



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1238/1
JPC:klm

2021 ASSEMBLY BILL 490

August 4, 2021 – Introduced by Representatives THIESFELDT, STEFFEN, BALDEH, BRANDTJEN, BROSTOFF, GUNDRUM, KNODL, PLUMER, ROZAR, SKOWRONSKI, SPIROS and TUSLER, cosponsored by Senators FEYEN, CARPENTER and NASS. Referred to Committee on Health.

1 AN ACT *to create* 253.112 of the statutes; **relating to:** registry for children with
2 blindness or visual impairment.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services to establish a registry of children who are under the age of three and who are diagnosed with blindness or visual impairment. The purpose of the registry is to connect parents or guardians of children with blindness or visual impairment with services provided by nonprofit organizations and paid for by DHS. The bill defines visual impairment as a permanent and irremediable or degenerative ocular or neurological condition that significantly and adversely affects or will affect the child's visual functioning, developmental progress, or educational performance. A physician, optometrist, or ophthalmologist who diagnoses blindness or visual impairment in a child who is under the age of three must notify a parent or guardian of the child of the existence of the registry and that the registry provides connections to services provided by nonprofit organizations, and paid for by DHS, to children who have blindness or visual impairment and their families. Similarly, any health care provider or other qualified professional that provides early intervention services for a child under the age of three that the health care provider or qualified health professional suspects is experiencing vision loss must notify a parent or guardian of the child of the existence of the registry.

If a parent or guardian elects to include the child on the registry, the physician, optometrist, ophthalmologist, health care provider, or other qualified professional must submit certain information, including the contact information for the parent

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or guardian, to DHS for inclusion in the registry. The bill directs DHS to refer any child included on the registry for a functional vision evaluation conducted by a teacher of the visually impaired who is licensed by the Department of Public Instruction. Based on the results of the evaluation, the teacher of the visually impaired shall determine whether the child requires direct or consultative vision services from a teacher of the visually impaired as part of the Birth to 3 Program. The Birth to 3 Program is a federally mandated program that supports children under the age of three with developmental delays or disabilities. The bill also provides that the teacher of the visually impaired who conducts the functional vision evaluation shall refer the child for an orientation and mobility assessment conducted by an orientation and mobility specialist who is licensed by DPI if the results of the functional vision evaluation demonstrate that it is appropriate. Finally, the bill provides that DHS shall contract with a nonprofit organization that meets certain requirements to manage the registry and provide relevant information about services available for children with blindness or visual impairment to parents and guardians included on the registry upon request and free of charge.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 253.112 of the statutes is created to read:

2 **253.112 Registry for children with blindness or visual impairment. (1)**

3 In this section, all of the following definitions apply:

4 (a) “Orientation and mobility specialist” means an individual licensed by the
5 department of public instruction under s. PI 34.089, Wis. Adm. Code.

6 (b) “Teacher of the visually impaired” means an individual licensed by the
7 department of public instruction under s. PI 34.051, Wis. Adm. Code.

8 (c) “Visual impairment” means a permanent and irremediable or degenerative
9 ocular or neurological condition that significantly and adversely affects or will affect
10 the individual’s visual function, developmental progress, or educational
11 performance.

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1 **(2)** (a) A physician, optometrist, or ophthalmologist who diagnoses blindness
2 or visual impairment in a child who is under the age of 3 shall notify a parent or
3 guardian of the child of the existence of the registry under sub. (3) and that the
4 registry provides connections to services provided by nonprofit organizations, and
5 paid for by the department, for children who are blind or visually impaired and their
6 families. The physician, optometrist, or ophthalmologist shall submit to the
7 department under the procedure under sub. (3) the required information for any
8 parent or guardian who elects to have a child included on the registry.

9 (b) Any health care provider or other qualified professional that provides early
10 intervention services for a child under s. 51.44 who the health care provider or other
11 qualified professional knows or suspects is experiencing vision loss shall notify a
12 parent or guardian of the child of the existence of the registry under sub. (3) and that
13 the registry provides connections to services provided by nonprofit organizations and
14 paid for by the department for children who are blind or visually impaired and their
15 families. The health care provider or other qualified professional shall submit to the
16 department under the procedure under sub. (3) the required information for any
17 parent or guardian who elects to have a child included on the registry.

18 **(3)** The department shall establish a registry of children who are under the age
19 of 3 and who are diagnosed with blindness or visual impairment for the purpose of
20 connecting parents or guardians of children with blindness or visual impairment
21 with services provided by nonprofit organizations and paid for by the department.
22 The department shall provide a method for physicians, optometrists,
23 ophthalmologists, health care providers, and other qualified professionals to submit
24 to the department the information of any child on the registry. The department shall,
25 consistent with federal law, share the information on the registry directly with the

1 nonprofit organization that manages the registry under sub. (5). A submission under
2 this subsection shall be made on a form prescribed and furnished by the department
3 and shall include all of the following:

4 (a) A summary of health services that the child is receiving, including services
5 related to the child's vision.

6 (b) A summary of the child's current development level.

7 (c) A summary of all concerns and diagnoses with respect to the child's vision.

8 (d) A summary of any relevant family information.

9 (e) The name and contact information of the physician, optometrist,
10 ophthalmologist, health care provider, or other qualified professional completing the
11 form.

12 (f) The name and contact information of the parent or guardian of the child.

13 **(4)** The department shall refer any child included on the registry for a
14 functional vision evaluation conducted by a teacher of the visually impaired. The
15 child shall also be referred for an orientation and mobility assessment conducted by
16 an orientation and mobility specialist if the results of the functional vision
17 evaluation demonstrate that it is appropriate. A teacher of the visually impaired
18 who conducts a functional vision evaluation under this subsection shall determine,
19 based on the results of the evaluation, whether the child requires direct or
20 consultative vision services from a teacher of the visually impaired as part of the
21 early intervention services under s. 51.44.

22 **(5)** The department shall contract with a nonprofit organization to manage and
23 maintain the registry under this section. The department may not enter into a
24 contract under this subsection unless the department determines that all of the
25 following requirements have been met:

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- 1 (a) The nonprofit organization employs and has on staff teachers of the visually
2 impaired licensed by the department of public instruction.
- 3 (b) The nonprofit organization has an established network with direct service
4 providers who provide services to children who are blind or visually impaired.
- 5 (c) The nonprofit organization will use the information available to them on the
6 registry to provide relevant information about the services available through the
7 network under par. (b) and how to obtain those services to any parent or guardian
8 of a child included on the registry upon request and free of charge. The department
9 shall pay for any costs associated with providing the information under this
10 paragraph to any parent or guardian of a child included on the registry.

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(END)