

JV-220 – Court Application for Psychotropic Medication for Youth

908.1 PURPOSE:

To establish guidelines regarding the requirements under which a court order is necessary for the administration of psychotropic medication for a ward who has been removed from the physical custody of their parent/legal guardian.

908.2 DEFINITIONS:

Welfare and Institutions Code Section 739.5: Outlines the provisions under which a court order is required for the administration of psychotropic medications for a ward who has been removed from the physical custody of their parent. If a youth who has been adjudged a ward of the court under Section 601 or 602 is removed from the physical custody of the parent under Section 726 and placed into foster care, as defined in Section 727.4, only a juvenile court judicial officer shall have authority to make orders regarding the administration of psychotropic medications for that youth.

California Rules of Court— Rule 5.640. Psychotropic Medications:

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.

For the full description of the California Rules of Court, Rule 5.640, refer to: https://www.courts.ca.gov/cms/rules/index.cfm?title=five&linkid=rule5_640

California Judicial Consent Forms:

Required Forms:

- JV-220 – Application For Psychotropic Medication
- JV-220 (A) – Physician's Statement-Attachment
- JV-220 (B) – Physician's Request to Continue Medication-Attachment
- JV-221 – Proof of Notice of Application
- JV-223 – Order on Application for Psychotropic Medication
- JV-224 – County Report on Psychotropic Medication

Optional Forms:

- JV-217 INFO – Guide to Psychotropic Medication Forms
- JV-218 – Child's Opinion About the Medicine
- JV-219 – Statement about Medicine Prescribed
- JV-222 – Input on Application for Psychotropic Medication

JV-220 Packet: A packet prepared for the Court to review the applicable forms noted above.

Short-Term Rehabilitative Therapeutic Program (STRTP): A residential program where youth can be provided specialty mental health services to address specific treatment goals.

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908.3 RESPONSIBILITIES:

I. Placement Recommendations on Dispositional Reports:

A. Probation Officer (PO):

1. Include a WIC 739.5 (a)(1) recommendation in dispositional reports when recommending placement.
2. Address circumstances regarding parental consent in the analysis section of the dispositional report (e.g. the parent poses no danger to the youth and has the capacity to authorize psychotropic medications or the probation officer believes the parent does not have the capacity to consent or poses a danger). Specifically address the factual reasons for this opinion (e.g. parental mental health issues, neglect, abuse history, etc.).
3. Check Caseload Explorer (CE) for a history of a JV-220.
4. Contact the Forensic Adolescent Services Team (FAST) if a JV-220 has previously been done.

II. Court Authorization of Psychotropic Medications:

A. Placement Probation Officers (PO):

1. If there is no active JV-220, the following process shall be followed:
 - (a) Ensure a JV-220 (A) Physicians Statement has been initiated by the STRTP.
 - (b) Receive JV-220 (A) Physicians Statement (original signatures) from the physician treating the youth at their current STRTP.
 - (c) Ensure the STRTP completes a JV-220 Application for Psychotropic Medication and other required forms as applicable.
 - (d) Forward the JV-220 packet within (3) three business days to the Placement Unit Public Health Nurse.
 - (e) Notify the youth's parents by certified mail if their whereabouts are known via a letter and telephone call stating that a physician is asking to treat the youth's mental condition by beginning or continuing the administration of psychotropic medication. Include the name of the medication and provide copies of appropriate forms (e.g. JV-217 INFO, JV-220, JV-220 (A), or (B), JV-222, etc.).
 - (f) Calendar a Special Hearing as soon as possible after the Placement Unit Public Health Nurse has reviewed the JV-220 packet.
 - i. Include a statement requesting that the youth's presence be waived, as transporting could be disruptive to the youth's current placement.
 - ii. Schedule the hearing five (5) business days from the date of notification of the Special Hearing.

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- (g) Provide notice of the application to the parents, legal guardians, or Indian custodian, their attorneys of record, the youth's attorney of record, the youth's Child Abuse Prevention and Treatment Act guardian ad litem, the youth's current caregiver, the youth's Court Appointed Special Advocate, if any, and where a youth has been determined to be an Indian child, the Indian youth's tribe.
 - i. Notice of the application shall be provided as outlined in the California Rules of the Court, Rule 5.640, Psychotropic medication, section (c)(10)(A-C)(i-iv).
 - (h) File proof of notice of the application with the Court using form JV-221.
 - (i) Upon the approval or denial of the application, provide a copy of the order to the youth's caregiver in person or mailed within two (2) court days of when the order is signed.
 - i. Notice shall be provided as outlined in the California Rules of the Court, Rule 5.640, Psychotropic medication, section (h) (1-5).
 - (j) Forward a copy of the approved or denied JV-220 packet to the Public Health Nurse within (3) three business days of receipt.
 - (k) Place the originally signed JV-220 packet in the youth's file.
 - (l) Provide a completed copy of the JV-220 packet to the STRTP.
 - (m) Contact the STRTP to notify of non-approval of the JV-220 Application.
 - (n) Ensure the youth is receiving applicable medications and the JV-220 is current.
 - (o) Ensure the STRTP:
 - i. Requests the prescribing psychiatrist to complete a JV-220(A) Physician's Statement.
 - ii. Forwards the JV-220(A) to the Placement PO.
 - iii. Forwards the completed JV-220 packet to the treating physician.
 - iv. Schedules an appointment with the psychiatrist before the expiration date.
 - (p) Enter documentation in CE events as applicable.
- B. Placement Supervising Probation Officer or Designee:
- 1. Ensure JV-220s are current during monthly caseload audits.
- III. Placement:
- A. Public Health Nurse:

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1. If information is not received regarding parental authorization, verify with the PO that the parent cannot authorize psychotropic medications.
 2. Receive JV-220 forms as notice that a juvenile has a need for psychotropic medication.
 3. Review JV-220 forms for accuracy and completeness of health information.
 - (a) Contact the treating physician if the forms are not complete.
 4. Initiate/Update/Attach appropriate forms and submit them to the consulting psychiatrist.
 5. Forward the completed applicable forms to the designated child psychiatrist for review and recommendation to Court.
 6. Forward applicable forms received to the PO.
 7. Ensure the approved or denied copy of the JV-223 and other applicable documents are received from the PO.
 8. Enter applicable information into the Child Welfare Services/Case Management System Health Notebook.
- B. Forensic Adolescent Services Team (FAST):
1. Receive approved and denied JV-220 forms from the Court.
 2. Update the health record with approved and denied JV-220 forms once received.
 3. Send a copy of JV-220 forms to Probation and juvenile hall nursing staff.

908.4 GUIDELINES:

- A. JV-220 expires six (6) months from the court approval date.
- B. All JV-220 forms are maintained by the State of California at <https://www.courts.ca.gov>.
- C. Refer to the Memorandum of Understanding between the San Bernardino County Department of Public Health and the San Bernardino County Probation Department for Health Care Program for Children in Foster Care.
- D. All Placement officers shall receive JV-220 training.