

E A S T B A Y Children's Law offices

#### NATIONAL CENTER FOR YOUTH LAW Using the law to help children in need



### Multidisciplinary Overview of Psychotropic Medication

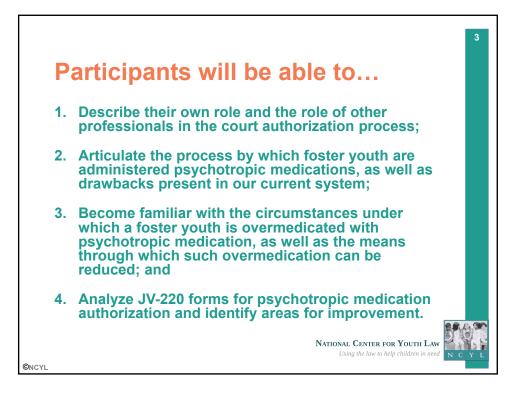
#### for Children and Youth in Foster Care and Out-of-Home Placements

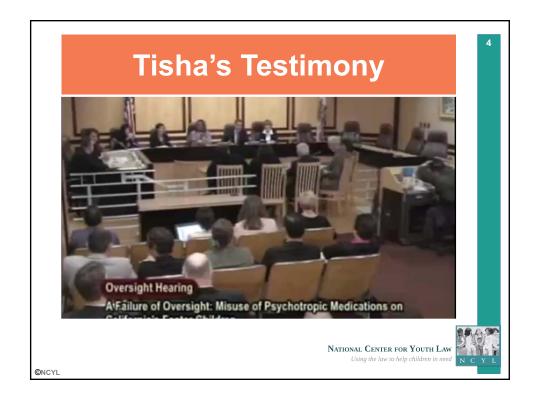
December 19, 2017

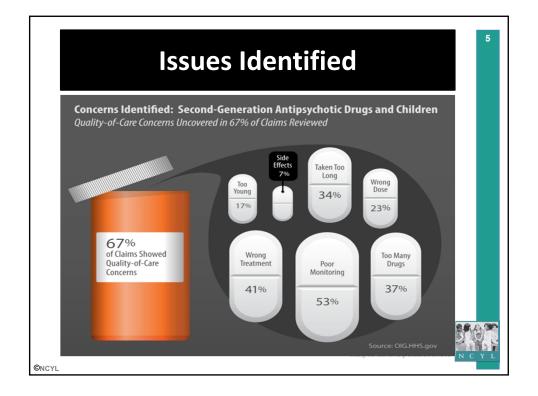
Hon. Jerilyn Borack, Judge of the Superior Court of California, County of Sacramento

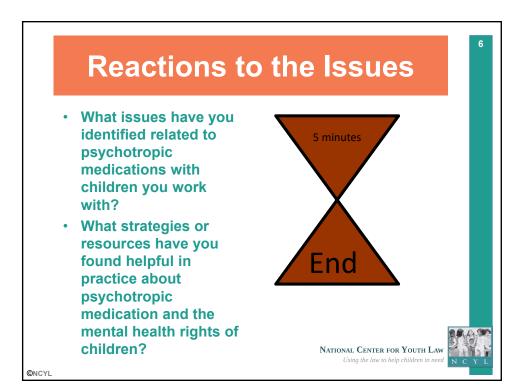
William Grimm, Directing Attorney, National Center for Youth Law Susan Bullard, RN, PHN, CLNC, Foster Care Public Health Nurse, Madera County Health Department











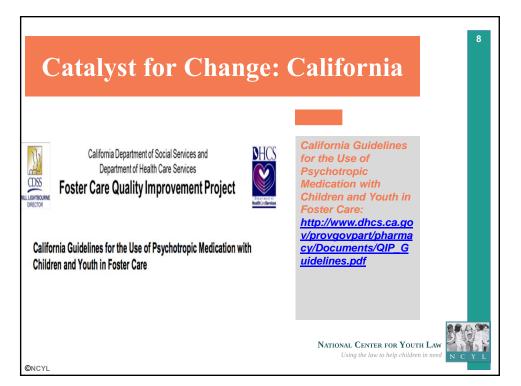
#### Catalyst for Change: Child & Family Services Improvement & Innovation Act of 2011, P.L. 112-34

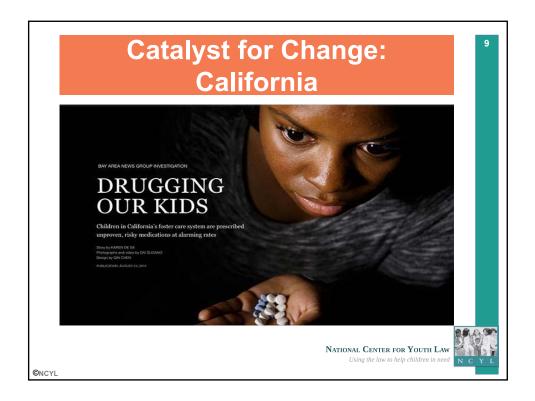
States must adopt "protocols for the appropriate use and monitoring of psychotropic medications"

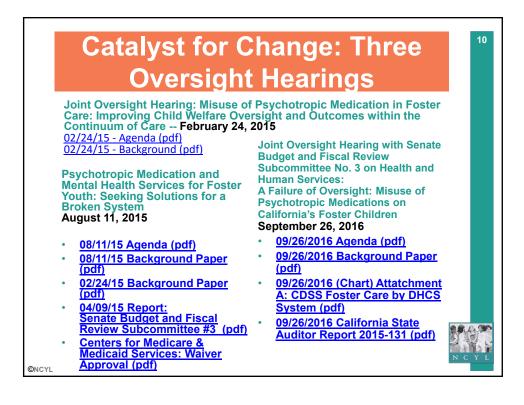
**©**NCYL

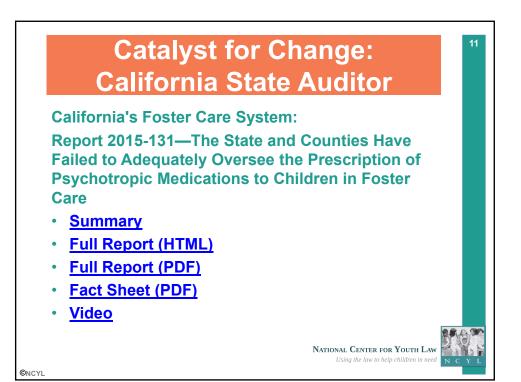


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13

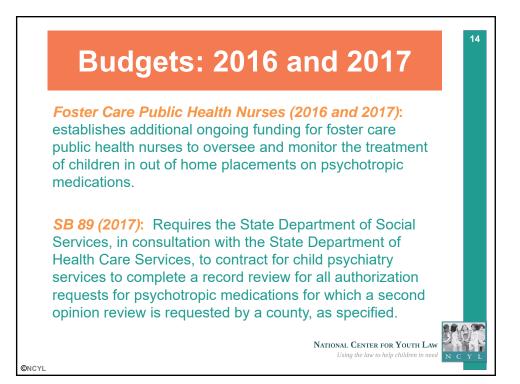
## Legislation: 2016

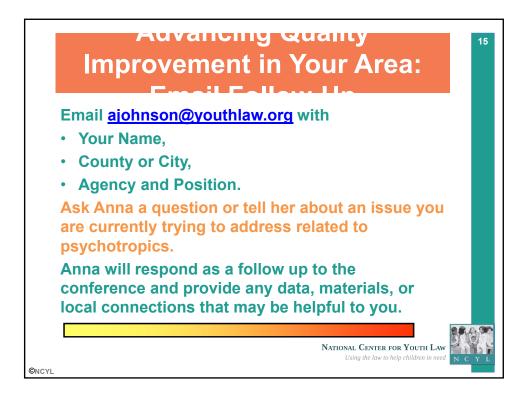
Senate Bill 1174 (2016): Subjects prescribing physicians to heightened scrutiny by enabling the Medical Board of California to collect and analyze data, and, where warranted, conduct investigations of physicians who frequently prescribe outside recognized safety parameters for children

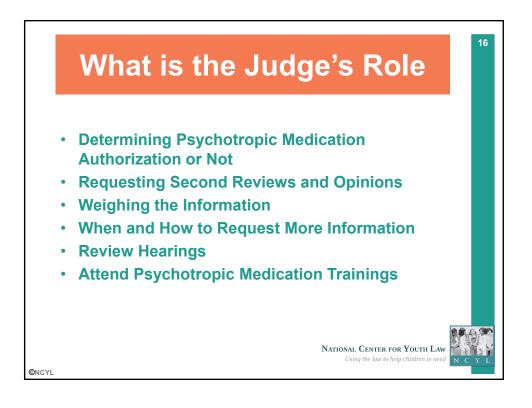
Senate Bill 1291 (2016): Requires the State to monitor counties to ensure they offer mental health services for children in foster care that include non-drug treatments

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## Judicial Authorization Process

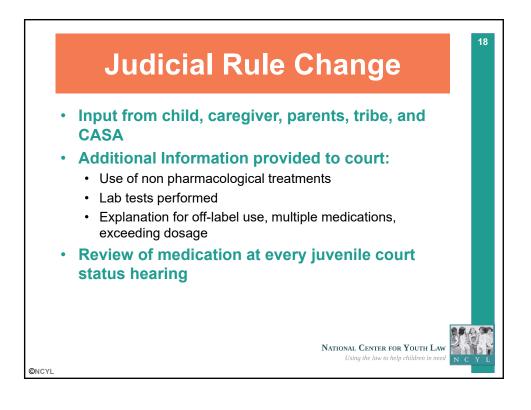
#### JV-217-INFO Guide to Psychotropic Medication Forms

Use these Judicial Council forms to ask for an order to give (or to continue giving) psychotropic medication to a child who is a ward or a dependent of the juvenile court and living in an out-of-home placement or in foster care, as defined in Welfare and Institutions Code, section 727.4. Local forms may be used to provide additional information to the court.

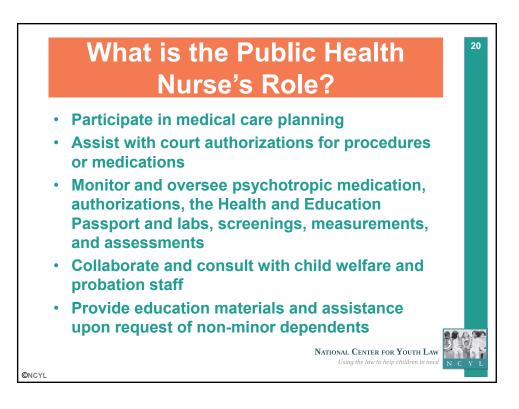
Exception: These forms are not required in these situations:

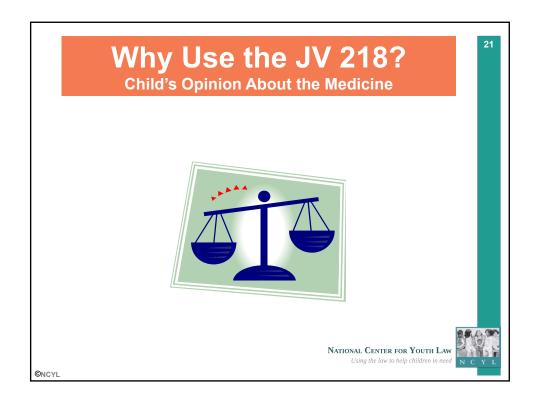
- If the child lives in an out-of-home facility <u>not</u> considered foster care, as defined by section 727.4, unless a local court rule requires it, or
- · If there is a previous court order that gives the child's parent(s) the authority to approve or refuse the medication.

Required	Forms	Optional Forms					
JV-220 JV-220(A)	Application for Psychotropic Medication Physician's Statement—Attachment	The child, caregiver, CASA, or Indian tribe wanting to give input to the court may use one of these forms.					
JV-220(B)	Physician's Request to Continue Medication- Attachment	JV-218 Child's Opinion About the Medicine JV-219 Statement About Medicine Prescribed					
JV-221	Proof of Notice of Application	A person who opposes the proposed medication or who					
JV-223	Order on Application for Psychotropic Medication	wants to give the court more information may fill out this form:					
JV-224	County Report on Psychotropic Medication	JV-222 Input on Application for Psychotropic Medication					

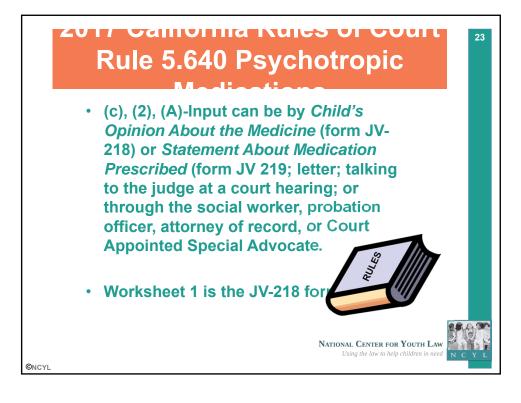












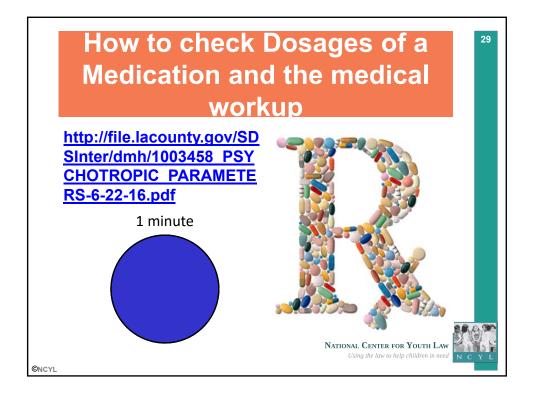
JV-218 Child's Opinion About the Medicine	Clerk al	amps da	te her	e when	form is	s filed.		
(ou may use this form to tell the judge what you think about the medicine that doctor wants you to take.								
ou do not <i>have to</i> use this form if you do not want to. There are other ways to ell the judge how you feel. You can:								
<ul> <li>Talk to the judge at a hearing or write the judge a letter, or</li> </ul>	1							
<ul> <li>Ask your lawyer, social worker, probation officer, or CASA to tell the judge how you feel.</li> </ul>		Fill in court name and street address: Superior Court of California, County of						
You may ask someone you trust to help you read and fill out this form. And you may add as many pages as you need. If you add extra pages, please put your name and the number of the question you are answering on each extra page.								
1) Your name: Male Foster Child	Fill in ch	ild's nam	e and	date of	birth:			
(first) (middle) (last)	Child's	Name:	Mal	e Fos	ter Ch	ild		
2) Your date of birth: 01-01-2000	Date of	Birth:	01/0	01/200	0			
(month) (day) (year)	Court fills			er whe	form	is filed.		
answer these questions about this medicine:		101010		1				
3) Do you know that a doctor wants you to take a medicine?	×	Yes		No		Not sure		
Do you know the name and dose of the medicine the doctor wants you to ta	ke? 🗵	Yes		No		Not sure		
6 Have you taken this medicine before?	×	Yes		No		Not sure		
6 Do you want more information before you decide if you want to take it? If yes, what do you want to know? <u>Already taking it</u>		Yes	×	No				
7) Did anyone tell you how the medicine is supposed to help you?	×	Yes		No		Not sure		
Did anyone explain the possible side effects?     If yes, what did they say?	×	Yes		No		Not sure		
9) What is your opinion about taking the medicine? It helps me for now								
atout Convert of California, where could is an any add to a set of California where could is a set of the Source o	Aedicir	ie			V-218	, Page 1 of		

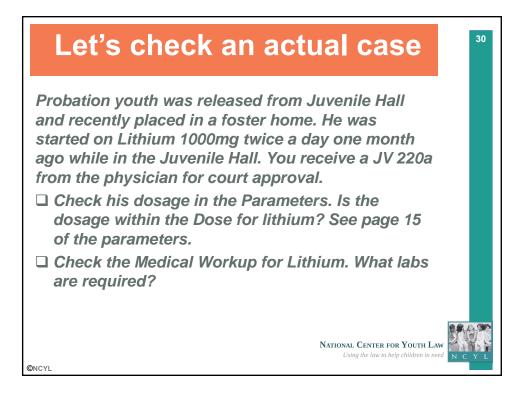
	nay use this form to tor wants you to tak		udge what you	think a	bout the medicine that								
	do not <i>have to</i> use the judge how you fe			ant to.	There are other ways to	·							
	Talk to the judge	at a heari	ng or write the	judge a	letter, or								
•	Ask your lawyer, judge how you fe		orker, probatio	a office	r, or CASA to tell the		Fill in court name and street address. Superior Court of California, County of						
you	may add as many p name and the num	ages as y	ou need. If you	add ex	ill out this form. And tra pages, please put wering on each extra								
1	Your name: Female	e Foster C	Child					ld's nam					
	(first)		(middle)		(last)			Name: Birth:				Child	
2)	Your date of birth:	01/01/20	09					Birth:				s filed.	
		(month)	(day)		(year)	Ca	se N	umber 10101					
Ansv	wer these question												
3 4	Do you know that Do you know the r				the doctor wants you to	take?		Yes		No No		Not sure	
(5)	Have you taken thi	is medicir	ne before?					Yes	×	No		Not sure	
6					if you want to take it?			Yes	×	No			
-	If yes, what do you	a want to	know? tastes	nasty, to	oo big and hard to swal	low			_				
7	Did anyone tell yo	u how the	e medicine is s	upposed	to help you?			Yes	×	No		Not sure	
8	Did anyone explai If yes, what did th			ts?			×	Yes		No		Not sur	
9	What is your opini I'm mad. I don't w	ion about ant to tak	taking the mea	licine?									
									_	_			
												8. Page 1 c	

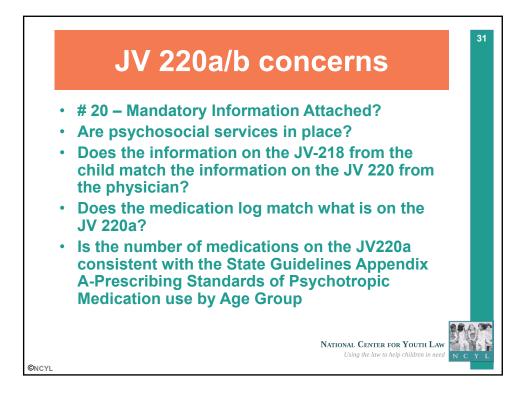
ou may use this form to tell the ju- doctor wants you to take.	lge what you thi	nk abou	t the medicine that								
ou do not <i>have to</i> use this form if ; Il the judge how you feel. You car		to. The	re are other ways to								
<ul> <li>Talk to the judge at a hearing</li> </ul>	or write the jud	ge a let	ter, or								
<ul> <li>Ask your lawyer, social work judge how you feel.</li> </ul>	er, probation of	ficer, or	CASA to tell the		Fill in court name and street address: Superior Court of California, County of						
You may ask someone you trust to you may add as many pages as you your name and the number of the o page.	need. If you ad	d extra p	pages, please put								
1) Your name: Female Foster Ch	ild			Fill in chi	kd's nam	e and	date of	birth:			
(first)	(middle)	(la	180	Child's					Child		
2) Your date of birth: 01/01/2004				Date of				-			
(month)	(day)		(year)	Court fills			er when	form	s filed.		
				PJP 01							
nswer these questions about this											
3 Do you know that a doctor was	nts you to take a	medici	ne?		Yes		No		Not st	are	
Do you know the name and do	se of the medici	ne the d	octor wants you to ta	ke? 🗖	Yes	×	No		Not su	are	
<ol> <li>Have you taken this medicine</li> </ol>	before?				Yes		No	×	Not su	are	
6) Do you want more informatio	n before you dec	ide if ye	ou want to take it?		Yes		No				
If yes, what do you want to kn	ow?										
7 Did anyone tell you how the n	nedicine is suppo	osed to l	help you?	E	Yes		No		Not su	ure	
<ul> <li>Did anyone explain the possib</li> </ul>	le side effects?			×	Yes		No		Not su	ure	
If yes, what did they say? The	doctor said I co	uld be r	cally tired								
9) What is your opinion about tal I want to take medication . I h			me feel better.								

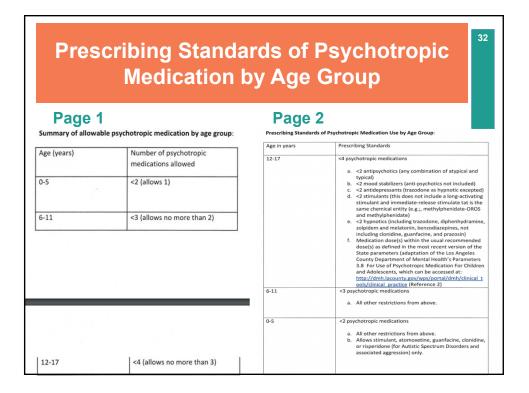
JV-218 Child's Opinion About the Medicine	Clerk stamps da	te here whei	n form is filed.
You may use this form to tell the judge what you think about the medicine that doctor wants you to take.			
ou do not <i>have to</i> use this form if you do not want to. There are other ways to ell the judge how you feel. You can:			
<ul> <li>Talk to the judge at a hearing or write the judge a letter, or</li> </ul>	1		
<ul> <li>Ask your lawyer, social worker, probation officer, or CASA to tell the judge how you feel.</li> </ul>	Fill in court name Superior Cour		ddress: mia, County of
You may ask someone you trust to help you read and fill out this form. And you may add as many pages as you need. If you add extra pages, please put your name and the number of the question you are answering on each extra page.			
1) Your name: Male Foster Child	Fill in child's name	e and date o	f birth:
(first) (middle) (last)	Child's Name:		
2) Your date of birth: 01/01/2001	Date of Birth:	01/01/200	
(month) (day) (year)	Court fills in case i Case Number:		n form is filed.
answer these questions about this medicine:	QJP01010101		
3 Do you know that a doctor wants you to take a medicine?	X Yes	🗆 No	Not sure
Do you know the name and dose of the medicine the doctor wants you to tal	ke? 🗷 Yes	D No	Not sure
5 Have you taken this medicine before?	Yes	X No	□ Not sure
6 Do you want more information before you decide if you want to take it? If yes, what do you want to know? Side effects. I don't know the dosage. I don't know the dosage. I don't know the dosage.	X Yes		otoran
side effects. I don't know uie dosage. I	aon't need it bec	auserm	not crazy.
Did anyone tell you how the medicine is supposed to help you?	Yes	No No	□ Not sure
Did anyone explain the possible side effects?     If yes, what did they say?	Yes	I No	□ Not sure
What is your opinion about taking the medicine? I don't need it because I am not crazy and I can control my temper. I feel I w there for me.	vas acting out be	ecause pe	ople were not
w Av 1. 2016. Ordened from Courts ca gov Child's Opinion About the N	ledicine		JV-218, Page 1 of

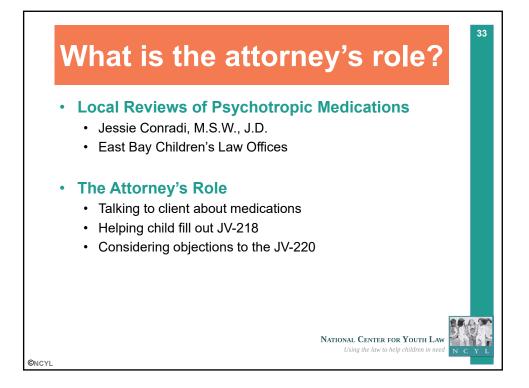
	JV-219 Statement About Medicine Prescribed	Clerk stamps date here when form is filed.
	may use this form to give the court input on the request for an order for cation for the youth.	
give i	do not <i>have to</i> use this form if you do not want to. There are other ways to input to the court. You may:	
	Send a letter to the judge	
	Speak to the judge at the hearing, or Ask your lawyer or the child's social worker, probation officer, or CASA to tell the judge how you feel.	Fill in court name and street address: Superior Court of California, County of
Pleas	may add pages to this form if you need more space for your answers. e put the child's name and the number of the question you are answering ich extra page.	
Child	I's name: Female Foster Child	Fill in child's name and date of birth:
	(first) (middle) (last)	Child's Name: Female Foster Child
1)	Your name: Grandmother	Date of Birth: 01/01/2007
	(first) (middle) (last)	Court fills in case number when form is filed.
2)	Your relationship to the child:  Caregiver CASA Indian Tribe Parent Other (explain):	Case Number: TJM01010101
3)	How long have you known the child? 9yrs 3mo 2 days	
	(years) (months) (days)	
4)	How long has the child lived in your home or facility?	4mo
	(vears)	(months) (days)
_	l's Behavior	
	How does the child act at home?	
-	How does the child act at school? [X] Don't know	
	No.2	
	Describe here:	

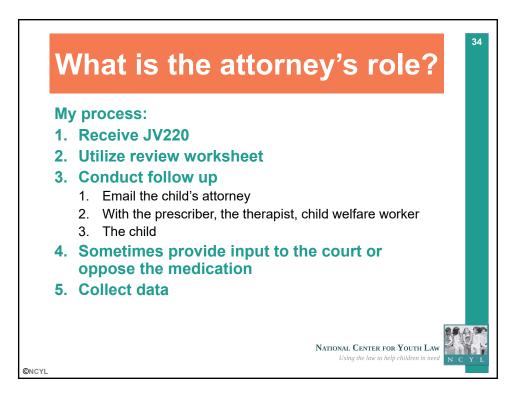


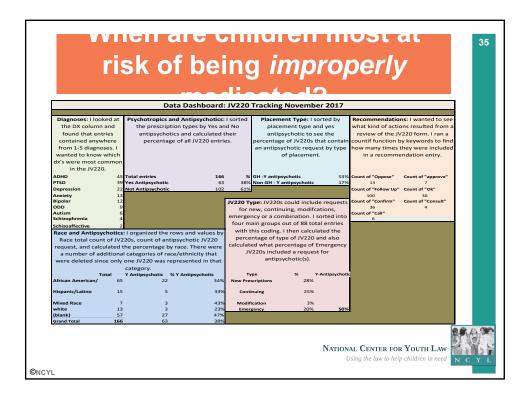


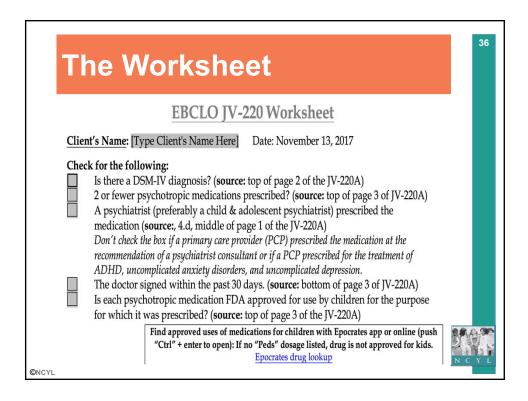


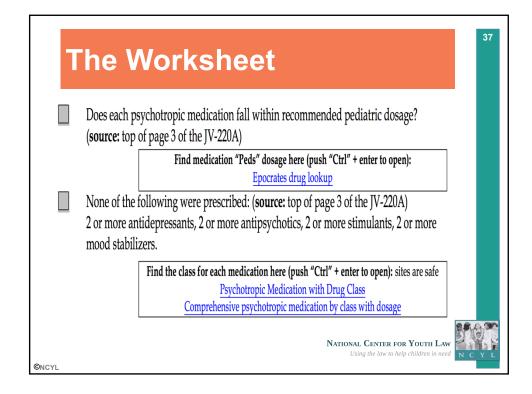


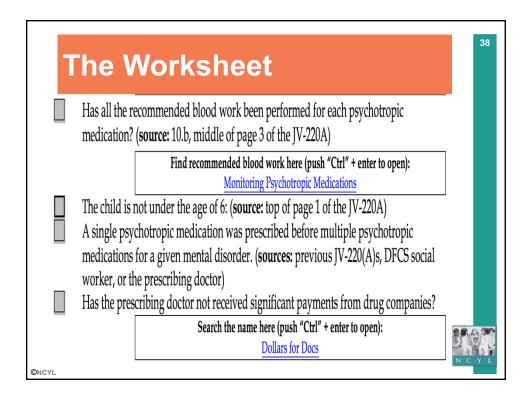












39

# **The Worksheet**

**DIDN'T CHECK ALL THE BOXES?** This was may indicate a need for additional review of a patient's clinical status and a possible review and/or follow up by a member of the Social Work team.

Helpful resources for answering the above questions:

- http://www.nlm.nih.gov/medlineplus/druginformation.html
- http://www.nimh.nih.gov/health/topics/child-and-adolescent-mental-health/index.shtml
- http://www.drugs.com/
- http://www.rxlist.com/

Using the Worksh JV220(A)	neet: A Model
JV-220(A) Physician's Statement— Attachment	Case Number: good example
This form must be completed and signed by the prescribing physician <i>Psychotropic Medication Forms</i> , for more information about the requ	
<ul> <li>(1) Information about the child (name): Billy Smith Date of birth: 7/13/2007 Current height: 4'5" Gender: Male Ethnicity: Asian</li> <li>(2) Type of request:         <ul> <li>a. X An initial request to administer psychotropic medication</li> <li>b. A request to start a new medication or to increase the mate.</li> <li>X A request to continue psychotropic medication the child</li> <li>(3) X This application is made during an emergency situation as d The emergency circumstances requiring the temporary admin court's decision on this application are:</li> <li>Billy was hospitalized for a psych emergency due to suicida voices instructing him to kill himself.</li> </ul> </li> </ul>	iximum dose of a previously approved medication is currently taking efined in California Rules of Court, rule 5.640(g). nistration of psychotropic medication pending the
- DNCYL	NATIONAL CENTER FOR YOUTH LAW Using the law to help children in need N C Y L

	Jsing the Workshee Practice JV220(A)	et: 41
JV	-95/0/A) Physician o otatomont	Case Number: Bad example
	m must be completed and signed by the prescribing physician. Read Form ropic Medication Forms, for more information about the required forms are	
Da Ga (2) Ty a. b. c.	formation about the child (name): Bob Smith te of birh: 7/13/2007 Current height: Current weigh ender: Male Ethnicity: Current weigh pe of request: I An initial request to administer psychotropic medication to this child A request to start a new medication or to increase the maximum dose X A request to continue psychotropic medication the child is currently to This application is made during an emergency situation as defined in Cali The emergency circumstances requiring the temporary administration of p court's decision on this application are: child at risk of losing placement if prescription is not maintained	of a previously approved medication aking fornia Rules of Court, rule 5.640(g).
a. b.	escribing physician: Name:Family Nurse practitioner Marsha Brady Address:7788 Billygoat Street, Suite 510 Phone numbers: <u>241-577-8898 (Group home nurse)</u>	License number:PN 12345

