



# COUNTY OF LOS ANGELES OFFICE OF CHILD PROTECTION

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 383  
LOS ANGELES, CALIFORNIA 90012  
(213) 893-2010

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October 20, 2016

Ms. Elaine M. Howle, CPA  
State Auditor  
621 Capitol Mall, Suite 1200  
Sacramento, CA 95814

Dear Ms. Howle:

On behalf of Los Angeles County, the Office of Child Protection (OCP) will be updating the State Auditor on Los Angeles County's efforts to implement the recommendations contained in the August 2016 report entitled, "California's Foster Care System: The State and Counties Have Failed to Adequately Oversee the Prescription of Psychotropic Medications to Children in Foster Care."

Department of Children and Family Services (DCFS) Director Phillip Browning previously noted in his letter to you dated June 8, 2016, that Los Angeles County agreed with the four recommendations made in the report. Specifically, those recommendations were:

1. Counties should monitor requests for authorizations of psychotropic medications.
2. Counties should ensure court approval or parental consent prior to prescribing psychotropic medications.
3. Counties should ensure physicians' follow-up within 30 days of their prescribing a new psychotropic medication.
4. Counties should ensure that proper mental health services are received along with psychotropic medications.

Most, if not all, of Los Angeles County's efforts in relation to the prescription and administration of psychotropic medications for child-welfare and juvenile-justice youth, including those in response to the State Auditor report, will originate from a Psychotropic Medication Workgroup (Workgroup) convened by the OCP in July of this year. In addition to OCP staff, the Workgroup consists of representatives from DCFS, the Probation Department, the Department of Mental Health (DMH), the Department of Public Health (DPH), the Board of Supervisors, the Juvenile Court, Children's Law Center, Los Angeles Dependency Lawyers Inc., the Public Defender, the Alternate Public Defender, Court Appointed Special Advocates, the Commission for Children and Families, the Alliance for Children's Rights, Public Counsel, the Association of Community Human Services Agencies, and L.A. Care.

Preliminarily, it is important to note that is the Workgroup's intent to ensure training for all segments of the community who interact with our children with respect to all of the initiatives developed by the Workgroup.

The initial focus of the Workgroup has been the implementation of the new forms developed by the California Judicial Council to improve the process for the administration of psychotropic medications. The forms, which became effective on July 1, 2016, are designed (among other things) to enhance the quality and quantity of information presented to judges who are tasked by law with deciding whether or not to approve the administration of psychotropic medications; to enhance the engagement of youth, parents, caregivers, and agencies involved in the process; to ensure that alternatives to medication are appropriately considered; to ensure that other mental health services accompany the use of the medications; and to help monitor the effects of the medications.

Our discussions on the forms have focused on clarifying which persons or agencies will be responsible for completing each form and the timelines for doing so. We have also focused on these issues with respect to the new optional forms for youth and the new optional forms that can be completed by parents, caregivers, attorneys for the parties, and others.

In addition to the forms, we have discussed the implementation and enforcement of a recent standing order issued by the Presiding Judge of the Juvenile Court that requires prescribers of psychotropic medications for children and youth in group homes to be credentialed by DMH.

The Workgroup will meet at least monthly. Our agenda is fairly well set and will focus on data issues in a number of ways. Most importantly, we want to ensure that we are aware of every child in our system who is being administered a psychotropic medication. We also want to know other things, including but not limited to what medications they are taking and why, where they live, who prescribed the medication, who authorized the medication, and much more. Los Angeles County is also engaged in developing a system to track the use of psychotropic medications electronically. We will report on our progress in future updates to the State Auditor.

Our agenda will also focus specifically on issues raised in the report of the State Auditor to the extent that the implementation of its recommendations is not being met by our ongoing work. For instance, in 2009, we implemented monitoring protocols for both the dependency court and the delinquency court. Those protocols require the court to set a progress report 40 days after it approves any new medication or an increase in dosage of a previously authorized medication. Among other things, that report is required to include the date of the follow-up visit with the prescribing physician. We will need to revisit this issue to ensure that the follow-up visits occur within the timelines stated in the State Auditor report.

Our Workgroup will review any new legislation affecting the use of psychotropic medication with our children. Another important purpose of the Workgroup will be to oversee the implementation of all of the above, to identify barriers to that implementation, and to develop new and better ways to ensure that psychotropic medications, to the extent they become necessary, are administered in the most beneficial way possible for our children.

Finally, we would like to bring to your attention the issue of the use of public health nurses (PHNs) with respect to psychotropic medications. On September 13, 2016, the Los Angeles County Board of Supervisors voted to instruct the OCP to collaborate with DCFS and DPH to consolidate the PHN programs of DCFS and DPH within DPH. The Board of Supervisors also instructed the relevant entities to determine how to most effectively use the PHN program. That discussion will necessarily include the issue of how best to use PHNs with respect to psychotropic medications.

We are pleased to provide this update to the State Auditor and look forward to providing further updates over the next year. If you have any questions or concerns, please contact me at (213) 893-1152, or [mnash@ocp.lacounty.gov](mailto:mnash@ocp.lacounty.gov).

Very truly yours,



Judge Michael Nash (Ret.)  
Executive Director  
Office of Child Protection

MN:eh

cc: Chief Executive Office  
Executive Office, Board of Supervisors  
Children and Family Services  
County Counsel  
Mental Health