

What can the Citizen Review Boards do

Steve Lindeman, CRB Field Manager
Rebecca Regello, CRB Review Specialist

- The CRB can play a vital role by regularly monitoring the use of psychotropic medications at each review.
- Ensuring follow through with existing statute, policy and procedure.
- Facilitating awareness and follow through regarding the issue of side effects and warnings.

**What do board members need
to know**

Be familiar with the appropriate law, rule and policy regarding psychotropic medications.

ORS 418.517

Procedures for use of psychotropic medications for children in foster care...

- The Oregon Administrative Rule and DHS Policy closely follow the statute but detail required monitoring, procedure and protections.
- DHS policy: I-E.3.3.1
- OAR: 413-070-0400 through 0490.

Some big changes coming:

House Bill 3114 in the 2009 Regular Session amended ORS 418.517 and becomes operative on 6/30/09.

DHS revised the OAR 413-070-0400 thru 0490 to address the revision to statute and update the rule regarding psychotropic medication management. The proposed OAR is open for public comment until 4/28/10.

1. Required assessment by a QMHP or LMP* prior to administering a prescription of more than one psychotropic medication or any anti-psychotic medication.

*Qualified Mental Health Professional or Licensed Medical Professional

2. Required written consent by the DHS Child Welfare Manager or designee prior to administering a prescription of psychotropic medication.

3. Required annual review of medications by a QMHP with prescribing authority or a LMP, other than the prescriber, if:

(a) Child has more than two prescriptions for psychotropic medications

(b) Child is under six years of age

Be aware of the general issues, benefits and concerns regarding the use of psychotropic medication with foster children.

Where to look for information

Information regarding the child's diagnosis, mental health services, and psychotropic medications should be in the DHS form 310H. (this is supposed to be included with the 333 case plan for each child but is sometimes missing)

Some other places to look for information on psychotropic medications

- Mental health evaluations
- Psychological evaluations
- Treatment plans
- CASA reports

**Information to be
obtained/Questions to ask at
the review**

The appropriate CRB finding to address issues regarding psychotropic medication is the finding regarding DHS services to ensure the safety, health and well being of the child.

Determine if the Child Welfare Manager or designee provided written consent prior to the administration of any new prescription of psychotropic medication.

(Note: when the authority to provide consent to psychotropic medication is not given to the Department through a Voluntary Placement Agreement or Voluntary Custody Agreement, the Department must obtain the written consent of the child's parent or legal guardian for the administration of psychotropic medication.)

Determine if an assessment by a QMHP or LMP occurred within three months prior to administering a prescription for more than one psychotropic medication.

Determine if the child is prescribed more than two medications or is under the age of six and prescribed medications. If so, has there been an annual review of medications by a QMHP with prescribing authority or a LMP, other than the prescriber.

Ask parties at the review:

- if they are aware of the child's current medications and possible side effects?
- do the medications seem to be working?
- have there been frequent changes in medication or diagnosis?
- have all parties been informed in a timely manner in accordance with statute regarding changes in medications?
- does anyone have any concerns or questions regarding medications?
- is the foster parent keeping accurate medication logs and following other procedural safeguards regarding storage and administration of medications?

Inquire as to whether the child's response to medication, including possible side effects is discussed during DHS face to face contacts with the child. Is the child given the opportunity to have input regarding medications.

Inquire if there has been an assessment of any cultural issues impacting the child or families perception of the use of psychotropic medication or mental health issues.

**Recommendations to make
regarding psychotropic
medication**

Recommend that a second opinion or consultation regarding a child's psychotropic medications be obtained by DHS.

Recommend an annual review take place by a QMHP with prescribing authority or a LMP, other than the prescriber, due to the child or young adult being on more than two prescriptions or the child being under age six.

If a child is showing increasing acting out behaviors or mental health issues and psychotropic medication may or will be considered, recommend that an assessment by a QMHP or LMP occur and DHS consent is obtained prior to administering a prescription.

Request that the Court review the case (pursuant to ORS 418.517) with respect to concern regarding a child's medications expressed by a party to the case or due to a lack of adherence to procedural safeguards.

Sensitivity

The issue of psychotropic medication with foster children is complex and impacted by many different factors, attitudes, and professional orientation.

It is not the role of the board to prescribe medication during the review or second guess the treatment team working the child.

It is important to respect the different views and attitudes regarding psychotropic medication use with children and to consider the impact that cultural values, personal values and previous experience have on any form of treatment.