

SB

230

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 230
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: EED
 Title Psychotropic Drugs for Children BRU Teaching and Learning Support
 Component Special & Supplemental Services
 Sponsor Davis
 Requester S HES Component No. 166

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type-Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 00

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would prevent school personnel from recommending the use of psychotropic drugs for students demonstrating emotional or behavioral concerns. It also requires that if school personnel perceive that a student may have a behavioral or psychological problem, a letter be sent to the parent recommending an appropriate medical or behavioral evaluation. The bill's sponsor has indicated that the bill will not prevent appropriately trained school personnel, such as school psychologists or school nurses, from discussing factors related to medication with parents as part of their normal duties. While no expense is expected for the department since no additional duties are required for departmental staff, the requirement of a letter will have some fiscal impact on local school districts.

Prepared by: Greg Maloney, Special Education Administrator Phone 465-2972
 Division Teaching and Learning Support Date/Time 3/1/02 4:56 PM
 Approved by: Ed McLain, Deputy Commissioner of Education Date 3/1/2002
 Agency Department of Education & Early Development

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 230
 () Publish Date: _____

Revision Date/Time (Note if correction): 1/16/2002 9:11 am Dept. Affected: Health & Social Services
 Title: PSYCHOTROPIC DRUGS FOR TREATMENT OF CHILDREN IN BRU: Purchased Services
NEED OF AID Component: Foster Care Special Need
 Sponsor: DAVIS
 Requestor: SENATE (HES) Component Number: 2238

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (0)						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: _____

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Section 1 of this bill does not impact this department. Sections 2 and 3 amend CINA statute AS 47.10.019. This statute places limits on the court's determinations in finding a minor to be a child in need of aid. This amendment adds a subsection which prohibits the court from finding a minor to be a child in need of aid and prohibits the department from taking custody of a child solely on the basis of an allegation or finding that the child's parent or legal custodian refuses to administer or consent to the administration of psychotropic medication.

Should this bill become law, the department does not anticipate any fiscal impact. The bill has impact on practice only.

Prepared by: Debbie Loveid Phone: _____
 Division: Family & Youth Services Date/Time: _____
 Approved by: Elmer A. Lindstrom, Deputy Commissioner Date: 01/24/2002
 Agency: Department of Health & Social Services

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SENATOR BETTYE DAVIS

Senate Bill SB 230

"An Act relating to recommending or refusing psychotropic drugs as a treatment for children and to the evaluation and treatment of children with behavioral or psychological problems."

Sponsor Statement

The use of psychiatric drugs in our nation's schools has more than doubled in the first half of the last decade and continues to escalate. There are documented incidences of highly negative consequences in which psychiatric prescription drugs have been utilized for what are essentially problems of discipline, which may be related to a variety of causation. There is also parental concern regarding the issue of diagnosis and medication and their impact on student achievement.

In recognition of the importance that only physicians should make psychiatric diagnoses of behavioral problems, recommend psychiatric screening for specific behavioral problems, and suggest the use of psychiatric medication for a student, this bill would require school boards to adopt policies on recommendations that a student be given psychotropic drugs. It would also prohibit a child from being considered a child in need of aid or taken into state custody based on the refusal of the child's custodian to give psychotropic drugs to the child.

Sponsor Statement VIENT

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Senator Bettye Davis

Sectional Analysis Senate Bill 230

Section 14.30.171 continues to prohibit school personnel from recommending or requiring that a child take or continue to take Psychotropic drugs in order to continue attending school.

Section 14.30.172 takes into account the concerns of the department of education as far as allowing school personnel to talk to each other about a child, continue to have authority over someone who has been suspended or expelled and more importantly inform the child's parent or guardian of any perceived behavioral problem as long as they don't violate the previous section (14.30.171) or create problems for the parent or guardian about their decision to not have their children use psychotropic drugs.

Section 14.30.174 spells out what mental health professionals working within schools are allowed to do.

Section 14.30.176 allows a school district to create and give parents a list of community resources, including mental health services if they so choose. There is some disclaimer wording that has to be used if mental health services are included.

Section 14.30.177 refers to possible sanctions for violations of these sections.

Section 14.30.179 is the definition section.

Section 47.10.019 prohibits the courts from finding a minor to be a child in need of aid based solely on an allegation that the child's parent or guardian refuses to consent to the use of psychotropic drugs; or get a psychiatric evaluation or allow any psychiatric, behavioral or psychological treatment for the child

Sectional Analysis

