

COUNTY OF HUMBOLDT
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CHILD WELFARE SERVICES

POLICY & PROCEDURE

POLICY NUMBER: CWS 09-65	POLICY TITLE: PSYCHOTROPIC MEDICATIONS	EFFECTIVE DATE: 07/01/2009
PROGRAM(S): Clerical	REVISION DATES: 10/21/2025	REFERENCES: WIC §369.5, California Rules of Court §5.640, ACIN I-37-25, ACL 17-45

OVERVIEW

This policy outlines the procedures for documentation and notification of psychotropic medications prescribed to dependent children/youth.

POLICY

It is the policy of Child Welfare Services (CWS) to ensure accurate and timely documentation of all psychotropic and/or opioid medications prescribed to dependent children/youth. Once a child/youth is declared a dependent of the court and is removed from the custody of the parents, guardian, or Indian custodian, only a juvenile court officer is authorized to make orders regarding the administration of psychotropic medication to the child, unless the court orders that the parent or legal guardian is authorized to approve or deny the medication.

PROCEDURE

1. Definitions

- 1.1. **Psychotropic Medications:** Psychotropic medication or psychotropic drugs are those medications administered for the purpose of affecting the central nervous system to treat psychiatric disorders or illnesses. These medications include, but are not limited to, anxiolytic agents, antidepressants, mood stabilizers, antipsychotic medications, anti-Parkinson agents, hypnotics, medications for dementia, and psychostimulants.
- 1.2. **Opioid Medications:** Opioid medications are narcotics that manage pain from surgery, injury, or illness. Opioid medications are a class of drugs, either naturally occurring, synthetic, or semi-synthetic, that are used to reduce moderate to severe pain.

2. Obtaining Authorization

- 2.1. When the Social Worker (SW) or Foster Care Public Health Nurse (PHN) learns that a dependent child/youth who has been removed from the physical custody of their parent/guardian has been prescribed psychotropic medication, they will notify the Court Clerical unit.

POLICY NUMBER	POLICY TITLE	EFFECTIVE DATE
CWS 09-65	Psychotropic Medications	07/01/2009

COUNTY OF HUMBOLDT
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CHILD WELFARE SERVICES

POLICY & PROCEDURE

- 2.2. Court Clerical staff will request the *Physician's Statement – Attachment (JV-220(A))* from the prescribing physician at least one month prior to the hearing.
 - 2.2.1. The prescribing physician will complete the *Physician's Request to Continue Medication – Attachment (JV-220(B))* only if he/she is the same physician who completed the most recent JV-220(A) and is prescribing the same medication with the same maximum dosage.
 - 2.2.2. If the prescribing physician does not include Medication Information Sheets for all medications listed on the JV-220(A) or JV-220(B), Court Clerical staff will pull them from the National Institutes of Health website: <https://medlineplus.gov>
- 2.3. The SW will complete the *Application for Psychotropic Medication (JV-220)* and *County Report on Psychotropic Medication (JV-224)* within three business days of receiving the completed JV-220(A) or JV-220(B).

3. Noticing

- 3.1. Proof of notice of the application regarding psychotropic medication must be filed with the court using *Proof of Notice of Application (JV-221)*
- 3.2. The following documents will be provided to the parent (unless parental rights have been terminated) or legal guardian and their attorney(s), the child/youth's current caregiver, the child/youth's Court Appointed Special Advocate if one has been appointed, the child/youth's attorney, and the Indian child/youth's tribe (if applicable).
 - 3.2.1. A copy of *Guide to Psychotropic Medication Forms (JV-217-INFO)*
 - 3.2.2. A blank copy of *Child's Opinion About the Medicine (JV-218)*
 - 3.2.3. A blank copy of *Statement About Medicine Prescribed (JV-219)*
 - 3.2.4. A blank copy of *Input on Application for Psychotropic Medication (JV-222)*
- 3.3. In addition to the documents listed in section 3.2, the following documents will be provided to the parent (unless parental rights have been terminated) or legal guardian and their attorney(s), the child/youth's current caregiver, the child/youth's Court Appointed Special Advocate if one has been appointed, and the Indian child/youth's tribe (if applicable).
 - 3.3.1. A statement that a physician is asking to treat the child's emotional or behavioral problems by beginning or continuing the administration of psychotropic medication to the child and the name of the psychotropic medication

POLICY NUMBER	POLICY TITLE	EFFECTIVE DATE
CWS 09-65	Psychotropic Medications	07/01/2009

COUNTY OF HUMBOLDT
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CHILD WELFARE SERVICES

POLICY & PROCEDURE

- 3.3.2. A statement that JV-220 and a JV-220(A) or JV-220(B) are pending before the court
- 3.4. In addition to the documents listed in section 3.2, the following documents will be provided to the parent (unless parental rights have been terminated) or legal guardian and their attorney(s), the child/youth's Court Appointed Special Advocate if one has been appointed, the child/youth's attorney, and the Indian child/youth's tribe (if applicable).
 - 3.4.1. A completed copy of JV-220
 - 3.4.2. A completed copy of JV-220(A) or JV-220(B)
- 3.5. If the application could result in the authorization of three or more psychotropic medications for 90 days or longer, notice must also include a blank copy of *Position on Release of Information to Medical Board of California* ([JV-228](#)), a copy of *Background on Release of Information to Medical Board of California* ([JV-228-INFO](#)), a blank copy of *Withdrawal of Release of Information to Medical Board of California* ([JV-229](#)), and the procedures in California Rules of Court §5.642 must be followed.
- 3.6. If form JV-218 or form JV-219 is filed, it must be filed within four court days after receipt of notice of the pending application for psychotropic medication. If a hearing is set on the application, or JV-218 and for JV-219 may be filed at any time before the hearing.
- 3.7. If form JV-222 is filed, it must be filed within four court days of receipt of notice of the application.
- 4. Filing
 - 4.1. Court Clerical staff will compile the application packet, and file it with the court four days after noticing.
 - 4.1.1. The application packet will include the following documents: JV-220, JV-220(A) or JV-220(B), JV-221, JV-223, JV-224, Medication Information Sheets.
 - 4.1.1.1. Court Clerical staff will pre-fill the JV-223 for the judge to sign, and attach pages five and six of the JV-220(A) or JV-220(B).
- 5. Approval/Denial of the Application
 - 5.1. The court must approve, deny, or set the matter for a hearing within seven court days of the receipt of the completed application packet.
 - 5.1.1. The court must grant or deny the application using *Order of Application for Psychotropic Medication* ([JV-223](#)).

POLICY NUMBER	POLICY TITLE	EFFECTIVE DATE
CWS 09-65	Psychotropic Medications	07/01/2009

COUNTY OF HUMBOLDT
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CHILD WELFARE SERVICES

POLICY & PROCEDURE

- 5.2. If the court grants the request or modifies and then grants the request, the order for authorization is effective until terminated or modified by the court order or until 180 days from the order, whichever is earlier.
- 5.3. Upon the approval or denial of the application, the SW must provide the child/youth’s caregiver with a copy of the court order approving or denying the request within two court days of when the order is signed.
 - 5.3.1. If the court approves the request, the copy of the order provided to the caregiver must include the last two pages of JV-220(A) or JV-220(B) and all medication information sheets that were attached to JV-220(A) or JV-220(B).
 - 5.3.2. Court Clerical staff sends a copy of the order to County Counsel, SW, SW Supervisor, Foster Care PHNs, and the Clerical email box.
 - 5.3.2.1. The assigned Foster Care PHN will review these documents and follow-up if there are questions or concerns.
- 6. Progress Review Hearings
 - 6.1. If the court grants or modifies the application for authorization, the court must set a date for a progress review. This progress review must occur at every status review hearing and may occur at any other time at the court’s discretion.
 - 6.1.1. If the progress review is held at the time of the status review hearing, notice must include a statement that the hearing will also be a progress review on previously ordered psychotropic medication and must include blank copies of JV-218 and JV-219.
 - 6.1.1.1. The SW must file a completed JV-224 with the report.
 - 6.1.2. If the progress review is not held at the time of the status review hearing, notice must include a statement that the hearing will be a progress review on previously ordered psychotropic medication and must include blank copies of JV-218 and JV-219.
 - 6.1.2.1. The SW must file a completed JV-224 at least 10 calendar days before the hearing.
 - 6.2. Court Clerical staff will contact the prescribing physician four to six weeks prior to the hearing to inquire if a renewal application is needed.
 - 6.2.1. If a renewal application is needed, the steps outlined in sections 2-5 of this policy will be followed.

POLICY NUMBER	POLICY TITLE	EFFECTIVE DATE
CWS 09-65	Psychotropic Medications	07/01/2009

COUNTY OF HUMBOLDT
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CHILD WELFARE SERVICES

POLICY & PROCEDURE

7. Emergency Treatment

7.1. Psychotropic medications may be administered without court authorization in an emergency situation. An emergency situation occurs when:

7.1.1. A physician finds that the child/youth requires psychotropic medication to treat a psychiatric disorder or illness; and

7.1.2. The purpose of the medication is:

7.1.2.1. To protect the life of the child/youth or others, or

7.1.2.2. To prevent serious harm to the child or others, or

7.1.2.3. To treat current or imminent substantial suffering; and

7.1.3. It is impractical to obtain authorization from the court before administering the psychotropic medication to the child/youth.

7.2. Court authorization must be sought as soon as practical but in no case more than two court days after the emergency administration of the psychotropic medication.

8. Documentation in CWS/CMS

8.1. Court clerical staff will document the following in CWS/CMS.

8.1.1. A contact will be entered when the application is filed.

8.1.2. A contact will be entered when the JV-223 is received from the court.

8.1.3. All newly authorized or renewed psychotropic medications will be documented in the child/youth's health notebook.

8.1.3.1. Upon receiving the JV-223, the assigned Foster Care PHN will review the psychotropic medication(s) documented in the Health and Education Passport and will reach out to the SW, SWS, court clerical staff and/or the Supervising PHN if there are any questions or concerns.

8.1.4. A copy of the filed application will be uploaded into the case documents.

POLICY NUMBER	POLICY TITLE	EFFECTIVE DATE
CWS 09-65	Psychotropic Medications	07/01/2009