



Substitute House Bill No. 5701

Public Act No. 01-124

AN ACT CONCERNING RECOMMENDATIONS FOR AND REFUSALS OF THE USE OF PSYCHOTROPIC DRUGS BY CHILDREN AND UTILIZATION REVIEW DETERMINATIONS RELATED TO MENTAL AND NERVOUS CONDITIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) Each local and regional board of education shall adopt and implement policies prohibiting any school personnel from recommending the use of psychotropic drugs for any child. The provisions of this section shall not prohibit school medical staff from recommending that a child be evaluated by an appropriate medical practitioner, or prohibit school personnel from consulting with such practitioner with the consent of the parents or guardian of such child.

Sec. 2. (NEW) The refusal of a parent or other person having control of a child to administer or consent to the administration of any psychotropic drug to such child shall not, in and of itself, constitute grounds for the Department of Children and Families to take such child into custody or for any court of competent jurisdiction to order that such child be taken into custody by the department, unless such refusal causes such child to be neglected or abused, as defined in section 46b-120 of the general statutes.

Sec. 3. Subdivision (12) of subsection (a) of section 38a-226c of the general statutes is repealed and the following is substituted in lieu thereof:

(12) Each utilization review company shall annually file with the

commissioner (A) the names of all managed care organizations, as defined in section 38a-478, that the utilization review company services in Connecticut, (B) any utilization review services for which the utilization review company has contracted out for services and the name of such company providing the services, and (C) the number of utilization review determinations not to certify an admission, service, procedure or extension of stay and the outcome of such determination upon appeal within the utilization review company. Determinations related to mental or nervous conditions, as defined in section 38a-514, shall be reported separately from all other determinations reported under this subdivision.

Approved June 28, 2001