

Introduced by Senator JonesFebruary 17, 2021

An act to add Section 16010.1 to the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 528, as introduced, Jones. Juveniles: health information summary: psychotropic medication.

Existing law establishes the jurisdiction of the juvenile court, which may adjudge a child to be a dependent or ward of the court under certain circumstances. Existing law requires, when a child is placed in foster care, the case plan to include a summary of the health and education information or records, including mental health information, of the child. Existing law requires a child protective agency to, as soon as possible, but not later than 30 days after the initial placement of a child into foster care, provide the caregiver with the child's current health and education summary.

Existing law authorizes only a juvenile court judicial officer to make orders regarding the administration of psychotropic medications for a dependent child or a ward who has been removed from the physical custody of their parent. Existing law requires that court authorization for the administration of psychotropic medications to a child be based on a request from a physician, indicating the reasons for the request, a description of the child's diagnosis and behavior, the expected results of the medication, and a description of any side effects of the medication, and requires the Judicial Council to develop appropriate forms for the implementation of these provisions.

This bill would require the State Department of Social Services to create an electronic health care portal that will provide health care

providers with access to the health information of a child in foster care that is included in the health and education summary and the completed and approved court forms for the administration of psychotropic medication for specified dependent children and wards of the juvenile court, as described above. The bill would require every county to provide that information to the department. The bill would provide health care providers of a child in foster care access to the electronic health care portal created pursuant these provisions when providing health care services and medical treatment to the child. By imposing new duties on counties, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 16010.1 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 16010.1. (a) The State Department of Social Services shall
- 4 create an electronic health care portal that will provide health care
- 5 providers with access to both of the following:
- 6 (1) Health information of a child in foster care that is included
- 7 in the health and education summary described in Section 16010.
- 8 (2) The completed and approved forms developed by the Judicial
- 9 Council relating to the administration of psychotropic medication
- 10 for specified dependent children and wards of the juvenile court,
- 11 as described in Sections 369.5 and 739.5.
- 12 (b) Every county shall provide the department with the
- 13 information described in subdivision (a).
- 14 (c) Health care providers of a child in foster care shall have
- 15 access to the electronic health care portal created pursuant to this
- 16 section when providing health care services and medical treatment
- 17 to the child.
- 18 SEC. 2. To the extent that this act has an overall effect of
- 19 increasing the costs already borne by a local agency for programs
- 20 or levels of service mandated by the 2011 Realignment Legislation

1 within the meaning of Section 36 of Article XIII of the California
2 Constitution, it shall apply to local agencies only to the extent that
3 the state provides annual funding for the cost increase. Any new
4 program or higher level of service provided by a local agency
5 pursuant to this act above the level for which funding has been
6 provided shall not require a subvention of funds by the state or
7 otherwise be subject to Section 6 of Article XIII B of the California
8 Constitution.

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