

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 542
Second Edition Engrossed 4/3/01
House Committee Substitute Favorable 5/9/01

Short Title: Database on Psychotropic Meds/Children.

(Public)

Sponsors:

Referred to:

March 19, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES AND THE DEPARTMENT OF JUVENILE JUSTICE AND
4 DELINQUENCY PREVENTION TO REVIEW THE NEED FOR
5 ESTABLISHMENT OF A STATEWIDE DATABASE ON THE
6 ADMINISTRATION OF PSYCHOTROPIC MEDICATIONS TO CHILDREN
7 WHO RECEIVE STATE SERVICES.

8 Whereas, during the past decade the number of American children receiving
9 medication for behavioral and emotional disorders has increased dramatically; and

10 Whereas, there is a growing trend for children to receive medications for
11 depression and other behavioral and health conditions; and

12 Whereas, a report in the Journal of the American Medical Association
13 indicates that the rate of prescribing psychotropic medications for preschool children
14 rose threefold between 1991 and 1995; and

15 Whereas, opponents of the use of psychotropic drugs are concerned about
16 overuse of the drugs, and also that there is not enough information about these drugs'
17 effect on children's development or on their long-term side effects; and

18 Whereas, proponents argue that the use of psychotropic medications may be
19 needed to combat mental illness, but agree that children should not be medicated unless
20 a qualified clinician decides that such a course is in the child's best interest and the
21 medication is used in conjunction with other types of treatment; Now, therefore,
22 The General Assembly of North Carolina enacts:

23 **SECTION 1.** The Department of Health and Human Services and the
24 Department of Juvenile Justice and Delinquency Prevention shall review the feasibility
25 of establishing and maintaining a statewide database containing information on the
26 prescription and administration of psychotropic medications to children who receive
27 State services while residing in State facilities administered by the Department of
28 Health and Human Services or the Department of Juvenile Justice and Delinquency

1 Prevention. In conducting the review the Departments shall consider that any database
2 developed must, in accordance with State and federal law, fully protect the medical
3 records and other privacy interests of the minors for whom the drugs are prescribed. Not
4 later than January 1, 2002, the Department of Health and Human Services and the
5 Department of Juvenile Justice and Delinquency Prevention shall report their findings
6 and recommendations to the Joint Legislative Health Care Oversight Committee and to
7 the Joint Legislative Oversight Committee on Mental Health, Developmental
8 Disabilities, and Substance Abuse Services. The report shall include the cost of
9 establishing and maintaining the database in a manner that provides data for the analysis
10 of prescription medication usage by and effects on children. The report shall also
11 provide detailed information on how the database will be maintained in a manner that
12 protects medical records and other privacy interests in compliance with State and
13 federal law.

14 **SECTION 2.** This act is effective when it becomes law.