

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

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.

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.

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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
24 psychotropic medication.

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