



General Assembly

**Substitute Bill No. 302**

February Session, 2002

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 Section 1 of public act 01-124 is repealed and the  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

**PH**      *Joint Favorable*