



COUNTY OF MONTEREY HEALTH DEPARTMENT

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Administration Clinic Services Public Health
Behavioral Health Emergency Medical Services Public Administrator/Public Guardian
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Policy Number	510
Policy Title	Medication Authorization for Dependent Children
References	W&I Code, Section 300, 369.5, 727.4, 739.5, California Court, Rule 5.640
Forms	JV-220- Application Regarding Psychotropic Medication http://www.courts.ca.gov/documents/jv220.pdf JV-220(A)- Physician's Statement http://www.courts.ca.gov/documents/jv220a.pdf JV-220(B)- Physician's Request to Continue Medication http://www.courts.ca.gov/documents/jv220b.pdf JV-221- Proof of Notice of Application Regarding Psychotropic Medication http://www.courts.ca.gov/documents/jv221.pdf JV-222- Input on Application for Psychotropic Medication http://www.courts.ca.gov/documents/jv222.pdf JV-223- Order on Application for Psychotropic Medication http://www.courts.ca.gov/documents/jv223.pdf
Effective	October 18, 2017

1 **Background**

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3 Juvenile courts mandate compliance with regulations concerning authorization and monitoring of
4 psychotropic medication prescribed for dependent children of the court or children assigned to be
5 wards of the court. A dependent child is a child whose custody is taken over by the court to stop or
6 prevent harms caused by abuse or neglect. These children are often placed in foster care or an
7 out-of-home placement. When a dependent child or youth is prescribed a psychotropic medication,
8 it must be approved by the courts.

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10 To initiate a psychiatric medication treatment for a dependent child or youth, the psychiatric care
11 team must first file an application for medication authorization. The prescriber must submit an
12 assessment and medication recommendation to the court. The child or youth, parent, caretaker,
13 social worker, and representing attorneys, could express objection or support for the medication

14 recommended. The Judge may order approval of the medication over objections of any party to
15 the case, or may decide not to order the medication.

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17 Psychotropic medication means medications prescribed to affect the central nervous system to
18 treat psychiatric disorders or illnesses. They may include, but not limited to, anxiolytic agents,
19 antidepressants, mood stabilizers, antipsychotic medications, anti-Parkinson agents, hypnotics,
20 and medications for dementia, psychostimulants and other medications for Attention Deficit
21 Hyperactivity Disorder.

22 23 **Policy**

24 All Monterey County Behavioral Health (MCBH) psychiatric prescribers must secure the approval
25 of the Juvenile Court Judicial Officer prior to prescribe or renew psychotropic medications for a
26 child who is a ward or a dependent of the juvenile court and living in an out-of-home placement or
27 in foster care, as defined in W & I Code 727.4. This includes prescribers prescribing medications
28 in inpatient, outpatient, Youth Services Center, and/or group or foster care settings. The
29 psychiatric care team must first file an application for medication authorization, JV220 (Application
30 for Psychotropic Medication), to the court. The prescriber must examine the child/youth in person,
31 thoroughly review available medical records, and then submit either JV-220(A) (Physician's
32 Statement) for a new request of psychiatric medication, or JV220(B) (Physician's Request to
33 Continue Medication) for the renewal of a previously approved medication.

34
35 The child/youth psychiatric provider(s) must ensure that all the Judicial Council forms produced in a
36 particular case are incorporated in the child/youth medical records. These include above
37 mentioned JV220, JV220 (A), JV220 (B), and JV221 (Proof of Notice of Application), JV222 (Input
38 on Application for Psychotropic Medication), and JV223 (Order Regarding Application for
39 Psychotropic Medication).

40
41 The JV-220(A) and JV-220(B) forms do not replace the need for a medication consent form, even
42 though some elements in these forms are also covered in the medication consent form. A
43 medication consent form needs to be completed, signed, and filed in the health records.

44
45 Psychotropic medications may be administered without court authorization in an emergency
46 situation. An emergency situation occurs when:

- 47 1. A prescriber finds that the child requires psychotropic medication to treat a psychiatric
48 disorder or illness; **AND**
- 49 2. The purpose of the medication is:
 - 50 a. To protect the life of the child or others, or
 - 51 b. To prevent serious harm to the child or others, or
 - 52 c. To treat current or imminent substantial suffering; and
- 53 3. It is impractical to obtain authorization from the court before administering the psychotropic
54 medication to the child
- 55 4. Court authorization must be sought as soon as practical but in no case more than two
56 court days after the emergency administration of the psychotropic medication.

57 All documentation concerning medication authorization for dependent children must be accurately
58 and promptly documented in the child/youth's health record. A copy of the medication consent
59 must be scanned in the medical record.