if approved by the state board of health.)) (1) A school shall conduct all vision screening using tools and procedures that are linguistically, developmentally and age-appropriate. For distance vi-

sion and near vision acuity screening schools shall use screening tools identified in WAC 246-760-071.

(2) A school shall conduct vision screening according to the tool's instructions and screening protocol and consistent with AAPOS and National Association of School Nurses guidance.

(3) A school is not required to screen a student who has already had a comprehensive vision examination by a licensed vision care professional within the previous twelve months. In order to waive the screening, schools need to have a report or form signed by a licensed vision care professional indicating that an examination has been administered. A school must place this report or form in the student's health record.

NEW SECTION

**WAC 246-760-071 Required and alternative vision screening tools and referral criteria**

(1) A school must use the standardized optotype-based distance vision and near vision acuity screening tools approved for each grade as well as the rescreening and referral criteria by grade outlined in Table 1 of this section. When using a screening tool with a single isolated optotype or a single line of optotypes, the tool must include the use of crowding bars or crowding boxes.

(2) A school may use an instrument-based vision screening device in lieu of the optotype-based tools outlined in this section. Referral using instrument-based vision screening devices is determined through the manufacturer's criteria. If the instrument-based screening device does not generate a reading or vision screening results for a student, a school must screen that student using the optotype-based tools outlined in this section.

**Table 1**

<b>Purpose of Screening</b>	<b>Grade</b>	<b>Screening Tools</b>	<b>Rescreening and Referral Criteria</b>
Distance Vision	Kindergarten	LEA vision test: Single LEA symbol (at 5 feet), or HOTV letter	Visual acuity worse than 20/40 in either eye
Distance Vision	Grade one	LEA vision test: Single LEA symbol (at 5 feet), or HOTV letter	Visual acuity worse than 20/32 in either eye
Distance Vision	Grades two and above	LEA vision tests: LEA symbols or numbers, or HOTV letters, or Sloan letters	Visual acuity worse than 20/32 in either eye
Near Vision Acuity	Kindergarten	LEA vision tests: LEA symbols near vision, HOTV, or Sloan letters	Visual acuity worse than 20/40 in either eye
Near Vision Acuity	Grade one and above	LEA vision tests: LEA symbols near vision, HOTV, or Sloan letters	Visual acuity worse than 20/32 in either eye

**WAC 246-760-080** (~~(What are the visual acuity))~~ Vision screening procedures(?). (1) A school(s) shall:

(a) ~~Screen children with ((corrective lenses for distance viewing with))~~ their corrective lenses on;

(b) Place the results of screening, any referrals, and referral results in each student's health ~~((and/or school))~~ record; and

(c) Forward the results to the student's new school if the student transfers.

(2) If a student meets the referral criteria set forth in WAC 246-760-071 during the first vision screening and the screening was conducted by a lay person, then the school nurse, or the school principal or his or her designee as qualified under WAC 246-760-100(4) shall rescreen the student within two weeks or as soon as possible after the original screening before referring the child to a licensed vision care professional for an assessment.

(3) If the student meets the referral criteria set forth in WAC 246-760-071 during the first vision screening, and the screening was conducted by the school nurse; the school principal or his or her designee; or a volunteer who is a licensed vision care professional, a school may either refer the student after the first screening or rescreen the student at the discretion of the school nurse, or the school principal or his or her designee.

(4) A school shall notify a child's parent or guardian with a written referral if a child meets the referral criteria set forth in WAC 246-760-071 during:

(a) The first screening if a rescreening is not required; or

(b) The second screening if a rescreening is required or is conducted at the discretion of the school nurse, or the school principal or his or designee.

(5) This written referral shall indicate that school-based vision screening is not a substitute for a comprehensive eye examination, include the screening results, and include language recommending that:

(a) The parent or guardian take the child to a licensed vision care professional to receive a comprehensive eye examination; and

(b) An appropriate remedy, such as corrective lenses, be obtained if indicated.

(6) Only the school nurse, or the school principal or his or her designee may notify a child's parent or guardian in order to refer the student for professional care. A school nurse, or school principal or his or her designee shall notify parents or guardians in writing that their child should be evaluated by a licensed vision care professional when:

(a) The student meets the referral criteria for vision screening tests conducted under WAC 246-760-071; or

(b) The school ~~((personnel observe a child with))~~ nurse, or school principal or his or her designee observes other signs or symptoms related to eye problems ~~((and if the signs or symptoms))~~ that negatively ~~((influence the child in his or her studies, school personnel shall refer the child to the parents or guardians for professional care))~~ impact the student's learning; or

(c) The student is unable to complete vision screening for any reason.

**WAC 246-760-100** (~~What are the~~) **Qualifications for the visual acuity screening personnel**(?). (1) Persons performing visual screening may include, but are not limited to, school nurses, school principals, other school personnel, or lay persons who have completed training in vision screening; and ophthalmologists, optometrists, or opticians who donate their professional services to schools or school districts. If an ophthalmologist, optometrist, or optician who donates his or her services identifies a visual problem that may impact a student's learning, the vision professional shall notify the school nurse or the school principal in writing but may not contact the student's parents or guardians directly per RCW 28A.210.020.

(2) Screening must be performed in a manner consistent with this chapter and RCW 28A.210.020 ((by persons)). Any person conducting vision screening must be competent to administer screening procedures as a function of their professional training and background or special training and demonstrated competence under supervision by the school nurse, or the school principal or his or her designee.

~~((2) Technicians and nonprofessional volunteers must have adequate preparation and thorough understanding of the tests as demonstrated by their performance under supervision.))~~

(3) A lay person shall demonstrate his or her competence at administering the screening tools including controlling for lighting or distractions that could affect the screening results.

(4) Supervision, training, reporting and referral of vision screening shall be the responsibility of ((a professional person specifically designated by the school administration. He or she may be a school nurse or public health nurse, a special educator, teacher or administrator who possesses basic knowledge of the objectives and methods of visual acuity screening, supervisory experience and ability, demonstrated ability to teach others and demonstrated capacity to work well with people)) the school nurse, or the school principal or his or her designee. The principal or his or her designee must demonstrate his or her competence in vision screening through supervised training by a competent school or public health nurse or licensed vision care professional, have supervisory ability and experience, and have the ability to work well with school staff and lay persons. Ideally, the person should demonstrate the ability to teach vision screening techniques and operations to others.

(5) Students in grades kindergarten through twelve may not assist with or conduct vision screening of other students in their school district, unless students are supervised and conducting screening within the scope of an advanced vocational health-related curriculum such as nursing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-760-090      What are the visual acuity screening referral procedures?