

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

SESSION LAW 2001-124  
SENATE BILL 542

AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO REVIEW THE NEED FOR ESTABLISHMENT OF A STATEWIDE DATABASE ON THE ADMINISTRATION OF PSYCHOTROPIC MEDICATIONS TO CHILDREN WHO RECEIVE STATE SERVICES.

Whereas, during the past decade the number of American children receiving medication for behavioral and emotional disorders has increased dramatically; and

Whereas, there is a growing trend for children to receive medications for depression and other behavioral and health conditions; and

Whereas, a report in the Journal of the American Medical Association indicates that the rate of prescribing psychotropic medications for preschool children rose threefold between 1991 and 1995; and

Whereas, opponents of the use of psychotropic drugs are concerned about overuse of the drugs, and also that there is not enough information about these drugs' effect on children's development or on their long-term side effects; and

Whereas, proponents argue that the use of psychotropic medications may be needed to combat mental illness, but agree that children should not be medicated unless a qualified clinician decides that such a course is in the child's best interest and the medication is used in conjunction with other types of treatment; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. The Department of Health and

Human Services and the Department of Juvenile Justice and Delinquency Prevention shall review the feasibility of establishing and maintaining a statewide database containing information on the prescription and administration of psychotropic medications to children who receive State services while residing in State facilities administered by the Department of Health and Human Services or the Department of Juvenile Justice and Delinquency Prevention. In conducting the review the Departments shall consider that any database developed must, in accordance with State and federal law, fully protect the medical records and other privacy interests of the minors for whom the drugs are prescribed. Not later than January 1, 2002, the Department of Health and Human Services and the Department of Juvenile Justice and Delinquency Prevention shall report their findings and recommendations to the Joint Legislative Health Care Oversight Committee and to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services. The report shall include the cost of establishing and maintaining the database in a manner that provides data for the analysis of prescription medication usage by and effects on children. The report shall also provide detailed information on how the database will be maintained in a manner that protects medical records and other privacy interests in compliance with State and federal law.

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 17th day of May, 2001.

s/ Beverly E. Perdue  
President of the Senate  
s/ James B. Black  
Speaker of the House of

Representatives

s/ Michael F. Easley  
Governor

Approved 4:25 p.m. this 25th day of May, 2001