



General Assembly

February Session, 2002

Raised Bill No. 302

LCO No. 1309

Referred to Committee on Education

Introduced by:
(ED)

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 Section 1 of public act 01-124 is repealed and the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, "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.

8 (b) Each local and regional board of education shall adopt and
9 implement policies prohibiting any school personnel from
10 recommending the use of psychotropic drugs for any child. Such
11 policies shall emphasize prohibitions on school personnel from
12 recommending psychotropic drugs and set forth procedures (1) for
13 school personnel to communicate with school nurses or nurse
14 practitioners appointed pursuant to section 10-212, as amended, or
15 school medical advisors appointed pursuant to section 10-205
16 regarding behavioral or emotional concerns of a child that may require

17 a recommendation for a medical evaluation, (2) establishing the
18 method in which school nurses and school medical advisors
19 communicate a recommendation to a parent or guardian that such
20 child be evaluated by an appropriate medical practitioner, and (3) for
21 obtaining proper consent from a parent or guardian of a child for the
22 school nurses and school medical advisors to communicate about such
23 child with a medical practitioner outside the school who is not a school
24 employee. The provisions of this section shall not prohibit (A) school
25 [medical staff] nurses or nurse practitioners and school medical
26 advisors 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

Statement of Purpose:

To clarify procedures governing recommendations by school personnel that children take psychotropic drugs.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]