



# Senate

General Assembly

**File No. 208**

February Session, 2002

Substitute Senate Bill No. 302

*Senate, March 28, 2002*

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## ***AN ACT CONCERNING MEDICATION IN SCHOOL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1 of public act 01-124 is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2002*):

3 (a) For purposes of this section, (1) "psychotropic drugs" means  
4 prescription medications for behavioral or social-emotional concerns,  
5 such as attentional deficits, impulsivity, anxiety, depression and  
6 thought disorders, and includes, but is not limited to, Ritalin, Adderal,  
7 Dexadrine, and other stimulant medication and anti-depressants, and  
8 (2) "school health or mental health personnel" means school nurses or  
9 nurse practitioners appointed pursuant to section 10-212, as amended,  
10 school medical advisors appointed pursuant to section 10-205, school  
11 psychologists, school social workers and school counselors.

12 (b) Each local and regional board of education shall adopt and  
13 implement policies prohibiting any school personnel from

14 recommending the use of psychotropic drugs for any child. Such  
 15 policies shall set forth procedures (1) for communication between  
 16 school health or mental health personnel and other school personnel  
 17 about a child who may require a recommendation for a medical  
 18 evaluation, (2) establishing the method in which school health or  
 19 mental health personnel communicate a recommendation to a parent  
 20 or guardian that such child be evaluated by an appropriate medical  
 21 practitioner, and (3) for obtaining proper consent from a parent or  
 22 guardian of a child for the school health or mental health personnel to  
 23 communicate about such child with a medical practitioner outside the  
 24 school who is not a school employee. The provisions of this section  
 25 shall not prohibit (A) school [medical staff] health or mental health  
 26 personnel from recommending that a child be evaluated by an  
 27 appropriate medical practitioner, [or prohibit] (B) school personnel  
 28 from consulting with such practitioner with the consent of the parents  
 29 or guardian of such child, or (C) the planning and placement team  
 30 from recommending a medical evaluation as part of an initial  
 31 evaluation or reevaluation, as needed to determine a child's (i)  
 32 eligibility for special education and related services, or (ii) educational  
 33 needs for an individualized education program.

This act shall take effect as follows:	
Section 1	July 1, 2002

**ED**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

Municipal Impact: None

**OLR Bill Analysis**

sSB 302

**AN ACT CONCERNING MEDICATION IN SCHOOL****SUMMARY:**

This bill requires current school board policies prohibiting school personnel from recommending psychotropic drugs for children to include procedures (1) for communication between school health or mental health personnel and other school personnel about children who may need to be recommended for a medical evaluation, (2) establishing how school health or mental health personnel should communicate the need for evaluation to the children's parents or guardians, and (3) for obtaining proper consent from a parent or guardian for the school health or mental health personnel to talk about the child with an outside medical practitioner.

The bill defines "psychotropic drugs" as prescription medications for behavioral or social-emotional concerns, such as (1) attention deficits, (2) impulsivity, (3) anxiety, (4) depression, and (5) thought disorders. The definition includes Ritalin, Adderal, Dexadrine, and other stimulant medication and anti-depressants. It defines "school health or mental health personnel" as school (1) nurses, (2) nurse practitioners, (3) medical advisors, (4) psychologists, (5) social workers, and (6) counselors.

Like the policies established under current law, the bill's procedures do not prohibit (1) school medical staff from recommending appropriate medical evaluation of a child or (2) school personnel from consulting with the outside practitioner with the student's parent or guardian's consent. The bill specifies that neither the policies nor the procedures prevent a child's planning and placement team from recommending a medical evaluation as part of an initial evaluation or reevaluation as needed to determine a child's (1) eligibility for special education and related services or (2) educational needs for an individualized education program.

EFFECTIVE DATE: July 1, 2002

**COMMITTEE ACTION**

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Education Committee

Joint Favorable Substitute

Yea 28    Nay 0