

Missouri Works to Settle Lawsuit on Medicine for Foster Kids

By The Associated Press

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JEFFERSON CITY, Mo. — A federal judge on Monday gave preliminary approval to a settlement agreement for a lawsuit alleging that Missouri overmedicated children in foster care with psychotropic drugs.

The agreement, which still needs final approval, calls for the state to make systemic changes to how it oversees prescriptions given to children in its care, including additional staff training and regular check-ups for kids on psychotropic medications.

Children's Rights and other advocacy groups last year filed the class-action lawsuit against the Missouri Department of Social Services on behalf of all foster children in the state.

The lawsuit claims psychotropic drugs are often prescribed as "chemical straight-jackets" for foster care children with attention deficit hyperactivity disorder or conduct disorder even though there are few to no Food and Drug Administration-approved uses for the drugs among children. The plaintiffs' attorneys say there's little research on how the drugs impact children's brains and that possible side effects include disorders that cause twitching, Type 2 diabetes, psychosis and suicidal thoughts.

"For too long, Missouri's most vulnerable children have been subjected to powerful drugs with little state accountability or oversight," Samantha Bartosz, an attorney at the national advocacy group Children's Rights, said in a statement. "We are pleased that we have been able to work with DSS to create meaningful guardrails to protect the health and well-being of children in foster care."

The proposed settlement agreement would require children on psychotropic medications to be checked on by a doctor at least every three months. The department must have kids' medical records and medication history on file, and staff would need to undergo training on psychotropic drugs.

The department also would be required to create a policy to trigger automatic reviews of children ages 4 or younger on antipsychotic medicine, as well as children ages 5 and older taking multiple psychotropic or antipsychotic drugs for more than 90 days at a time.

A spokesman for the Missouri Attorney General's Office, which is representing the social services agency, did not immediately comment Monday.

U.S. District Judge Nanette Laughrey scheduled a final hearing on the agreement for Nov. 20.