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|  Behavioral Health Department Alameda County Health | Signed by:  By: <u>BA107CA0C0D44A...</u> Karyn L. Tribble, PsyD, LCSW, Director |
| POLICY TITLE Obtaining Authorization for Prescribing Psychotropic Medication to Youth in Out of Home Placement Under the Protection of the Juvenile Court | Policy No: 403-2-1 Date of Original Approval: 12/5/2016 Date(s) of Revision(s): 7/18/2025 |

PURPOSE

This policy addresses the need to ensure, for children/youth under the jurisdiction of the Juvenile Court and living in an out-of-home placement where psychotropic medications are being prescribed, that all relevant forms (JV-220, JV-220 (A), JV 221, JV 222 and JV 223) are completed and in the beneficiary's medical record.

AUTHORITY

- [California Rules of the Court, Rule 5.640](#)
- [Welfare and Institutions Code \(WIC\) 727.4](#)

SCOPE

This policy applies to all Alameda County Health Behavioral Health Department (ACBHD) county-operated programs in addition to entities, individuals and programs providing mental health services under a contract or subcontract with ACBHD.

BACKGROUND

Per California Rules of the Court, the following pertains to this policy:

Rule 5.640. Psychotropic Medications

(a) Definition (§§ 369.5(d), 739.5(d))

For the purposes of this rule, "psychotropic medication" means those medications prescribed to affect the central nervous system to treat psychiatric disorders or illnesses. They may include, but are not limited to, anxiolytic agents, antidepressants, mood stabilizers, antipsychotic medications, anti-Parkinson agents, hypnotics, medications for dementia, and psychostimulants.

(Subd (a) amended effective January 1, 2009; previously amended effective January 1, 2007.)

(b) Authorization to administer (§§ 369.5, 739.5)

(1) Once a child is declared a dependent child of the court and is removed from the custody of the parents, guardian, or Indian custodian, only a juvenile court judicial officer is authorized to make orders regarding the administration of psychotropic medication to the child, unless, under (e), the court orders that the parent or legal guardian is authorized to approve or deny the medication.

(2) Once a child is declared a ward of the court, removed from the custody of the parents, guardian, or Indian custodian, and placed into foster care, as defined in Welfare and Institutions Code section 727.4, only a juvenile court judicial officer is authorized to make orders regarding the administration of psychotropic medication to the child, unless, under (e), the court orders that the parent or legal guardian is authorized to approve or deny the medication.

(Subd (b) amended effective September 1, 2020; previously amended effective January 1, 2009, July 1, 2016, and January 1, 2018.)

POLICY

This policy establishes ACBHD procedures and timelines for completing required forms for obtaining court approval for prescribing psychotropic medication(s) for children/youth in out-of-home placement under the protection of the Juvenile Court.

PROCEDURE

The responsibility for the completion of the forms mentioned in this policy falls to the agency responsible for the placement of the child/youth (Child and Family Services (CFS), or Probation), the Juvenile Court and ACBHD. The procedure is as follows:

- (a) The CFS Worker or Probation Officer shall complete the JV 220 (*Application Regarding Psychotropic Medication*) and the JV 221 (*Proof of Notice of Application*).
- (b) The ACBHD/CBO- contracted Psychiatrist shall complete the JV 220(A) (*Physicians Statement – Attachment*) and send it to the CFS Worker or Probation Officer.
 - (1) The ACBHD/CBO-contracted Psychiatrist shall place a copy of the JV 220(A) into the child/youth's medical chart.
 - (2) Once the court completes the JV 223 (*Order of Application for Psychotropic Medication*) order and a copy is received by ACBHD, it shall also be placed in the child/youth's medical chart.
- (c) CFS or Probation shall send the following to the parties/attorneys:
 - (1) JV 219 (*Statement About Medicine Prescribed*)
 - (2) Completed JV 220 and JV 220(A)
 - (3) JV 222 (*Input on Application Regarding Psychotropic Medication*)
- (d) CFS or Probation shall send the JV 220, the JV 220(A), the JV 221, and the JV 223 (*Order*

Regarding Application for Psychotropic Medication) to the court.

(e) The court makes its order and completes the new JV 223 order.

NON-COMPLIANCE

Non-compliance is the failure or refusal to comply with the required authorization practices for prescribing psychotropic medication to foster youth.

If non-compliance occurs, Staff shall report the non-compliance to their Quality Assurance/Improvement staff, who will submit an Unusual Occurrence (UO) to ACBHD Quality Management within 15 days of reasonable awareness of the non-compliance.

Staff shall not face retribution for submitting a notice of non-compliance.

Any communication that contains protected health information or otherwise confidential information should be sent through secure methods, such as email with secure encryption.

EMERGENCY MEDICATIONS

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

- a) A physician finds that the child requires psychotropic medication to treat a psychiatric disorder or illness; and
- b) The purpose of the medication is:
 - (1) To protect the life of the child or others, or
 - (2) To prevent serious harm to the child or others, or
 - (3) To treat current or imminent substantial suffering; and
- c) It is impractical to obtain authorization from the court before administering the psychotropic medication to the child.

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. *(Subd (i) relettered effective July 1, 2016; adopted as subd (g); previously amended effective January 1, 2007, and January 1, 2008.)* https://courts.ca.gov/cms/rules/index/five/rule5_640

CONTACT

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DISTRIBUTION

This policy will be distributed to the following:

- ACBHD Staff
- ACBHD Contract Providers
- Public

ISSUANCE AND REVISION HISTORY

Original Authors: Jeff Rackmil, Children's System of Care Director

Original Date of Approval: 12/5/16 by Karyn Tribble, PsyD, LCSW, Interim BHCS Director and Aaron Chapman, MD, BHCS Medical Director

| Revision Author | Reason for Revision | Date of Approval by (Name, Title) |
|---|-------------------------------|--|
| Michelle Lewis, LCSW, Division Director, Child and Young Adult System of Care Charles Raynor, PharmD, Director of Pharmacy Services | Revision for required updates | 7/18/2025 by Dr. Karyn Tribble, Behavioral Health Director |

DEFINITIONS

None

APPENDICES

- [JV-219 Statement About Medicine Prescribed](#)
- [JV-220 Application Regarding Psychotropic Medication](#)
- [JV-220\(A\) Physician's Statement – Attachment](#)
- [JV-221 Proof of Notice of Application](#)
- [JV-222 Input on Application Regarding Psychotropic Medication](#)
- [JV-223 Order on Application for Psychotropic Medication](#)