



873988

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
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The Committee on Fiscal Policy (Grall) recommended the following:

Senate Amendment (with title amendment)

Delete line 617

and insert:

Section 16. Paragraph (g) of subsection (3) of section 39.407, Florida Statutes, is amended to read:

39.407 Medical, psychiatric, and psychological examination and treatment of child; physical, mental, or substance abuse examination of person with or requesting child custody.—

(3)



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(g) The department must ~~shall~~ adopt rules to ensure that children receive timely access to clinically appropriate psychotropic medications. These rules must include, but need not be limited to, the process for determining which adjunctive services are needed, the uniform process for facilitating the prescribing physician's or psychiatric nurse's ability to obtain the express and informed consent of a child's parent or guardian, the procedures for obtaining court authorization for the provision of a psychotropic medication, the frequency of medical monitoring and reporting on the status of the child to the court, how the child's parents will be involved in the treatment-planning process if their parental rights have not been terminated, ~~and~~ how caretakers are to be provided information contained in the physician's or psychiatric nurse's signed medical report, and the procedures to allow caretakers to schedule and facilitate medical appointments to ensure timely access to and the management of existing psychotropic medication prescriptions. For the purposes of this paragraph, the term "caretaker" means a person or entity in physical custody of a child placed pursuant to s. 39.401, to include a representative of a licensed child-caring agency or emergency shelter. The rules must also include uniform forms to be used in requesting court authorization for the use of a psychotropic medication and provide for the integration of each child's treatment plan and case plan. The department must begin the formal rulemaking process within 90 days after the effective date of this act.

Section 17. This act shall take effect July 1, 2025.

===== T I T L E A M E N D M E N T =====



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40 And the title is amended as follows:
41 Delete line 53
42 and insert:
43 cross-references; amending s. 39.407, F.S.; requiring
44 the department to develop rules to include a specific
45 process to ensure children receive timely access to
46 clinically appropriate psychotropic medications;
47 providing an effective date.