

February 22, 2023

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 23-22

The purpose of this letter is to provide county child welfare agencies and probation departments with information regarding [Senate Bill \(SB\) 528](#) (Chapter 812, Statutes of 2022). The SB 528 codifies the existing requirement that a child's caregiver must be provided a copy of a court order approving a request for the administration of psychotropic medication that includes the last 2 pages of form [JV-220\(A\)](#) or [JV-220\(B\)](#) and all attached medication sheets.



KIM JOHNSON
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

February 22, 2023

ALL COUNTY LETTER NO. 23-22

TO: ALL COUNTY CHILD WELFARE DIRECTORS
ALL COUNTY CHILD WELFARE PROGRAM DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL TITLE IV-E TRIBES
ALL FOSTER CARE PROGRAM MANAGERS
ALL FOSTER FAMILY AGENCY DIRECTORS
ALL GROUP HOME DIRECTORS

SUBJECT: **PROVISION OF FORMS JV-220(A) OR JV-220(B) AND
PSYCHOTROPIC MEDICATION SHEETS TO CAREGIVERS**

REFERENCE: [SENATE BILL 528](#) (CHAPTER 812, STATUTES OF 2022),
[WELFARE AND INSTITUTIONS CODE SECTION 369.5\(a\)\(1\)](#),
[WELFARE AND INSTITUTIONS CODE SECTION 739.5\(a\)\(1\)](#),
[CALIFORNIA RULE OF COURT 5.640\(h\)](#), [CALIFORNIA CODE OF
REGULATIONS, TITLE 22, SECTION 84064](#)

PURPOSE

The purpose of this All County Letter is to provide county child welfare agencies and probation departments with information regarding [Senate Bill \(SB\) 528](#) (Chapter 812, Statutes of 2022), which codifies in statute the existing requirement that a copy of the court order approving a request for the administration of psychotropic medication provided to a caregiver shall include copies of the last 2 pages of the Physician's Statement – Attachment form [JV-220\(A\)](#), or the Physician's Request to Continue Medication – Attachment [JV-220\(B\)](#), and all attached medication sheets.

BACKGROUND

Existing law under Welfare and Institutions Code ([WIC](#)) [369.5\(a\)\(1\)](#) and [WIC](#) [739.5\(a\)\(1\)](#) authorizes only a juvenile court judicial officer, when a child is adjudged a dependent child or ward of the court and has been removed from the physical custody of the parent and placed in foster care, to make orders regarding the administration of psychotropic medications for that child. Upon approval or denial by the juvenile court judicial officer of a request for authorization for the administration of psychotropic medication, existing law requires the person or entity that submitted the request to

provide a copy of the court order approving or denying¹ the use of medication to the caregiver.

Upon the approval or denial of the application, existing law under [California Rule of Court 5.640\(h\)](#) requires that the county child welfare agency, probation department, or other person or entity who submitted the request provide the child's caregiver with a copy of the court order approving or denying the request, and that a copy of the order must be provided in person or mailed within two court days of when the order is signed.

Additionally, if the court approves the request, existing law under California Rule of Court 5.640(h) requires the following:

- The copy of the order must include the last two pages of form JV-220(A) or the last two pages of form JV-220(B) and all attached medication information sheets (medication monographs).
- If the child resides in a group home or short-term residential therapeutic program, the copy of the order, the last two pages of form JV-220(A) or the last two pages of form JV-220(B), and all attached medication information sheets (medication monographs) must be provided to the facility administrator, as defined in [California Code of Regulations, title 22, section 84064](#), or to the administrator's designee. And,
- If the child changes placement, the social worker, or probation officer must provide the new caregiver with a copy of the order, the last two pages of form JV-220(A) or the last two pages of form JV-220(B) and all attached medication information sheets (medication monographs).

REQUIREMENTS

Effective January 1, 2023, SB 528 amends WIC sections 369.5 and 739.5 to codify the following existing requirements into statute:

- If the court approves the request, the copy of the order shall include the last two pages of form JV-220(A) or the last two pages of JV-220(B) and all medication information sheets that were attached to form JV-220(A) or form JV-220(B), which are all referenced in [Rule 5.640](#) of the California Rules of Court.
- If the child changes placement, the social worker, or probation officer shall provide the new caregiver with a copy of the order, including the last two pages

¹ While a court order may authorize psychotropic medication, a child may refuse psychotropic medication and cannot be forced to take medication. Additional information on this topic can be found in the California Social Work Education Center ([CalSWEC](#)) training and in the California [Foster Youth Bill of Rights](#).

of form JV-220(A) or the last two pages of JV-220(B), and the medication information sheets that were attached to form JV-220(A) or form JV-220(B), which are all referenced in Rule 5.640 of the California Rules of Court.

For more information about the California Rules of Court, Rule 5.640 and the JV-220 Judicial Council Psychotropic Medication Forms, please reference the [California Rules Of Court, Rule 5.640 Psychotropic Medication](#) and the [Judicial Council Forms website](#). Additional information about the use of psychotropic medication within foster care is available on the [Quality Improvement Project Improving the Use of Psychotropic Medication among Children and Youth in Foster Care](#) webpage.

Additionally, the social worker or probation officer should ensure the Child Welfare Services/Case Management System is updated to reflect the prescribed medication(s) indicated on the last two pages of the JV-220(A) or the last two pages of JV-220(B), and the medication information sheets that were attached to form JV-220(A) or form JV-220(B). As a reminder, when a child is placed in foster care, existing law under [WIC Section 16010\(a\) and \(b\)](#) requires the case plan and court report to include a summary of the health and education information or records, including mental health information or records. Therefore, it is imperative that the child record remain up to date.

RESOURCES

- The [Psychotropic Medication Toolkit](#) provides access to an online training module through the California Social Work Education Center that caregivers and others can take to learn more about psychotropic medication and children, youth, and young adults in foster care
- The Foster [Youth Mental Health Bill of Rights](#) provides information regarding a youth's rights regarding psychotropic medication.

If you have any questions or need additional guidance regarding the information in this letter, please contact the Permanency Services and Support Unit, at (916) 657-1858, or by emailing QIPsychotropic@dss.ca.gov.

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division