



# EXPEDITED RULE MAKING

**CR-105 (June 2004)**  
(Implements RCW 34.05.353)  
**EXPEDITED RULE MAKING ONLY**

**Agency:** State Board of Health

**Title of rule and other identifying information:** (Describe Subject)  
WAC 246-760-100, Auditory and visual standards--school districts.

### NOTICE

**THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO**

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**AND RECEIVED BY** (Date) 04/05/2010

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

This proposal updates and corrects the rule regarding visual screening of children in public schools. Ophthalmologists, optometrists and opticians, who donate their services, may participate in vision screenings in schools.

**Reasons supporting proposal:**

The current rule prohibits ophthalmologists, optometrists and opticians from participating in visual screening of children in schools. ESSB 5889 was passed in 2009, and expressly allows these vision professionals to perform screening in schools. The rule revision is necessary to make the rule consistent with statute.

An expedited rule-making process was chosen for this proposal because it is a legislative requirement.

**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** 01/29/2010

**NAME (TYPE OR PRINT)**

Craig McLaughlin

**SIGNATURE**

**TITLE**

Executive Director State Board of Health

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** January 29, 2010

**TIME:** 5:01 PM

**WSR 10-04-069**

**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.....	Teresa Cooper	DOH, 111 Israel Rd. SE, Tumwater, WA 98501	360-236-3530
Implementation.... Instruction.....	Superintendent of Public	600 Washington St. SE, Olympia, WA 98501	360-725-6000
Enforcement..... Instruction	Superintendent of Public	600 Washington St. SE, Olympia, WA 98501	360-725-6000

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

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

**WAC 246-760-100 What are the qualifications for visual screening personnel?** (1) Screening must be performed by persons competent to administer screening procedures as a function of their professional training and background or special training and demonstrated competence under supervision.

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

(3) Supervision, training, reporting and referral 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.

~~((4) Screening may not be performed by ophthalmologists, optometrists, or opticians or any individuals who may have a conflict of interest.))~~