



Legislation Details (With Text)

**File #:** Res 0879-2003      **Version:** \*      **Name:** Amend the Education Law in relation to restricting school personnel from recommending the use of psychotropic drugs for children.

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**Title:** Resolution urging the New York State Legislature to enact A.3563, A.5760 and S.3458, which would amend the Education Law in relation to restricting school personnel from recommending the use of psychotropic drugs for children.

**Sponsors:**

**Indexes:**

**Attachments:**

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5/14/2003	*	City Council	Introduced by Council	
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Res. No. 879

Resolution urging the New York State Legislature to enact A.3563, A.5760 and S.3458, which would amend the Education Law in relation to restricting school personnel from recommending the use of psychotropic drugs for children.

By Council Members Rivera, Jackson, Nelson, Seabrook and Sears

Whereas, Children across the nation are increasingly diagnosed as having Attention Deficit Hyperactivity Disorder ("ADHD") and similar conditions, which are thought to interfere with such children's learning processes and the ability of the children around them to learn; and Whereas, According to the memorandum in support of A.3563, the use of prescription drugs intended to treat ADHD and similar conditions has increased by 35% since 1996; and

Whereas, According to advocacy organizations such as 4ADHD, a schoolchild's behavioral problems or other medical conditions, including depression or anxiety disorder, can be mistaken for ADHD; and

Whereas, Additionally, advocacy and health care organizations note that the use of such psychotropic drugs can have harmful effects on children, and that non-medical solutions to behavioral problems, including ADHD, exist and are effective; and

Whereas, Children diagnosed with ADHD and similar ailments are often treated by psychotropic drugs, such as Ritalin, Adderall, Prozac and Thorazine, which treatment requires a prescription written by a licensed physician; and

Whereas, However, according to news sources, such as CNN, school teachers and other school personnel who are not licensed physicians have recommend the use of psychotropic drugs to the parents of disruptive schoolchildren or condition a child's continued presence in school upon the use of such drugs, regardless of whether such schoolchildren have been evaluated by a physician or have been diagnosed as having ADHD or a similar medical condition; and

Whereas, A.3563, A.5760 and S.3458 would prohibit school personnel or school districts from recommending or suggesting that a schoolchild use psychotropic drugs, except as set forth in regulations to be promulgated by the Commissioner of the State Education Department; and

Whereas, Additionally, A.3563 would state that the refusal of a parent to allow his or her child to receive psychotropic drugs shall not, in and of itself, constitute grounds for Child Protective Services or for any court to take any action with respect to such child; and

Whereas, Several other states, including Connecticut, Texas and Colorado, have passed or are considering legislation similar to A.3563, A.5760 and S.3458; now, therefore, be it

Resolved, That the Council of the City of New York urges the New York State Legislature to enact A.3563, A.5760 and S.3458, which would amend the Education Law in relation to restricting school personnel from recommending the use of psychotropic drugs for children.

(MHG)

LS# 2346