

# HOUSE BILL REPORT

## SHB 2912

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### As Amended by the Senate

**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.

### Brief Summary of Substitute Bill

- Requires the Department of Social and Health Services (DSHS), as part of the Passport program, to collect data about children who are currently using or have used psychiatric medications.
- Requires the department to recommend how to gather information regarding psychiatric medication use by all children in the custody of the state.
- The department must deliver a report by December 15, 2000.

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### 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.

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**Summary of Bill:**

As part of the Passport program, the department will maintain a record identifying the number of children in state care who are currently using psychiatric medications. It shall indicate the type of medication being used and when the use began. A report, with any identifying information redacted, shall be delivered to the Legislature by December 15, 2000. The report shall also include recommendations from the department as to how to gather information regarding psychiatric medication use by all children in the custody of the state.

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**EFFECT OF SENATE AMENDMENT(S):** The collection of data is no longer linked to the Passport program. Instead, the data is to be collected on all children in out-of-home care during the 1999 calendar year who were prescribed psychotropic or other psychiatric medications.

**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.