



**State of Florida
Department of Children and Families**

Ron DeSantis
Governor

Shevaun L. Harris
Secretary

DATE: January 7, 2022

TO: Regional Managing Directors
Sherriff Offices Conducting Child Protective Investigations
Community-Based Care Lead Agency CEOs

THROUGH: Taylor Hatch, Deputy Secretary

FROM: Jessica Tharpe, Interim Assistant Secretary for Child Welfare
Sharron Washington, Assistant Secretary for Operations

SUBJECT: Psychotropic Medication Documentation

PURPOSE: The purpose of this memorandum is to provide direction to child welfare professionals regarding updating documentation of psychotropic medication in Florida Safe Families Network (FSFN)

BACKGROUND: When a child begins medication under emergency provisions prior to parental consent or court order per section 39.407 (3)(e), F.S, the following circumstances must occur:

- (a) If the prescribing physician or advanced nurse practitioner who is also a psychiatric nurse certifies that a delay in providing the prescribed psychotropic medication would more likely than not cause significant harm to the child. This certification shall be in writing on the medical report form.
- (b) If the child is in a hospital, crisis stabilization Unit (CSU) or Psychiatric treatment center.

Per CFOP 170-18, Chapter 3, Psychotropic Medications, within three business days after administration of the medication begins or resumes, the child welfare professional must obtain parental authorization or Children's Legal Services must file a motion requesting court authorization.

In April 2016, the Department released a memorandum providing guidance on how to document psychotropic medication for a child in out-of-home care. FSFN functionality did not allow the child welfare professional to save the documentation of psychotropic medication without a date that reflects the parental consent or court order. Users were advised to enter a fictitious date of 01/01/1900 and include a note in the instructions/additional comment section annotating why the medication was prescribed and efforts being made to obtain the proper authorization. Community Based Care lead agencies (CBCs) were required to monitor the compliance and efforts to update documentation as necessary through FSFN reporting.

IMMEDIATE ACTION REQUIRED: Effective immediately, the memorandum "Psychotropic Medication FSFN Documentation: Court Order and Parental Consent" dated April 25, 2016, is rescinded. All documentation pertaining to psychotropic medication shall be entered into FSFN per CFOP 170-18, Chapter 3.

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The Department recently completed a review and identified an excessive amount of parental consent or court ordered dates that continue to reflect the date of 01/01/1900. **CBCs must ensure that all dates are accurately updated, and all necessary court orders or parental consents are uploaded to the Medical Mental Health filing cabinet.**

Please share this memorandum with Child Protective Investigators, sheriff offices conducting child protective investigations, CBCs, subcontracted providers, and any other appropriate staff.

CONTACT INFORMATION: If you have any questions or need clarification regarding this memorandum, please do not hesitate to contact Jessica Johnson, Statewide Out-of-Home Care Specialist, at Jessica.Johnson@myflfamilies.com or Vanessa Snoddy, Policy and Practice Manager for Case Management and Well-Being, at Vanessa.Snoddy@myflfamilies.com.

Attachment: Memo – Psychotropic Medication FSN Documentation: Court Order and Parental Consent (4/25/2016)

cc: Regional Family and Community Services Directors
Children's Legal Services
Quality Office
Center for Child Welfare



State of Florida
Department of Children and Families

Rick Scott
Governor

Mike Carroll
Secretary

DATE: April 25, 2016

TO: Regional Managing Directors
Community-Based Care CEOs

THROUGH: David L. Fairbanks, Deputy Secretary

FROM: Vicki Abrams, Assistant Secretary for Operations
JoShonda Guerrier, Assistant Secretary for Child Welfare

SUBJECT: Psychotropic Medication FSFN Documentation: Court Order and Parental Consent

Rescinded 1/7/2022

PURPOSE: The purpose of this memorandum is to provide direction to child welfare professionals regarding documentation of psychotropic medications in the Florida Safe Families Network (FSFN) when the child begins the medication under emergency provisions and prior to parental consent or court order per section 39.407(3)(e), F.S.

BACKGROUND: FSFN requires the user to enter a parental consent or court order date when entering a psychotropic medication for a child in out-of-home care. FSFN will not allow the psychotropic medication record to save without a parental consent or court order date. Florida Statute allows for the administration of psychotropic medications prior to obtaining parental consent or court order in two circumstances:

- (a) If the prescribing physician certifies that delay in providing the prescribed psychotropic medication would more likely than not cause significant harm to the child. This certification shall be in writing on the Medical Report form.
- (b) If the child is in a hospital, Crisis Stabilization Unit (CSU) or Psychiatric Residential Treatment Center.

Currently, child welfare professionals are unable to document psychotropic medications in FSFN when prescribed under the above circumstances pending parental consent or court authorization. This impacts the listing of children receiving psychotropic medications and causes staff to implement separate tracking systems to ensure the consent or court authorization is obtained. A FSFN change request (CR #452) has been submitted and, when implemented, will address this issue. The design for this change request has not been scheduled. In the interim, a work around solution must be

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Rescinded 1/7/2022

implemented to ensure the Department has an accurate listing of all children being administered psychotropic medications.

ACTION NEEDED: The following action shall be taken to ensure that all psychotropic medications being administered to children in out-of-home care are documented in FSFN within 3 business days of the child taking the medication.

1. Users documenting psychotropic medication will need to enter a standard fictitious date of 01/01/1900 in the parental consent/court order field. The standard date will allow for tracking of children who do not have a current court order or parental consent. This will ensure that all necessary actions are taken to obtain the required parental consent or court order and that FSFN is updated to reflect the actual date of parental consent or court order once obtained.
2. Users will need to make a note in the instructions/additional comments section annotating why the medication was prescribed and efforts being made to obtain the proper authorization.
3. CBC's will need to monitor compliance and efforts to update documentation as necessary through FSFN reporting.

Please distribute this memo to both Child Protective Investigators and Community- Based Care Lead Agency staff and case management organizations.

CONTACT INFORMATION: Should you have questions about this communication, please contact Amy Hand, Office of Child Welfare, at 850-717-4491 or via e-mail at amy.hand@myflfamilies.com.

cc: Ginger Griffeth, Director of Child Welfare Performance and Quality Management
Elisa Cramer, Director of Child Welfare Strategic Projects
Traci Leavine, Director of Child Welfare Practice
Center for Child Welfare