

HOUSE BILL REPORT

SHB 2912

As Passed Legislature

Title: An act relating to use of psychiatric medications by children in state custody.

Brief Description: Requiring the department of social and health services to maintain records on children in state custody who are using psychiatric medications.

Sponsors: By House Committee on (originally sponsored by Representatives Boldt and Clements).

Brief History:

Committee Activity:

Children & Family Services: 2/2/00, 2/3/00 [DPS].

Floor Activity:

Passed House: 2/9/00, 97-0.

Senate Amended.

Passed Senate: 3/1/00, 46-0.

Senate Receded.

Senate Amended.

Passed Senate: 3/7/00, 43-0.

House Concurred.

Passed House: 3/8/00, 98-0.

Passed Legislature.

Brief Summary of Substitute Bill

- The Department of Social and Health Services is to collect data on all children who remained in out-of-home care for at least 90 days during fiscal year 1999, and who received "fee for service" medical assistance and were prescribed psychotropic or other psychiatric medications.
- Deliver a report by December 15, 2000.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives D. Sommers, Republican Co-Chair; Tokuda, Democratic Co-Chair; Boldt, Republican Vice Chair; Kagi, Democratic Vice Chair; Campbell; Carrell; Dickerson; Eickmeyer; Kastama and Pflug.

Staff: Tracey Taylor (786-7196).

Background:

Concerns have been raised that children with emotional and behavioral problems are being excessively medicated. Yet, little information on the level of use of psychiatric medication, and how it is related to psychiatric disorders, is available.

Summary of Bill:

The Department of Social and Health Services shall deliver a report to the legislature regarding the prescription of psychotropic or other psychiatric medications for children in out-of-home placements. This report shall focus on children in out-of-home care who remained in out-of-home care for more than 90 days for at least one placement episode and received "fee for service" medical assistance during fiscal year 1999. The report shall include:

- the number of children who were prescribed the medication during an out-of-home placement;
- the medical diagnosis of the children prescribed the medication;
- the number, type, and frequency of the medications prescribed;
- the number of children receiving multiple medications;
- the number of children prescribed Ritalin; and
- both the total number of children in out-of-home placements exceeding 90 days and the number of those children receiving medication.

Appropriation: None.

Fiscal Note: Requested on January 25, 2000.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Usually when a child is prescribed medication, it is the parents who have the responsibility to know what they are taking and for what reason. When a child is removed from the parents' care, the responsibility falls to the state. Also, there is concern that children are put on medications, with severe side effects, without determining if their problem is biological or environmental. Moreover, this problem could go beyond just children in the state's custody.

Testimony Against: Under the current law, the department does not have clear access to the medical records of all the children in the state's custody. The department often has to go to court to get such access. Also, the scope of the bill is quite large and would require a great deal of manpower and additional money. It might be more efficient to begin by looking at the Passport program.

Testified: (In support) Representative Marc Boldt, prime sponsor; and Richard Warner, Citizens Commission on Human Rights.

(Opposed) Jacob Romo, Department of Social and Health Services.