

# SENATE CALIFORNIA LEGISLATURE

STATE CAPITOL  
SACRAMENTO, CALIFORNIA  
95814

June 26, 2016

Secretary Dooley  
California Health and Human Services  
1600 Ninth Street, Room 460  
Sacramento, CA 95814

Re: Psychotropic Medication Foster Youth Audit

Dear Secretary Dooley:

We are writing today to express profound disappointment in the lack of cooperation from the Department of Health Care Services with the audit that was requested in August of 2015.

As you are aware, our offices, along with the Senate Human Services Committee are particularly interested in protecting and promoting the well-being of youth in the state's foster care system.

Foster children, by definition, do not have parents or guardians to look after their best interests and have been placed in the care of the state.

Last year, we learned that psychotropic and antipsychotic medication prescription rates in California's foster care system have soared over the last 15 years by 1400%. Nearly one in four teens in foster care is prescribed psychotropic medication, and 6 in 10 adolescent foster youth on psychotropic medications are prescribed antipsychotics, the strongest class of drugs. Teens in foster care are 3 ½ times more likely to be prescribed psychotropic medication than their peers who are not in foster care.

Yet, we have no system for evaluating the medical soundness of these prescribing rates.

This is why last year, out of concern that the state may be allowing many of its 63,000 foster youth to suffer from over-prescribing of medications with potentially serious side-effects, and in the wake of two Senate Human Services Committee oversight hearings on the subject, many of us requested that the State Auditor review records. The audit scope called upon the Department of Health Care Services and other responsible state entities to answer questions and provide data regarding prescription rates and methods for prescribing to foster children, as well as the nature of non-medication therapy that children were receiving.

Secretary Dooley  
June 26, 2016  
Pg. 2

The audit, which was scheduled for release this week, took an unexpected and curious setback when it was disclosed – at the last minute – that the Department of Health Care Services didn't release two thirds of data regarding prescription patterns throughout California. This is simply unacceptable and we believe it's a significant lapse of responsibility as the guardian to these vulnerable youth.

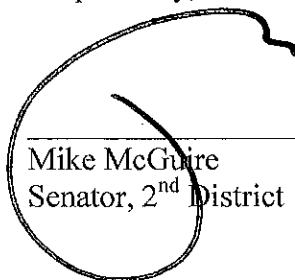
According to State Auditor Elaine Howle, the delay is due to the failure of DHCS to provide two of three critical data sets to audit investigators – despite repeated meetings on the data elements over the nine months of the audit, requests to verify that all data was accounted for and even a specific request to confirm that there were no outstanding data elements.

This is not the first time that Senators have not received requested data on the prescribing patterns of mind-altering medication to our state's foster youth. Last year, Senate President Pro Tempore de León, along with Senators Beall, Mitchell and Monning and I, requested similar data from DHCS, specifically regarding physicians who have prescribed multiple psychotropic medications to foster youth. The data we received was incomplete.

If the auditor's account is accurate, it is absolutely inexcusable that the Department did not release the data needed to make appropriate policy decisions about the way our foster children are prescribed psychotropic medications. Such egregious conduct should be addressed and we are asking you to investigate what happened, and to tell members of the Legislature what the Administration plans to do to rectify the problem.

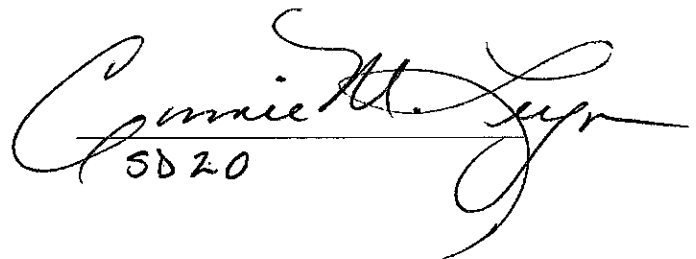
We are sure you share with us a desire for a timely and accurate audit so that we can build on the efforts to date and continue to improve the outcomes of our foster care children.

Respectfully,



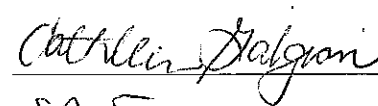
---

Mike McGuire  
Senator, 2<sup>nd</sup> District



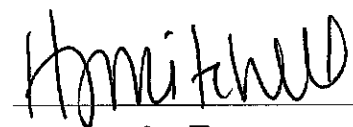
---

SD 20



---

SD 5



---

SD 30

Secretary Dooley  
June 26, 2016  
Pg. 3

John F. Kelly 8<sup>th</sup> State -

Hon. Hancock, 9<sup>th</sup> SD

Carol Lee, 25<sup>th</sup> SD

Pat Quinn  
34<sup>th</sup> SD

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_