

**REGULATIONS GOVERNING LOW VISION.**

**Final Regulation**

**Adopted January 4, 2002**

**CHAPTER 110.**

**REGULATIONS GOVERNING LOW VISION.**

22 VAC 45-110-10. Definitions.

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**Research and Practice References**

79 Am Jur 2d, Welfare Laws §§32-37 (service to aged, blind, or disabled persons).

**22 VAC 45-110-10. Definitions.**

The following words and terms, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise:

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~~"Bioptics" means telescopes mounted in a superior position in carrier lenses.~~

~~"Client"~~ "Consumer" means any person receiving a service provided by the Low Vision Program of the Department for the ~~Visually Handicapped~~ Blind and Vision Impaired (DBVI).

"Low vision" means reduced visual functioning. It is the condition ~~which~~ that exists when no further medical or surgical procedures or regular prescription lenses are beneficial but residual vision exists.

"Low vision aids" means optical and nonoptical devices which are prescribed for the purpose of enhancing ~~subnormal~~ or low vision.

"Low vision services" means all aspects which are necessary to the comprehensive provision of services, i.e., preexamination evaluations, low vision examination, provision of prescribed low vision aids, and follow-up training and counseling in the use of low vision aids.

~~"SSI" means Supplemental Security Income which is supplemental income for individuals in economic need. It is administered and regulated by the Social Security Administration.~~

### Statutory Authority

~~§63.1-78~~ §63.1-85(7) of the Code of Virginia.

### Historical Notes

Derived from VR670-03-7 §1; eff. August 3, 1988.

**22 VAC 45-110-20. Low vision services referral.**

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An individual who has low vision and needs and desires low vision services may be referred for DBVI services. The department shall document the evaluation for low vision services and the services provided, if any. A case record shall be opened for every individual who is referred for low vision services. Each case record shall include a referral form and a narrative report. The narrative report shall state the desired outcome of the provision of services and the means by which the decision to receive services was made.

**Statutory Authority**

~~§63.1-78~~ §63.1-85(7) of the Code of Virginia.

**Historical Notes**

Derived from VR670-03-7 §2; eff. August 3, 1988.

**22 VAC 45-110-30. Eligibility.**

An individual ~~shall~~ may be eligible for low vision services if the individual's corrected visual acuity is 20/70 or worse in the better eye and the consumer has met the eligibility requirements of at least one of the following department programs: education services, vocational rehabilitation, or rehabilitation teaching.

**Statutory Authority**

~~§63.1-78~~ §63.1-85(7) of the Code of Virginia.

**Historical Notes**

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Derived from VR670-03-7 §3; eff. August 3, 1988.

**22 VAC 45-110-40. Preexamination.**

An ophthalmological or optometrical eye report shall be required ~~Prior to the scheduling of~~ before a low vision examination is scheduled by an agency case manager, ~~the receipt of an ophthalmological or optometrical eye report shall be required, except where an ophthalmologist or optometrist examiner has stated the necessity for an examination prior to the sending of the report.~~ The eye report examination shall have been made within one year from the date of the scheduled low vision examination; except where the eye condition is stable, the eye ~~report~~ examination may have been made within two years from the date of the scheduled low vision examination.

~~An authorization form issued by the agency case manager shall be prepared for all clients in order to pay for the examination through an appropriate payment source in the agency as long as that source has determined that funds are available.~~

**Statutory Authority**

~~§63.1-78~~ §63.1-85(7) of the Code of Virginia.

**Historical Notes**

Derived from VR670-03-7 §4; eff. August 3, 1988.

**22 VAC 45-110-50. Financial participation.**

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~~A. General provision. Endowment fund sponsorship shall be limited solely by the availability of funds. Endowment fund sponsorship is available for an individual whose income is at or below the level established for Medicaid.~~

BA. Low vision examination. An authorization form issued by the agency case manager may be prepared to pay for the examination through an appropriate payment source in the agency as long as funds are available. There is no charge to the individual consumer for a low vision examination as long as funds are available for this activity as determined by the agency.

B. Low vision aids. Consumer financial participation in the cost of low vision aids will be determined according to regulations promulgated by the sponsoring DBVI program.

~~C. Low vision aids. An individual shall be eligible for endowment fund sponsorship for the provision of low vision aids if the individual's family income falls at or beneath the established levels for Medicaid eligibility or SSI eligibility as established by the federal government, whichever is higher. An individual who is eligible for endowment fund sponsorship shall receive the prescribed low vision aids at no charge. This provision of aids through endowment fund sponsorship shall be limited to a maximum of:~~

- ~~1. One near aid;~~
- ~~2. One distance aid;~~
- ~~3. A pocket magnifier; and~~
- ~~4. Sun wear.~~

~~All of these shall be stock items.~~

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~~An individual who is not eligible for endowment fund sponsorship or other funding source sponsorship shall be required to purchase the aids. The aids shall be dispensed at cost.~~

**Statutory Authority**

~~§63.1-78~~ §63.1-85(7) of the Code of Virginia.

**Historical Notes**

Derived from VR670-03-7 §5; eff. August 3, 1988.

**~~22 VAC 45-110-60.~~ — Driving with bioptics.**

~~Low vision services will provide evaluation for bioptic systems, where appropriate, and will prescribe them as indicated in order to enhance residual vision.~~

**~~Statutory Authority~~**

~~§63.1-78 of the Code of Virginia.~~

**~~Historical Notes~~**

~~Derived from VR670-03-7 §6; eff. August 3, 1988.~~

I certify that this regulation is full, true, and correctly dated.

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**REGULATIONS GOVERNING LOW VISION.**

W. Roy Grizzard, Jr., Ed.D. , Commissioner

Department for the Blind and Vision Impaired

January 4, 2002