

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5083**

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 2217; and to repeal
acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2217. (1) THE DEPARTMENT SHALL CONTRACT WITH A
2 RESEARCH INSTITUTION FOR THE RESEARCH INSTITUTION TO INVESTIGATE,
3 COMPILE A REPORT, AND IDENTIFY POLICIES CONCERNING PSYCHOTROPIC
4 MEDICATION FOR CHILDREN. THE INVESTIGATION, REPORT, AND RECOM-
5 MENDED POLICIES SHOULD FOCUS ON PSYCHOTROPIC MEDICATIONS THAT ARE
6 STIMULANTS OR ANTIDEPRESSANTS. AT LEAST ALL OF THE FOLLOWING
7 INFORMATION AND ISSUES SHALL BE INCORPORATED INTO THE REPORT:
8 (A) RELEVANT LITERATURE AND CURRENT RESEARCH, INCLUDING
9 PROFESSIONAL PRACTICE GUIDELINES.

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1 (B) INFORMATION GATHERED FROM A GEOGRAPHICALLY
2 REPRESENTATIVE SAMPLE OF SCHOOL DISTRICTS IN THIS STATE REGARDING
3 ALL OF THE FOLLOWING:

4 (i) TO THE EXTENT THAT THE INFORMATION IS AVAILABLE, THE
5 NUMBER AND PROPORTION OF STUDENTS ON RECORD WITH THE SCHOOL DIS-
6 TRICT AS HAVING APPLICABLE BEHAVIORAL DISORDERS AND THE NUMBER
7 AND PROPORTION OF STUDENTS ON RECORD WITH THE SCHOOL DISTRICT AS
8 HAVING BOTH 1 OR MORE OF THOSE BEHAVIORAL DISORDERS AND 1 OR MORE
9 LEARNING DISABILITIES.

10 (ii) TREATMENT POLICIES AND PRACTICES FOR STUDENTS WITH
11 BEHAVIORAL DISORDERS, INCLUDING RECOMMENDED OR MANDATED USE OF
12 PSYCHOTROPIC MEDICATIONS.

13 (iii) CHARACTERISTICS OF STUDENTS WHO ARE GIVEN PSYCHOTROPIC
14 MEDICATIONS, SUCH AS AGE, GENDER, AND SCHOOL DISTRICT, TO BETTER
15 UNDERSTAND VARIATIONS IN CURRENT TREATMENT OF ATTENTION DEFICIT
16 HYPERACTIVITY DISORDER AND DEPRESSION.

17 (C) USING SCIENTIFIC EVIDENCE IN BOTH THE MEDICAL AND EDUCA-
18 TIONAL LITERATURE AND RECORDS, AN ANALYSIS OF THE ISSUE OF KNOWN
19 COMORBIDITIES AND OVERLAP OF BEHAVIORAL DISORDERS AND LEARNING
20 DISABILITIES.

21 (D) A REVIEW OF THE PATTERN OF PSYCHOTROPIC MEDICATION USE
22 AMONG CHILDREN FROM 1990 TO 2000, USING BOTH MICHIGAN AND
23 NATIONAL STUDIES.

24 (2) BEFORE PREPARING ITS REPORT UNDER SUBSECTION (1), THE
25 DEPARTMENT OF COMMUNITY HEALTH SHALL CONDUCT AT LEAST 1 PUBLIC
26 HEARING TO PROVIDE AN OPPORTUNITY FOR TESTIMONY FROM
27 REPRESENTATIVES OF AT LEAST ALL OF THE FOLLOWING:

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- 1 (A) THE DEPARTMENT OF COMMUNITY HEALTH.
- 2 (B) THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES. THIS
- 3 REPRESENTATIVE SHOULD BE A PERSON WITH EXPERIENCE IN CHILD CARE.
- 4 (C) THE DEPARTMENT OF EDUCATION.
- 5 (D) STATE-APPROVED SCHOOL SOCIAL WORKERS.
- 6 (E) LICENSED PHARMACISTS.
- 7 (F) CERTIFIED SPECIAL EDUCATION TEACHERS.
- 8 (G) CERTIFIED GENERAL EDUCATION TEACHERS.
- 9 (H) LICENSED CHILD PSYCHOLOGISTS.
- 10 (I) LICENSED PEDIATRICIANS.
- 11 (J) SCHOOL PRINCIPALS.
- 12 (K) CERTIFIED SCHOOL PSYCHOLOGISTS.
- 13 (L) CERTIFIED SCHOOL COUNSELORS.
- 14 (M) CERTIFIED SCHOOL NURSES.
- 15 (N) LICENSED CHILD PSYCHIATRISTS.
- 16 (O) PARENTS.
- 17 (3) THE DEPARTMENT SHALL SUBMIT THE REPORT AND RECOMMENDA-
- 18 TIONS REQUIRED BY SUBSECTION (1) TO THE LEGISLATURE BEFORE
- 19 DECEMBER 1, 2002.
- 20 (4) THIS SECTION IS REPEALED EFFECTIVE DECEMBER 1, 2002.