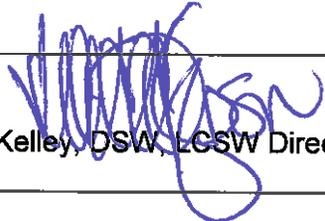


**San Bernardino County  
Department of Behavioral Health**

**Medication Authorization for Dependent Children and Youth  
Policy**

**Effective Date** 03/21/2018  
**Revised Date** 01/17/2019

  
Veronica Kelley, DSW, LCSW Director

**Policy** It is the policy of the Department of Behavioral Health (DBH) that all DBH or contractor psychotropic medication prescribers (prescribers) must obtain approval by the Commissioner of the Juvenile Court prior to prescribing or renewing psychotropic medications for a child or youth who is a ward or dependent of the juvenile court and living in an out-of-home placement or foster care, as defined in [Welfare and Institutions Code \(WIC\) § 727.4](#).

**Background** Juvenile courts mandate compliance with regulations concerning authorization and monitoring of psychotropic medication(s) prescribed for dependent children of the court or children assigned to be wards of the court, as defined in [2019 California Rules of Court](#). When a dependent child/youth or ward of the court is prescribed a psychotropic medication, it must be approved by the courts.

To initiate psychiatric medication treatment for a dependent child/youth or ward of the court, the prescriber must first file an application for medication authorization, including submission of an assessment and medication recommendation to the court. The child or youth, parent, caretaker, social worker, and representing attorneys, could express objection or support for the recommended medication. A judge may approve or deny the request for administration of psychotropic medication or may schedule a hearing to further review the request.

**Note:** The following must occur before court approval is valid:

- The judge must make their final ruling, and
- The court clerk's office must file the final ruling.

**Purpose** To ensure that psychotropic medication for wards and dependent children and youth is administered in compliance with an official judge-approved court order as filed by the court clerk's office as a "final ruling", per consent requirements, and with use of appropriate Judicial Council forms for implementation of provisions as specified herein.

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**Definition(s)**      **Dependent child:** A child whose custody is taken over by the court to stop or prevent harms caused by abuse or neglect.

**Psychotropic medication:** Medications prescribed to affect the central nervous system to treat psychiatric disorders or illnesses. These may include, but are not limited to, anxiolytic agents, antidepressants, mood stabilizers, antipsychotic medications, anti-Parkinson agents, hypnotics, and medications for dementia, psychostimulants, and other medications for Attention Deficit Hyperactivity Disorder.

**Ward of the court:** A person who has been declared a ward of the court pursuant to **Welfare and Institutions Code (WIC) § 601 or § 602** and is under the care and control of the courts. Although not commonly thought of as foster children, these wards are foster children if they are living in a Title IV-E placement (e.g. group home) and qualify for the same benefits as foster children in the dependency system.

**Psychotropic Medication Forms**

Below are the forms related to request, determination and/or reporting on psychotropic medications:

Required Forms	Purpose of Forms
Application for Psychotropic Medication (JV-220)	Physician request to court to prescribe psychotropic medication to child.
Physician's Statement [JV-220 (A)] - Attachment	Physician statement to court to prescribe psychotropic medication to child.
Physician's Request to Continue Medication [JV-220 (B)] - Attachment	Physician request to court to continue the child's use of psychotropic medication treatment.
Proof of Notice of Application (JV-221)	Physician notification to court regarding parent(s)/legal guardian(s) notification for child to begin and/or continue psychotropic medication.
Order on Application for Psychotropic Medication (JV-223)	Court determination to prescribe psychotropic medication to child.
County Report on Psychotropic Medication (JV-224)	Social worker or probation officer report to court regarding the child's use of psychotropic medication.

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**Psychotropic  
Medication  
Forms Forms,  
continued**

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Optional Forms	Purpose of Forms
Child's Opinion About the Medicine (JV-218)	Child's report to court regarding use of psychotropic medication.
Statement About Medicine Prescribed (JV-219)	Parent(s)/legal guardian(s) report to court regarding the child's use of psychotropic medication.
Input on Application for Psychotropic Medication (JV-222)	Parent(s)/legal guardian(s) report to court disputing the child's use of psychotropic medication.

**Note:** The court forms do not currently include all of the required components for informed consent to medication(s); specifically, the court forms do not include information on the method of administration (oral or injection) or additional side effects if the child were to take the medication for more than three (3) months. The method of administration for each medication must be documented in the medical record. The side effects [if the child were to take the medication for more than three (3) months] may be documented in the beneficiary's medical record or may be included in written information about the medication, which is provided to the beneficiary or the beneficiary's legal representative. In addition, the beneficiary and/or the beneficiary's legal representative's signature is required to be on the medication consent form.

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# San Bernardino County Department of Behavioral Health

## Medication Authorization for Dependent Children and Youth Policy, Continued

**Obtaining  
Court Approval**

The following are the stages and steps required to obtain court approval:

Stage	Description						
Evaluation and Medication Consent	<p>The prescriber must examine the child/youth face to face, thoroughly review available medical records, and then complete and send one (1) of the following Judicial Council forms to the Psychotropic Medication Court Desk:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">If ...</th> <th style="text-align: center;">Then ...</th> </tr> </thead> <tbody> <tr> <td>New request for psychotropic medication</td> <td>Physician's Statement [JV-220(A)] - Attachment</td> </tr> <tr> <td>Renewal of a previously approved medication</td> <td>Physician's Request to Continue Medication [JV-220(B)] - Attachment</td> </tr> </tbody> </table>	If ...	Then ...	New request for psychotropic medication	Physician's Statement [JV-220(A)] - Attachment	Renewal of a previously approved medication	Physician's Request to Continue Medication [JV-220(B)] - Attachment
If ...	Then ...						
New request for psychotropic medication	Physician's Statement [JV-220(A)] - Attachment						
Renewal of a previously approved medication	Physician's Request to Continue Medication [JV-220(B)] - Attachment						
Application Submission	<p>The Department of Child and Family Services and the San Bernardino County Psychotropic Medication Court Desk:</p> <ul style="list-style-type: none"> <li>• Complete and submit the remaining documents: Application for Psychotropic Medication (JV-220), Proof of Notice of Application (JV-221), County Report on Psychotropic Medication (JV-224).</li> <li>• Mail a copy of all documents to the court, including the prescriber's completed JV-220(A) or JV-220(B) and the optional documents, if applicable.</li> </ul>						
Court Consent	<p>The court will complete the Order Regarding Application for Psychotropic Medication (JV-223) once they have made their final decision on the application.</p>						

**Form Retention**

DBH and DBH contractors must comply with 2019 California Rules of Court regulations, and rules governing the prescribing of psychotropic medications to court dependent youth. All of the following forms must be completed and placed in the beneficiary's medical record when received from the court: JV-220, JV-220 (A) or JV-220 (B), JV-221, JV-222 (if applicable) and JV-223.

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**San Bernardino County  
Department of Behavioral Health**

**Medication Authorization for Dependent Children and Youth  
Policy, Continued**

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**Emergency  
Administration  
of Psychotropic  
Medications**

Psychotropic medications may be administered without court authorization in an emergency situation. Court authorization must be sought as soon as practically possible, but no more than two (2) court days after emergency administration of the psychotropic medication.

An emergency situation occurs when:

1. A prescriber finds that the child/youth requires psychotropic medication to treat a psychiatric disorder or illness; and
2. The purpose of the medication is:
  - To protect the life of the child or others, or
  - To prevent serious harm to the child or others, or
  - To treat current or imminent substantial suffering; and
3. It is impractical to obtain authorization from the court before administering the psychotropic medication to the child.

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**Related Policy  
or Procedure**

DBH Standard Practice Manual:

- Consent for Administration of Psychotropic Medication to Minors Policy: **MDS2017**

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**Reference(s)**

- 2019 California Rules of Court, Rule 5.640
  - California Code of Regulations, Title 9, Division 1, Chapter 4, Article 5.5 § 853 & § 856 and Title 15, Division 4, Chapter 3 – subchapter 3, Article 1 § 4733 and § 4735
  - California Welfare and Institutions Code, Division 2, Part 1, Chapter 2 – Article 14 §601, §602 and Article 18 §727.4
  - Senate Bill No. 238, Chapter 534
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