

By Senator Crist

12-984-05

See HB 209

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  
6           recipients of state funds used for educational  
7           purposes from requiring a student to be  
8           prescribed or administered psychotropic  
9           medication as a condition of receipt of  
10          educational services; providing requirements  
11          for administration; providing a restriction  
12          relating to the diagnosis or treatment of  
13          mental disorders; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

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17           Section 1. Section 1006.0625, Florida Statutes, is  
18 created to read:

19           1006.0625 Administration of psychotropic medication;  
20 prohibition; conditions.--

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

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

1 extracurricular activity participation, or school-related  
2 event attendance, which are financed in whole or part by state  
3 funds.

4 (3) A psychotropic medication shall not be  
5 administered to a student on school premises except under the  
6 following conditions:

7 (a) The medication must be dispensed to a student by a  
8 health care professional licensed under chapter 458, chapter  
9 459, chapter 461, chapter 464, or chapter 465.

10 (b) The dispensing of the medication to a student must  
11 fully comply with all privacy protections afforded to a  
12 patient under the federal Health Insurance Portability and  
13 Accountability Act.

14 (4) School or school district personnel shall not  
15 initiate, or make a referral for, diagnosis or treatment of a  
16 student for any disorder listed in the Diagnostic and  
17 Statistical Manual of Mental Disorders or in ICD-10.

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