

By: Turner of Harris

H.B. No. 3662

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the review of certain drugs prescribed to a child in the  
3 conservatorship of the Department of Family and Protective  
4 Services.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter A, Chapter 266, Family Code, is  
7 amended by adding Section 266.0065 to read as follows:

8 Sec. 266.0065. REVIEW OF CERTAIN MEDICATIONS PRESCRIBED TO  
9 CHILD. (a) In this section, "psychotropic drug" means a substance  
10 that is:

11 (1) used in the diagnosis, treatment, or prevention of  
12 a disease or as a component of a medication; and

13 (2) intended to have an altering effect on perception,  
14 emotion, or behavior.

15 (b) If a child in the managing conservatorship of the  
16 department is prescribed three or more psychotropic drugs, the  
17 department shall refer the child's case to the Health and Human  
18 Services Commission to be reviewed by a physician other than the  
19 physician treating the child.

20 (c) The physician reviewing the case shall determine  
21 whether the child's medical treatment is consistent with standards  
22 of care for a patient diagnosed with the child's mental disorder or  
23 documented symptoms.

24 SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2009.