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## PSYCHOTROPIC DRUG USE ADVISORY COUNCIL; POLICIES

### House Bill 5083

Sponsor: Rep. Gary Woronchak

### House Bill 5084

Sponsor: Rep. Barb Vander Veen

### House Bill 5085

Sponsor: Rep. Sue Tabor

### House Bill 5086

Sponsor: Rep. Thomas George

Committee: Education

Complete to 9-26-01

## A SUMMARY OF HOUSE BILLS 5083- 5086 AS INTRODUCED 9-25-01

The bills would amend the Public Health Code and the Revised School Code to establish policies concerning the use of psychotropic medication by children in schools. A detailed summary of each bill follows.

House Bill 5083 would amend the Public Health Code (MCL333.2217) to create the Psychotropic Drug Use Advisory Council within the Department of Community Health. The council would be required to investigate, compile a report, and recommend policies pertaining to psychotropic drug use among children.

More specifically, under the bill the council would be required to use the following information and issues as guidelines in formulating its report:

- relevant literature and current research, including professional practice guidelines;
- surveys conducted by the advisory council on the extent of behavioral disorders and the policies and treatments used in treating those disorders;
- the relationship between behavioral disorders and learning disabilities;
- similarities and differences between school district policies that deal with the recommended or mandated use of psychotropic drugs and their relationship to school attendance (under the bill, this review of policies would include general school policies, as well as special education policies);
- the pattern of psychotropic drug use among children over the past 25 years; and
- psychotropic drug use among children by age, gender, and school district.

House Bills 5083-5086 (9-26-01)

House Bill 5083 specifies that the advisory council would have 12 members, appointed by the department. The members would include one representative from each of the following: the Department of Community Health; the Department of Consumer and Industry Services; the Department of Education; a licensed physician; a licensed psychologist; a licensed psychiatrist; a state-certified special education teacher; and, a licensed child care provider. In addition, two parents and two state legislators would be appointed.

House Bill 5084 would amend the Revised School Code (MCL 380.1145) to require that the board of a school district (including a local act school district or intermediate school district, or the board of directors of a public school academy) ensure that a student was not excluded from school or a school function, suspended or expelled from school, or otherwise prevented from attending school because of either of the following:

- the student had failed or neglected to take a prescribed psychotropic medication; or
- the student had not been evaluated for psychotropic medication.

House Bill 5085 would amend the Revised School Code (MCL 380.1180) to require the board of a school district (including a local act school district, or an intermediate school district, or the board of directors of a public school academy) to adopt and implement a policy prohibiting any school employee or official from recommending the use of psychotropic drugs for any child. However, the bill specifies that this provision would not prohibit any school's medical staff from recommending that a child be evaluated by an appropriate health care provider, nor would it prohibit a health care provider from consulting with school personnel concerning the child, with the consent of the child's parent or legal guardian.

House Bill 5086 would amend the Public Health Code (MCL 333.9171) to require the Department of Community Health to consult with appropriate professional organizations, and to develop and distribute to each school district an informational pamphlet to describe the 20 psychotropic prescription drugs that are most frequently prescribed to minors in Michigan. Under the bill, the department could use an existing pamphlet or pamphlets with information about one or more of the drugs; however, in either case, the pamphlet distributed would be required to contain at least all of the following information:

- the medical condition or conditions for which each psychotropic drug is prescribed;
- the actual and possible side effects, including the signs and symptoms of each effect; and,
- other information considered relevant by the department.

Further, the bill would require the department to distribute the pamphlet to each school district free of charge, for subsequent distribution to all teachers and school administrators in the district.

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.