

House Bill 2992

Sponsored by Representative BOWMAN; Representatives LIVELY, MCINTIRE, NGUYEN H, OWENS, Senators CAMPOS, GORSEK, MANNING JR, PATTERSON, PROZANSKI, REYNOLDS (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Directs ODE and OHA to have a program to provide eye exams and glasses to certain students. (Flesch Readability Score: 65.1).

Directs the Department of Education and the Oregon Health Authority to jointly establish and implement a program that provides eye examinations and prescription eyeglasses to students from low-income families.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to student vision; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **“Eye examination” means an examination that involves any diagnosis of the eye and**
6 **any measurement or assistance of the powers or range of vision of the eye.**

7 (b) **“Qualified community organization” means an organization that, during nonschool**
8 **hours or nonschool days, serves students who attend a qualified school.**

9 (c) **“Qualified school” means a school:**

10 (A) **That qualifies for assistance under Chapter I of Title I of the federal Elementary and**
11 **Secondary Education Act of 1965; or**

12 (B) **Where at least 50 percent of the students are eligible for free or reduced price meals**
13 **under the United States Department of Agriculture’s National School Lunch Program or**
14 **School Breakfast Program.**

15 (d) **“Qualified site” means the site of a qualified school or a qualified community organ-**
16 **ization.**

17 (e) **“Qualified student” means a student who:**

18 (A) **Attends a qualified school or is served by a qualified community organization; and**

19 (B) **Has been identified as requiring an eye examination or as requiring assistance of the**
20 **powers or range of vision of the eye.**

21 (2)(a) **The Department of Education and the Oregon Health Authority shall jointly es-**
22 **tablish and implement a program that provides the following to a qualified student at no**
23 **charge to the qualified student or to the parent or guardian of the qualified student:**

24 (A) **An eye examination;**

25 (B) **New prescription eyeglasses; and**

26 (C) **Replacements for lost or broken prescription eyeglasses, as needed, for the duration**
27 **of the prescription.**

28 (b) **Any services provided under paragraph (a) of this subsection are separate from ser-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 vices provided under ORS 336.211 and do not qualify for reimbursement under ORS 336.211.

2 (3)(a) The State Board of Education shall adopt rules for the program by which a quali-
3 fied school may:

4 (A) Prescribe and implement the process by which eye examinations and prescription
5 eyeglasses are provided to qualified students; and

6 (B) Communicate with the parent or legal guardian of a qualified student to:

7 (i) Inform the parent or legal guardian about:

8 (I) The purpose of the eye examination;

9 (II) The importance of providing assistance of the powers or range of vision of the eye;
10 and

11 (III) The process that will be implemented at the qualified school;

12 (ii) Secure any affirmative or implied required medical consent, as required by the school
13 district; and

14 (iii) Attempt to avoid any duplication in efforts by identifying any previous eye examina-
15 tions or efforts to provide prescription eyeglasses.

16 (b) A qualified community organization shall, to the greatest extent practicable, align the
17 processes and communications of the qualified community organization with the processes
18 and communications of a qualified school attended by qualified students served by the quali-
19 fied organization.

20 (4) The Oregon Health Authority, in consultation with the Department of Education,
21 shall adopt rules for the program that:

22 (a) Prescribe the process by which a nonprofit organization can apply for approval under
23 this section to:

24 (A) Provide the services and equipment described in subsection (2) of this section to
25 qualified students for whom affirmative or implied medical consent has been granted; and

26 (B) Receive funding for the services and equipment described in subsection (2) of this
27 section.

28 (b) Establish a process by which funding for the program is granted to an approved
29 nonprofit organization to fund the services and equipment described in subsection (2) of this
30 section. The rules must require the active seeking and prioritization of federal moneys for
31 funding the program, including:

32 (A) Seeking reimbursement for medical assistance as defined in ORS 414.025;

33 (B) Seeking any necessary approval from the Centers for Medicare and Medicaid Services
34 to carry out the program; and

35 (c) Allow funding for the program to an approved nonprofit organization without regard
36 to whether a provided eye examination includes dilation of the eye.

37 (5) Within 12 months of receiving funding under this section, an approved nonprofit or-
38 ganization shall provide to the Oregon Health Authority the following information:

39 (a) The number of qualified sites served, including the number of qualified schools, qual-
40 ified community organizations and school districts.

41 (b) The number of qualified students served, including the number who received an eye
42 examination and the number who received prescription eyeglasses.

43 (c) The number of eye examinations provided.

44 (d) The number of prescription eyeglasses provided.

45 **SECTION 2.** (1) The Eye Examination and Correction Fund is established in the State

1 Treasury, separate and distinct from the General Fund. Interest earned by the Eye Exam-
2 ination and Correction Fund shall be credited to the fund.

3 (2) Moneys in the Eye Examination and Correction Fund are continuously appropriated
4 to the Oregon Health Authority for expenses incurred by the program described in section
5 1 of this 2025 Act.

6 (3) The Oregon Health Authority, on behalf of the State of Oregon, may solicit and accept
7 gifts, grants and donations from public and private sources for the Eye Examination and
8 Correction Fund. Moneys received under this subsection shall be deposited into the Eye Ex-
9 amination and Correction Fund.

10 SECTION 3. The Oregon Health Authority and the State Board of Education must com-
11 plete rulemaking required under section 1 of this 2025 Act in a time and manner to ensure
12 that:

13 (1) Decisions related to the recipients and amounts of grants awarded under section 1
14 of this 2025 Act are made by April 1, 2026; and

15 (2) Funding is available to approved nonprofit organizations to provide the services and
16 equipment described in section 1 (2) of this 2025 Act beginning with the 2026-2027 school year.

17 SECTION 4. This 2025 Act being necessary for the immediate preservation of the public
18 peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect
19 on its passage.
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