

The Senate Committee on Education and Youth offered the following substitute to SB 188:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to health, so as to encourage each local board of education to adopt a  
3 policy regarding students taking psychotropic medication; to provide for a definition; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

6 Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
7 relating to health, is amended by adding a new Code section to read as follows:

8 "20-2-779.2.

9 (a) As used in this Code section, the term 'psychotropic medication' means any drug that  
10 shall not be dispensed or administered without a prescription whose primary indication for  
11 use has been approved by the United States Food and Drug Administration for the  
12 treatment of mental disorders and that, as of January 1, 2017, is listed as a  
13 psychotherapeutic agent in Drug Facts and Comparisons or in the American Hospital  
14 Formulary Service Drug Information.

15 (b) Each local board of education shall be encouraged to adopt a policy that provides  
16 guidelines regarding students taking psychotropic medication or who have been referred  
17 for treatment of mental disorders.

18 (c) Nothing in this Code section shall be construed to create a prohibition against any  
19 school personnel from consulting or sharing classroom based observations with a parent  
20 or guardian regarding a student's academic and functional performance, behavior, or need  
21 for evaluation for special education or related services."  
22

**SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.  
24