

House Bill 2884

Sponsored by Representative MCLAIN, Senators ROBLAN, MANNING JR, Representative HELT; Representatives ALONSO LEON, DOHERTY, HERNANDEZ, NOBLE, REARDON, RESCHKE, SMITH WARNER, SOLLMAN, ZIKA, Senators FREDERICK, GELSER, KNOPP, RILEY, THOMSEN (at the request of Oregon Optometric Physicians Assoc.)

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**.

Requires vision examination as part of evaluation before initially receiving special education.

A BILL FOR AN ACT

Relating to evaluations for special education; creating new provisions; and amending ORS 343.146.

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

SECTION 1. ORS 343.146 is amended to read:

343.146. (1) To receive special education, children with disabilities shall be determined eligible for special education services under a school district program approved under ORS 343.045 and as provided under ORS 343.221.

(2) Before initially providing special education, the school district shall ensure that a full and individual evaluation is conducted to determine the child's eligibility for special education and the child's special educational needs. **An evaluation conducted under this subsection must include a vision examination.**

(3) Eligibility for special education shall be determined pursuant to rules adopted by the State Board of Education.

(4) Each school district shall conduct a reevaluation of each child with a disability in accordance with rules adopted by the State Board of Education.

(5) If a medical or vision examination or health assessment is required as part of an initial evaluation or reevaluation, the evaluation shall be given:

(a) In the case of a medical examination, by a physician licensed to practice by a state board of medical examiners or a state medical board or by a naturopathic physician licensed under ORS chapter 685;

(b) In the case of a health assessment, by a nurse licensed by a state board of nursing and specially certified as a nurse practitioner or by a licensed physician assistant; and

(c) In the case of a vision examination, by an ophthalmologist or optometrist licensed by a state board.

SECTION 2. The amendments to ORS 343.146 by section 1 of this 2019 Act apply to evaluations conducted on or after the effective date of this 2019 Act.

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.