

111TH CONGRESS  
1ST SESSION

# S. 259

To establish a grant program to provide vision care to children, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 15, 2009

Mr. BOND (for himself, Mr. DODD, Mr. CASEY, Mr. INOUE, Mr. LIEBERMAN, Mr. AKAKA, Ms. COLLINS, Mrs. McCASKILL, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To establish a grant program to provide vision care to children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Vision Care for Kids  
5 Act of 2009”.

6 **SEC. 2. GRANTS REGARDING VISION CARE FOR CHILDREN.**

7 Part Q of title III of the Public Health Service Act  
8 (42 U.S.C. 280h et seq.) is amended by adding at the end  
9 the following:

1 **“SEC. 399Z-1. GRANTS REGARDING VISION CARE FOR CHIL-**  
2 **DREN.**

3 “(a) IN GENERAL.—The Secretary, acting through  
4 the Director of the Centers for Disease Control and Pre-  
5 vention, may award grants to States on the basis of an  
6 established review process for the purpose of comple-  
7 menting existing State efforts for—

8 “(1) providing comprehensive eye examinations  
9 by a licensed optometrist or ophthalmologist for chil-  
10 dren who have been previously identified through a  
11 vision screening or eye examination by a licensed  
12 health care provider or vision screener as needing  
13 such services, with priority given to children who are  
14 under the age of 9 years;

15 “(2) providing treatment or services, subse-  
16 quent to the examinations described in paragraph  
17 (1), necessary to correct vision problems; and

18 “(3) developing and disseminating, to parents,  
19 teachers, and health care practitioners, educational  
20 materials on recognizing signs of visual impairment  
21 in children.

22 “(b) CRITERIA AND COORDINATION.—

23 “(1) CRITERIA.—The Secretary, in consultation  
24 with appropriate professional and patient organiza-  
25 tions including individuals with knowledge of age ap-  
26 propriate vision services, shall develop criteria—

1           “(A) governing the operation of the grant  
2           program under subsection (a); and

3           “(B) for the collection of data related to  
4           vision assessment and the utilization of follow-  
5           up services.

6           “(2) COORDINATION.—The Secretary shall, as  
7           appropriate, coordinate the program under sub-  
8           section (a) with the program under section 330 (re-  
9           lating to health centers), the program under title  
10          XIX of the Social Security Act (relating to the Med-  
11          icaid program) (42 U.S.C. 1396 et seq.), the pro-  
12          gram under title XXI of such Act (relating to the  
13          State children’s health insurance program) (42  
14          U.S.C. 1397aa et seq.), and with other Federal or  
15          State programs that provide services to children.

16          “(c) APPLICATION.—

17               “(1) IN GENERAL.—To be eligible to receive a  
18               grant under subsection (a), a State shall submit to  
19               the Secretary an application in such form, made in  
20               such manner, and containing such information as  
21               the Secretary may require, including—

22               “(A) information on existing Federal, Fed-  
23               eral-State, or State-funded children’s vision  
24               programs;

1           “(B) a plan for the use of grant funds, in-  
 2           cluding how funds will be used to complement  
 3           existing State efforts (including possible part-  
 4           nerships with non-profit entities);

5           “(C) a plan to determine if a grant eligible  
 6           child has been identified as provided for in sub-  
 7           section (a);

8           “(D) a description of how funds will be  
 9           used to provide items or services, only as a sec-  
 10          ondary payer for an eligible child;

11          “(E) an assurance that the State will not  
 12          eliminate or otherwise reduce vision care bene-  
 13          fits for children under the State plan under title  
 14          XIX of the Social Security Act for purposes of  
 15          receiving such a grant; and

16          “(F) an assurance that amounts received  
 17          under the grant are expended on an eligible  
 18          child as defined in paragraph (2).

19          “(2) ELIGIBLE CHILD.—For purposes of para-  
 20          graph (1), the term eligible child means a child  
 21          that—

22                 “(A) is not covered under a health insur-  
 23                 ance policy that provides coverage for vision  
 24                 services;

1           “(B) is not otherwise eligible to receive  
2           coverage of such services under a State plan  
3           under title XIX of the Social Security Act,  
4           under the program under title XXI of such Act,  
5           under any State health care compensation pro-  
6           gram, or under any other Federal or State  
7           health benefits program; and

8           “(C) is a low income child (as defined by  
9           the State).

10          “(d) EVALUATIONS.—To be eligible to receive a grant  
11          under subsection (a), a State shall agree that, not later  
12          than 1 year after the date on which amounts under the  
13          grant are first received by the State, and annually there-  
14          after while receiving amounts under the grant, the State  
15          will submit to the Secretary an evaluation of the oper-  
16          ations and activities carried out under the grant, includ-  
17          ing—

18               “(1) an assessment of the utilization of vision  
19               services and the status of children receiving these  
20               services as a result of the activities carried out  
21               under the grant;

22               “(2) the collection, analysis, and reporting of  
23               children’s vision data according to guidelines pre-  
24               scribed by the Secretary; and

1           “(3) such other information as the Secretary  
2           may require.

3           “(e) PRIORITY.—In awarding grants under this sec-  
4           tion, the Secretary shall give priority to States submitting  
5           applications that provide that services under the grant will  
6           be provided to the lowest income children within the State  
7           submitting the application.

8           “(f) LIMITATIONS IN EXPENDITURE OF GRANT.—A  
9           grant may be made under subsection (a) only if the State  
10          involved agrees that the State will not expend more than  
11          20 percent of the amount received under the grant to  
12          carry out the purpose described in paragraph (3) of such  
13          subsection.

14          “(g) MATCHING FUNDS.—

15               “(1) IN GENERAL.—With respect to the costs of  
16               the activities to be carried out with a grant under  
17               subsection (a), a condition for the receipt of the  
18               grant is that the State involved agrees to make  
19               available (directly or through donations from public  
20               or private entities) non-Federal contributions toward  
21               such costs in an amount that is not less than 25  
22               percent of such costs.

23               “(2) DETERMINATION OF AMOUNT CONTRIB-  
24               UTED.—Non-Federal contributions required in para-  
25               graph (1) may be in cash or in kind, fairly evalu-

1       ated, including plant, equipment, or services.  
 2       Amounts provided by the Federal Government, or  
 3       services assisted or subsidized to any significant ex-  
 4       tent by the Federal Government, may not be in-  
 5       cluded in determining the amount of such non-Fed-  
 6       eral contributions.

7       “(h) SUPPLEMENT NOT SUPPLANT.—A State that  
 8       receives a grant under this section shall ensure that  
 9       amounts received under such grant will be used to supple-  
 10      ment, and not supplant, any other Federal, State, or local  
 11      funds available to carry out activities of the type carried  
 12      out under the grant.

13      “(i) DEFINITION.—For purposes of this section, the  
 14      term ‘comprehensive eye examination’ includes an assess-  
 15      ment of a patient’s history, general medical observation,  
 16      external and ophthalmoscopic examination, visual acuity,  
 17      ocular alignment and motility, refraction, and as appro-  
 18      priate, binocular vision or gross visual fields, performed  
 19      by an optometrist or an ophthalmologist.

20      “(j) AUTHORIZATION OF APPROPRIATIONS.—For the  
 21      purpose of carrying out this section, there are authorized  
 22      to be appropriated \$65,000,000 for the 5-fiscal year pe-  
 23      riod beginning in fiscal year 2009.”.

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