

COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2065
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Heading change

3 A. The chapter heading of title 36, chapter 7.2, Arizona Revised
4 Statutes, is changed from "CHILD HEARING PROGRAMS" to "CHILD HEARING AND
5 VISION PROGRAMS".

6 B. The article heading of title 36, chapter 7.2, article 1, Arizona
7 Revised Statutes, is changed from "PROGRAM OF HEARING EVALUATION SERVICES" to
8 "HEARING EVALUATION SERVICES AND VISION SCREENING EVALUATION SERVICES
9 PROGRAMS".

10 Sec. 2. Section 36-899, Arizona Revised Statutes, is amended to read:

11 36-899. Definitions

12 In this chapter, unless the context otherwise requires:

13 1. "Department" means the department of health services.

14 2. "Director" means the director of the department of health services.

15 3. "Hearing evaluation services" means services ~~which~~ THAT include the
16 identification, testing, ~~AND~~ AND evaluation OF A CHILD'S HEARING and THE
17 initiation of follow-up services, as ~~defined in the~~ PRESCRIBED BY rules and
18 ~~regulations of~~ ADOPTED BY the department, ~~as provided by~~ PURSUANT TO section
19 36-899.03.

20 4. "Hearing screening evaluation" means the evaluation of the ability
21 to hear certain frequencies at a consistent loudness.

1 5. "Private education program" means all programs of private education
2 offering courses of study for ~~grades,~~ CHILDREN IN kindergarten ~~through the~~
3 ~~twelfth grade of high school~~ PROGRAMS AND ANY OF GRADES ONE THROUGH TWELVE.

4 6. "Public education program" means all kindergarten, primary and
5 secondary programs of education within the public school system, including
6 but not beyond the twelfth grade of common or high school.

7 7. "VISION SCREENING EVALUATION" MEANS THE EVALUATION OF VISUAL
8 ACUITY, STEREOPSIS, COLOR DEFICIENCY OR REFRACTION.

9 8. "VISION SCREENING EVALUATION SERVICES" MEANS SERVICES THAT INCLUDE
10 THE IDENTIFICATION, TESTING, EVALUATION AND INITIATION OF FOLLOW-UP SERVICES.

11 Sec. 3. Section 36-899.01, Arizona Revised Statutes, is amended to
12 read:

13 36-899.01. Programs for all schoolchildren; administration;
14 program termination

15 A. A program of hearing evaluation services is established by the
16 department. ~~Such~~ THESE services shall be administered to all children as
17 early as ~~possible,~~ PRACTICABLE but ~~in no event~~ NOT later than the first year
18 of attendance in any public or private education program, or residential
19 facility for children with disabilities, and ANNUALLY thereafter as
20 circumstances ~~permit~~ ALLOW until the child has attained ~~the age of~~ sixteen
21 years OF AGE or is no longer enrolled in a public or private education
22 program.

23 B. The program of hearing evaluation services for children in a public
24 education program shall be administered by the department with the aid of the
25 department of education.

26 C. A PROGRAM OF VISION SCREENING EVALUATION SERVICES IS ESTABLISHED BY
27 THE DEPARTMENT. THESE SERVICES SHALL BE ADMINISTERED TO ALL CHILDREN AS
28 EARLY AS PRACTICABLE BUT NOT LATER THAN THE FIRST YEAR OF ATTENDANCE IN ANY
29 PUBLIC OR PRIVATE EDUCATION PROGRAM, OR RESIDENTIAL FACILITY FOR CHILDREN
30 WITH DISABILITIES. VISUAL ACUITY AND STEREOPSIS SCREENING SHALL BE CONDUCTED
31 ANNUALLY THROUGH THE FOURTH GRADE, AND EACH CHILD SHALL RECEIVE A ONE-TIME
32 EVALUATION OF COLOR DEFICIENCY. VISUAL ACUITY SCREENING SHALL BE CONDUCTED

1 EVERY OTHER YEAR UNTIL THE CHILD HAS ATTAINED SIXTEEN YEARS OF AGE OR IS NO
2 LONGER ENROLLED IN A PUBLIC OR PRIVATE EDUCATION PROGRAM. ALL CHILDREN WHO
3 ARE NEW TO A SCHOOL DISTRICT, WHO ARE RECEIVING SPECIAL EDUCATION SERVICES
4 AND FOR WHOM A REQUEST HAS BEEN MADE BY A PARENT, TEACHER OR OTHER
5 PROFESSIONAL SHALL RECEIVE A VISION SCREENING EVALUATION.

6 D. THE PROGRAM OF VISION SCREENING EVALUATION SERVICES FOR CHILDREN IN
7 A PUBLIC OR PRIVATE EDUCATION PROGRAM SHALL BE ADMINISTERED AND PROVIDED BY
8 THE DEPARTMENT, AT NO COST TO THIS STATE OR TO SCHOOL DISTRICTS, THROUGH A
9 PARTNERSHIP WITH ONE OR MORE ESTABLISHED VISION SCREENING NONPROFIT
10 ORGANIZATIONS IN THIS STATE THAT HAVE THE ABILITY TO COLLECT AND MAINTAIN
11 VISION SCREENING DATA. ANY SELECTED ORGANIZATION SHALL PROVIDE VISION
12 SCREENING EVALUATION SERVICES AND DATA MANAGEMENT THAT COMPLY WITH THE HEALTH
13 INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 AT NO ADDITIONAL COST TO
14 THIS STATE. ANY SELECTED NONPROFIT ORGANIZATION MAY SEEK GIFTS, GRANTS,
15 CORPORATE SPONSORSHIPS AND DONATIONS TO PAY FOR THE VISION SCREENING
16 EVALUATIONS AND DATA MANAGEMENT SYSTEM.

17 E. WITHIN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO
18 THIS SECTION, THE DEPARTMENT SHALL SELECT ONE OR MORE ESTABLISHED VISION
19 SCREENING NONPROFIT ORGANIZATIONS IN THIS STATE TO PROVIDE VISION SCREENING
20 EVALUATIONS AND DATA MANAGEMENT THAT COMPLY WITH THE HEALTH INSURANCE
21 PORTABILITY AND ACCOUNTABILITY ACT OF 1996.

22 F. SCHOOL DISTRICTS THAT ALREADY PROVIDE VISION SCREENING EVALUATION
23 SERVICES IN ACCORDANCE WITH SCREENING REQUIREMENTS ESTABLISHED UNDER THIS
24 SECTION MAY CONTINUE TO PROVIDE THOSE SERVICES BUT SHALL PROVIDE TO THE
25 DEPARTMENT, AT NO ADDITIONAL COST TO THIS STATE, ANNUAL DATA SUBMISSIONS THAT
26 COMPLY WITH THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996.

27 G. ALL COLLECTED DATA RELATING TO VISION SCREENING EVALUATION SERVICES
28 IS THE PROPERTY OF THE DEPARTMENT. AN ORGANIZATION SELECTED UNDER THIS
29 SECTION DOES NOT HAVE ANY OWNERSHIP OF THE DATA OR ANY RIGHTS TO ACCESS THE
30 DATA WITHOUT THE PERMISSION OF THE DEPARTMENT.

31 H. THE IMPLEMENTATION SCHEDULE SHALL START WITHIN NINETY DAYS AFTER
32 THE DATE THE DEPARTMENT CONTRACTS WITH THE ORGANIZATION. THE DEPARTMENT

1 SHALL ESTABLISH WITH THE SELECTED ORGANIZATION A TIMELINE FOR FULL
2 IMPLEMENTATION OF VISION SCREENING EVALUATIONS THROUGHOUT THE STATE THAT IS
3 NOT LATER THAN FIVE YEARS AFTER THE DATE THE DEPARTMENT CONTRACTS WITH THE
4 ORGANIZATION.

5 I. THE DEPARTMENT SHALL NOTIFY THE GOVERNOR, THE PRESIDENT OF THE
6 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES IF THE SELECTED
7 ORGANIZATION IS UNABLE TO MEET THE IMPLEMENTATION SCHEDULE PRESCRIBED IN
8 SUBSECTION H OF THIS SECTION.

9 J. THE PROGRAM ESTABLISHED PURSUANT TO SUBSECTION C OF THIS SECTION
10 ENDS ON JULY 1, 2026 PURSUANT TO SECTION 41-3102.

11 Sec. 4. Section 36-899.02, Arizona Revised Statutes, is amended to
12 read:

13 36-899.02. Powers of the department; limitations

14 A. The department ~~may~~, in administering the ~~program of~~ hearing
15 EVALUATION SERVICES AND VISION SCREENING evaluation services PROGRAMS, MAY:

16 1. Provide consulting services, ~~AND~~ establish or supplement hearing
17 evaluation services AND VISION SCREENING EVALUATION SERVICES in local health
18 departments, public or private education programs or other community
19 agencies.

20 2. Provide for the training of personnel to administer hearing
21 screening evaluations AND VISION SCREENING EVALUATIONS.

22 3. Delegate powers and duties to other state agencies, county and
23 local health departments, county and local boards of education or boards of
24 trustees of private education programs or other community agencies to develop
25 and maintain periodic hearing evaluation services AND VISION SCREENING
26 EVALUATION SERVICES.

27 4. Provide services by contractual arrangement for the development and
28 maintenance of periodic hearing evaluation services AND VISION SCREENING
29 EVALUATION SERVICES.

30 5. Accept reports of hearing evaluation AND VISION SCREENING
31 EVALUATION from qualified medical or other professional specialists WHO ARE

1 employed by parents or guardians for hearing evaluation AND VISION SCREENING
2 EVALUATION when ~~such~~ THESE reports are submitted to the department.

3 B. The department shall not replace any qualified existing service.

4 Sec. 5. Section 36-899.03, Arizona Revised Statutes, is amended to
5 read:

6 36-899.03. Rules

7 The director shall ~~develop~~ ADOPT rules ~~and regulations~~ governing
8 standards, procedures, techniques, DATA MANAGEMENT and criteria for
9 conducting and administering hearing evaluation services AND VISION SCREENING
10 EVALUATION SERVICES.

11 Sec. 6. Section 36-899.04, Arizona Revised Statutes, is amended to
12 read:

13 36-899.04. Right of parent or guardian to refuse test

14 ~~No~~ A child ~~shall be~~ IS NOT required to submit to any test required by
15 this chapter if a parent or guardian of the child objects and submits a
16 statement of ~~such~~ objection to the ~~agency~~ ORGANIZATION administering ~~such~~ THE
17 hearing evaluation services OR VISION SCREENING EVALUATION SERVICES."

18 Amend title to conform

and, as so amended, it do pass

JUSTIN OLSON
CHAIRMAN

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H: MJH/rca