

JV 220 APPLICATION FOR PSYCHOTROPIC MEDICATION

AUTHORITY:	Welfare and Institutions Code Sections 739.5, 5328.04, 16501.3, 16010, 16501.4 California Rules of Court 5.640 Civil Code Section 56.103 All County Letters No. 11-77, 16-37, 16-48, 17-45	
RECINDS:	Procedure Manual Item 2-6-214, dated 01/06/2022	
FORMS:	JV Forms	Find Your Court Forms Judicial Branch of California
	Application for Psychotropic Medication (JV-220)	Electronic Format
	Physician's Statement-Attachment (JV-220(A))	Electronic Format
	Physician's Request to Continue Medication (JV-220(B))	Electronic Format
	Child's Opinion About the Medicine (JV-218)	Electronic Format
	Statement About Medicine Prescribed (JV-219)	Electronic Format
	Proof of Notice of Application (JV-221)	Electronic Format
	Input on Application for Psychotropic Medication (JV-222)	Electronic Format
	Order on Application for Psychotropic Medication (JV-223)	Electronic Format
	County Report on Psychotropic Medication (JV-224)	Electronic Format
	Summary of New or Revised Psychotropic Medication Forms	Attachment A
PURPOSE:	To provide a procedure to obtain authorization from the court to administer psychotropic medication to a ward of the court with a vested placement order.	

I. GENERAL INFORMATION

- A. Once a youth is declared a ward of the court, removed from the custody of the parents or guardian, and custody is vested with the probation officer for suitable placement, only a juvenile court judicial officer is authorized to make orders regarding the administration of psychotropic medication to the youth, unless the court orders the parent or legal guardian is authorized to approve or deny the medication. **The youth may make their own decision regarding medication once they turn 18 years of age.**
- B. To obtain authorization to administer psychotropic medication to a ward of the court who is removed from the custody of the parents or legal guardian and placed into foster care, the following forms must be completed and filed in court.
 1. JV-220, Application for Psychotropic Medication: The basis for requesting the court's authorization on the medication being prescribed and provides the youth's medication and treatment plan history.

2. JV-220 (A), Physician's Statement: The prescribing physician is required to complete and sign the form when requesting a new order to administer psychotropic medication, starting a new medication or increasing the maximum dosage of a previously approved medication, or continuing a psychotropic medication the youth is currently taking and prescribing physician is not the same physician on the most recent JV-220 (A) form.
 3. JV-220 (B), Physician's Request to Continue Medication: The prescribing physician will complete this form only if they are the same physician who completed the most recent JV 220(A) and are prescribing the same medication with the same maximum dosage. The prescribing physician will provide this form with the JV 220 application.
 4. JV-221, Proof of Notice of Application: This form is filed with the court showing that all parties required to receive notice were served a copy of the JV 220 application and respective attachments.
 5. JV-223, Order on Application for Psychotropic Medication: The form provides the court's findings and orders about the youth's psychotropic medication.
 6. JV-224, County Report on Psychotropic Medication: The form is completed and filed by the probation officer for any hearing for which the court is providing oversight of psychotropic medication prescribed to a youth in foster care. This includes all scheduled progress reviews on orders authorizing psychotropic medication and every status review hearing.
 7. **Per California Rules of the Court, rule 5.640, in an emergency psychotropic medication may be prescribed and administered to a child by a licensed physician prior to court authorization.**
- C. The following optional forms allow respective parties to state to the court their opinion on the JV-220 Application for Psychotropic Medication. A respective party may provide their statement to the court in person, at the court hearing, by letter, through the assigned deputy probation officer, court-appointed attorney, or CASA.
1. JV-217, Guide to Psychotropic Medication: The form provides guidelines that explain each of the required and optional Psychotropic Medication Forms and instructions for filing the forms with the court.
 2. JV-218, Child's Opinion About the Medicine: By completing this form the youth can provide pertinent information to the court about their mental health status. If utilized, the form must be filed within four court days after receipt of notice of the pending JV-220 application.
 3. JV-219, Statement About Medicine Prescribed: The youth's parent, current caregiver, CASA, if any, or the youth's Indian tribe may complete the form to provide the court their input about the application for psychotropic medication including the youth's behavior, treatment plan and its effectiveness, as well as side effects of the medication.

4. JV-222, Input on Application for Psychotropic Medication: This optional form may be filed with the court when a party disagrees with the application for psychotropic medication (JV-220). This form may be completed by the **youth's** parent or legal guardian, the attorney of record for the **youth**, the **youth's** Child Abuse Prevention and Treatment Act guardian ad litem, or the Indian youth's tribe.
- D. In addition to adherence in completing the psychotropic medication forms, it is also important for deputy probation officers and foster care public health nurses to ensure the youth's psychotropic medication information is entered and updated into the Child Welfare Services/Case Management System (**CWS/CMS**) accurately. When a placement youth is prescribed psychotropic medication, information such as 30-day follow up visits with the prescriber, mental health referrals, medication support services, and prescribed medications and dosages should be accurately documented in the youth's Health and Education Passport.
- E. Non-Minor Dependents have all the legal decision-making authorities as any other adult. This includes privacy regarding their medical conditions and consenting to receive treatment or to take medication, even psychotropic medications. The Welfare and Institution Code requires information related to medical problems, medications and other relevant health information must be documented in the Health and Education Passport (HEP). While confidential, the information contained in the HEP must be provided to the caregiver of NMDs placed in licensed and approved settings. Personal rights of NMDs require that caregivers keep all medical information confidential and cannot release information to another party without written consent from the NMDs.

II. PROCEDURE FOR THE COURT TO AUTHORIZE THE ADMINISTRATION OF PSYCHOTROPIC MEDICATION FOR YOUTH WITH A VESTED PLACEMENT ORDER

- A. When a youth has been evaluated and determined to be in need of psychotropic medication, the assigned psychiatrist will submit a JV 220 (A)-Prescribing Physicians Statement form to the Social Services Agency's Psychotropic **Medical** Consent Unit (PCU). If the psychiatrist is prescribing the same medication and with the same maximum dosage, then a JV 220 (B)-Physician's Request to Continue Medication-Attachment will be submitted.
 1. The application can be submitted via facsimile or email correspondence.

[REDACTED]

[REDACTED]
- B. A Social Services Agency eligibility technician will notify the assigned deputy probation officer, via email correspondence, of a pending psychotropic medication consent request from the assigned psychiatrist.
- C. Upon notification from PCU, the deputy probation officer has 48 hours to complete the medication consent request forms and email or fax to PCU.
 1. The forms and contact information are as follows:

- a. JV 220- Application for Psychotropic Medication
- b. Notice of JV 220 Application Worksheet

[REDACTED]

[REDACTED]

- 2. The deputy probation officer will notify the parent/guardian regarding the application for psychotropic medication and contact the youth to garner input about starting or modifying his/her medication. The youth also **can** provide pertinent information to the court about their mental health status.
 - a. If the youth wants to advise the court of their mental health status, the deputy probation officer will file a JV-218, Child's Opinion About the Medicine and submit with the JV220 request.
 - 3. Upon notification of medication consent request, the public health nurse will review the youth's Health and Education Passport and update the medical information.
- D. Once the court approves or denies the Application for Psychotropic Medication (JV 220), PCU will provide a copy of the Order on Application for Psychotropic Medication (JV223) to the deputy probation officer.
- 1. The deputy probation officer will review for accuracy as it pertains to updated medication, current dosage, and verify, if applicable, that the discontinued medication is not listed in the findings (JV 223).
 - a. If the JV 223 is not accurate, then a new JV 220 must be submitted via PCU.
 - 2. The deputy probation officer will provide a copy of the JV 223 packet to the care provider, i.e. Short-Term Residential Treatment Center, Resource Family (if applicable), and parent/guardian.
 - 3. The original Order on Application for Psychotropic Medication (JV 223) will be **uploaded** in the youth's Health and Education Passport, located in [REDACTED].
- E. If the court grants the request or modifies the request, the order for authorization is effective until terminated or modified by court order or until 180 days from the order.
- 1. Prior to the six-month review, PCU will notify the deputy probation officer 40 days in advance to start the JV 220 process.
 - a. The psychotropic medication consent request can apply to new medication, dosage adjustments, and changes to a youth's prescribed medication.

2. After approving the application for authorization, the court must set a progress review and must occur at every status review hearing.
 - a. The deputy probation officer must file a completed County Report on Psychotropic Medication (JV 224) and attach to the status review hearing report.

REFERENCES:

Procedures: 2-6-213 Presumptive Transfer

Attachment

N. Jaime

APPROVED BY:

SUMMARY OF NEW OR REVISED PSYCHOTROPIC MEDICATION FORMS

Form Number	Form Name	Form Purpose
JV-217-INFO	Guide to Psychotropic Medication Forms	This optional form was revised (formerly the JV-219 INFO) and explains each required and optional Psychotropic Medication Form and respective filing instructions with the court.
JV-218	Child's Opinion About the Medicine	This new optional form provides a foster child an opportunity to inform the court about their opinion, knowledge, and any possible opposition regarding the psychotropic medication. The child may ask a trusted adult for assistance to complete the form. Social workers and probation officers should educate and explain to the child in age-appropriate and developmental manner the purpose and importance of completing the JV-218 form. The child should be instructed that their input is not limited to completing the form. The child may provide his/her input in person at the court hearing or through any other format the child feels comfortable with (e.g. the child can use an informal piece of paper to write their statement).
JV-219	Statement of Medicine Prescribed	This new optional form may be completed by the child's parent, current caregiver, Court Appointed Special Advocate if any, or the Indian child's tribe to provide the court input about the application for the psychotropic medication including information about the child's behavior, treatment plan and the effectiveness and any side effects of the prescribed medication.
JV-220	Application for Psychotropic Medication	This required form was revised and may be completed and signed by the prescribing physician, medical office staff, child welfare services or probation staff, or the child's caregiver. If the applicant is child welfare or probation staff, he/she must complete <u>all items</u> 1-13 and sign page four. If the applicant is the prescribing physician, medical staff or the child's caregiver, he/she must complete items 1-4 and sign page one.
JV-220(A)	Physician's Statement – Attachment	This required form was revised and is completed and signed by the prescribing physician to request a new order, to start a new medication or to increase the maximum dosage of a previously approved medication or to continue the psychotropic medication the child is currently taking. The prescribing physician will provide the completed and signed JV-220(A) to the party filing the JV-220 Application. <ul style="list-style-type: none"> Only the prescribing physician is authorized to sign the JV-220(A), not other medical staff (e.g. physician assistant). In an emergency situation when the physician finds the child requires psychotropic medication to treat a psychiatric disorder or illness and it is impractical to obtain prior court authorization, a physician may administer a psychotropic medication without court authorization in order to protect the child or others from serious harm or to treat

SUMMARY OF NEW OR REVISED PSYCHOTROPIC MEDICATION FORMS

Form Number	Form Name	Form Purpose
JV-220(A) (cont)	Physician's Statement – Attachment	current/imminent substantial suffering. After administration of the emergency medication, the physician shall request the court's authorization of the medication as soon as practical and no later than within two court days.
JV-220(B)	Physician's Request to Continue Medication – Attachment	This new required form is completed and signed by the same prescribing physician who completed the most recent JV-220(A) and is prescribing the same medication with the same maximum dosage. The physician will provide the completed and signed JV-220(B) to the party filing the JV-220 Application.
JV-221	Proof of Notice of Application	This required form was revised ; the form demonstrates to the court that all required parties were noticed and served a copy of the pending JV-220 Application and respective attachments according to rule 5.640(8)(A)-(D).
JV-222	Input on Application for Psychotropic Medication	This optional form was revised and may be filed with the court when a party disagrees with the application for psychotropic medication or has any input regarding the child or the medication listed on the JV-220. This form may be completed by the child's parent or legal guardian, attorney of record for the child, attorney for the parent or legal guardian, the child's Child Abuse Prevention and Treatment Act guardian ad litem, or the Indian child's tribe.
JV-223	Order on Application for Psychotropic Medication	This required form was revised and provides the court's findings and orders about the child's psychotropic medication. The party who filed the JV-220 Application shall provide a copy of the court order that includes the last two pages of form JV-220(A) and all medication information sheets that were attached to form JV-220(A) to the child's current caregiver (in person or mail) within two days of when the order was signed. If a placement change occurred, the social worker or probation officer shall provide a copy of the order to the child's caregiver.
JV-224	County Report on Psychotropic Medication	This new required form must be completed and filed by the child's social worker or probation officer for any hearing for which the court is providing oversight of psychotropic medication prescribed to a child in foster care. This includes all scheduled progress reviews on orders authorizing psychotropic medication and every status review hearing. If the progress review is held at the same time of the status review hearing, the JV-224 must be attached to and filed with the status review court report. If the progress review is not held at the same time of the status review hearing, the JV-224 must be filed at least ten calendar days before the progress review hearing.