

REFERENCE TITLE: children; psychiatric medication; consent

State of Arizona  
House of Representatives  
Forty-fifth Legislature  
First Regular Session  
2001

# HB 2401

Introduced by  
Representatives Anderson, Blendu: Flake, Knaperek, Robson

AN ACT

AMENDING TITLE 8, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 12; RELATING TO  
THE ADMINISTRATION OF PSYCHIATRIC DRUGS TO CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 8, Arizona Revised Statutes, is amended by adding  
3 chapter 12, to read:

4 CHAPTER 12

5 ADMINISTRATION OF PSYCHIATRIC DRUGS TO CHILDREN

6 ARTICLE 1. GENERAL PROVISIONS

7 8-1101. Administration of psychiatric drug or medication;  
8 parental consent; tracking system; violation;  
9 classification; definition

10 A. A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR 17  
11 AND WHO WISHES TO PLACE A CHILD ON A PSYCHIATRIC DRUG OR MEDICATION SHALL  
12 FIRST:

13 1. OBTAIN THE SIGNED INFORMED CONSENT OF THE CHILD'S PARENT OR LEGAL  
14 GUARDIAN. IF THE CHILD IS A WARD OF THE STATE, THE PHYSICIAN SHALL OBTAIN  
15 THE CONSENT OF THE CHILD'S GUARDIAN.

16 2. ALLOW A PEDIATRICIAN CHOSEN BY THE CHILD'S PARENT OR LEGAL GUARDIAN  
17 TO CONDUCT A PHYSICAL EXAMINATION OF THE CHILD. THE EXAMINATION SHALL TEST  
18 FOR ALLERGIES, THYROID FUNCTION, ENDOCRINE FUNCTION, NUTRITIONAL PROBLEMS,  
19 COMMON MEDICATION SENSITIVITIES AND ADVERSE REACTIONS TO ENVIRONMENTAL  
20 FACTORS.

21 3. ADDRESS ANY MEDICAL CONDITIONS THAT ARE DISCOVERED PURSUANT TO  
22 PARAGRAPH 2 OF THIS SUBSECTION.

23 B. THE DEPARTMENT OF HEALTH SERVICES SHALL TRACK ANNUALLY THE NUMBER  
24 OF PSYCHIATRIC DRUGS OR MEDICATIONS PRESCRIBED FOR CHILDREN IN THIS STATE.  
25 THE DEPARTMENT SHALL SUBMIT A REPORT OF ITS FINDINGS TO THE GOVERNOR, THE  
26 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES ON OR  
27 BEFORE NOVEMBER 15 EACH YEAR. THE DEPARTMENT SHALL PROVIDE A COPY OF THIS  
28 REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA STATE  
29 LIBRARY, ARCHIVES AND PUBLIC RECORDS. THE REPORT SHALL NOT CONTAIN THE NAMES  
30 OF ANY CHILD OR ANY CHILD'S PARENT OR LEGAL GUARDIAN. A PHYSICIAN SHALL  
31 COOPERATE WITH DEPARTMENT REQUESTS FOR INFORMATION.

32 C. A PHYSICIAN WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 3  
33 MISDEMEANOR AND COMMITS AN ACT OF UNPROFESSIONAL CONDUCT.

34 D. FOR THE PURPOSES OF THIS SECTION, "PSYCHIATRIC DRUG OR MEDICATION"  
35 MEANS:

- 36 1. ANTICONVULSANTS.  
37 2. ANTIDEPRESSANTS.  
38 3. BEZADIAZEPINES.  
39 4. NEUROLEPTICS.