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House Bill 5083 (Substitute S-2)  
Sponsor: Representative Gary Woronchak  
House Committee: Education  
Senate Committee: Education

Date Completed: 2-20-02

### **CONTENT**

#### **The bill would amend the Public Health Code to create the Psychotropic Drug Use Advisory Council within the Department of Community Health.**

The Advisory Council would have to investigate, compile a report, and recommend policies pertaining to psychotropic drug use among children, using the following information and issues as guidelines:

- 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, and their differences.
- Similarities and differences between school district policies that deal with the recommended or mandated use of psychotropic drugs and their relationship to school attendance. This review would have to include general school policies, as well as special education policies.
- Pattern of psychotropic drug use among children over the past 25 years.
- Psychotropic drug use among children by age, gender, and school district.

In conducting its investigation, the Advisory Council would have to hold at least three public hearings in various geographic and socioeconomic areas throughout the State. The Council would have to submit its report to the Legislature before December 1, 2002.

The Council would have to consist of the following members appointed by the Governor: a representative of the Department of Community Health; a representative of the Department of Consumer and Industry Services with experience in child care; a representative of the Department of Education; a State-approved social worker; and a licensed pharmacist. The Senate Majority Leader would have to appoint the following members: a certified special education teacher; a certified general education teacher; a licensed child psychologist; a licensed pediatrician; a school principal; and a parent. The Speaker of the House of Representatives would have to appoint the following members: a certified school psychologist; a certified school counselor; a certified school nurse; a licensed child psychiatrist; and two parents.

The Governor would be required to appoint a member of the Advisory Council to serve as chairperson of the Council. The bill provides that the members of the Council would be volunteers who would serve without monetary compensation or reimbursement.

The proposed section would be repealed December 1, 2002.

## **FISCAL IMPACT**

The Department of Community Health would incur the costs of the Council's responsibility to investigate and compile a report on psychotropic drug use among children.

The expense associated with the Council activities would have to be absorbed within existing departmental resources, as the bill would provide the Department with no additional funding. The amount required for this proposal would depend in part on the extensiveness of the activities undertaken by the Council. The Department has previously stated that the cost of such a council would require a budget of \$250,000 annually.

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