

Florida Senate - 2005

CS for CS for SB 1766

By the Committees on Health Care; Education; and Senator Crist

Schools &amp; Screening

587-2312-05

1 A bill to be entitled  
 2 An act relating to administration of medication  
 3 to public school students; creating s.  
 4 1006.0625, F.S.; defining the term  
 5 "psychotropic medication"; prohibiting a public  
 6 school from denying a student access to  
 7 programs or services under certain conditions;  
 8 authorizing public school teachers and school  
 9 district personnel to share certain information  
 10 with a student's parent; prohibiting public  
 11 school teachers and school district personnel  
 12 from compelling certain actions by a parent;  
 13 authorizing the refusal of psychological  
 14 screening; providing for medical decisionmaking  
 15 authority; providing an effective date.

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

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19 Section 1. Section 1006.0625, Florida Statutes, is  
 20 created to read:

21 1006.0625 Administration of psychotropic medication;  
 22 prohibition; conditions.--

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

29 (2) A public school may not deny any student access to  
 30 programs or services because the parent of the student has  
 31 refused to place the student on psychotropic medication.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.Florida Senate - 2005  
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1 (3) A public school teacher and school district

2 personnel may share school-based observations of a student's  
 3 academic, functional, and behavioral performance with the  
 4 student's parent and offer program options and other  
 5 assistance that is available to the parent and the student  
 6 based on the observations. However, a public school teacher  
 7 and school district personnel may not compel or attempt to  
 8 compel any specific actions by the parent or require that a  
 9 student take medication. A parent may refuse psychological  
 10 screening of the student.

11  
 12 Any medical decision made to address a student's needs is a  
 13 matter between the student, the student's parent, and a  
 14 competent health care professional chosen by the parent.

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

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 18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
 19 COMMITTEE SUBSTITUTE FOR  
 20 CS/SB 1766

21 The committee substitute clarifies that a public school may  
 22 not deny any student access to programs or services because  
 23 the parent of the student has refused to place the student on  
 psychotropic medication.

24 The committee substitute also clarifies that a public school  
 25 teacher and school district personnel may share school-based  
 26 observations of a student with a parent and may offer program  
 27 options and other assistance to the parent, but they may not  
 28 compel any specific action by the parent or require that a  
 29 student take medication. A parent may refuse psychological  
 30 screening of a student.

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