

ENROLLED  
 HB 209, Engrossed 2

2005 Legislature

1                                   A bill to be entitled  
 2           An act relating to administration of medication to public  
 3           school students; creating s. 1006.0625, F.S.; defining the  
 4           term "psychotropic medication"; prohibiting a recipient of  
 5           state funds from requiring a student to be prescribed or  
 6           administered psychotropic medication as a condition of  
 7           receipt of educational services financed by state funds;  
 8           providing requirements for administration; requiring  
 9           notification to parents prior to evaluation of certain  
 10          students for classification or placement as an exceptional  
 11          student; providing an effective date.

13 Be It Enacted by the Legislature of the State of Florida:

15           Section 1. Section 1006.0625, Florida Statutes, is created  
 16 to read:

17           1006.0625 Administration of psychotropic medication;  
 18 prohibition.--

19           (1) As used in this section, the term "psychotropic  
 20 medication" means a prescription medication that is used for the  
 21 treatment of mental disorders and includes, without limitation,  
 22 antihypnotics, antipsychotics, antidepressants, anxiety agents,  
 23 sedatives, psychomotor stimulants, and mood stabilizers.

24           (2) A recipient of state funds shall not require a student  
 25 to be prescribed or administered any psychotropic medication as  
 26 a condition of such student receiving educational or school-  
 27 based services, including, but not limited to, school  
 28 enrollment, class attendance, extracurricular activity

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29 participation, or school-related event attendance, that are  
30 financed in whole or part by state funds. A psychotropic  
31 medication shall be administered pursuant to s. 1006.062.

32 (3) Before a student is evaluated for the purposes of  
33 classification or placement under s. 1003.57(5) for any disorder  
34 listed in the Diagnostic and Statistical Manual of Mental  
35 Disorders, the parent shall be notified that:

36 (a) The behaviors prompting the evaluation could be the  
37 result of underlying physical conditions.

38 (b) The parent should consider consulting a medical doctor  
39 to rule out physical causes.

40 (c) The parent has the right to decline the evaluation.

41 (d) The evaluation and subsequent classification or  
42 placement may be documented on the student's cumulative record.

43 Section 2. This act shall take effect upon becoming a law.