

FILED
SAN MATEO COUNTY

JAN 15 2013

Clerk of the Superior Court
By 
DEPUTY CLERK

1 JOHN C. BEIERS, COUNTY COUNSEL (SBN 144282)
By: Judith A. Holiber, Deputy (SBN 180619)
2 Hall of Justice and Records
400 County Center, 6th Floor
3 Redwood City, CA 94063
Telephone: (650) 363-4747
4 Facsimile: (650) 363-4034

5 Attorneys for
Human Services Agency/Children & Family Services
6 County of San Mateo

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8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF SAN MATEO
10 IN SESSION AS A JUVENILE COURT

11 13-120

12 **STANDING ORDER AUTHORIZING**
13 **ROUTINE MEDICAL, MENTAL HEALTH,**
14 **AND DENTAL TREATMENT FOR**
15 **CHILDREN AND YOUTH IN TEMPORARY**
16 **AND OUT OF HOME PLACEMENT;**
RELEASE OF INFORMATION

17 The Court finds that when there is no parent, guardian, or person standing in loco parentis capable
18 or willing to authorize routine medical, mental health, and dental treatment, for children and youth taken
19 into temporary custody and supervised by Children and Family Services of San Mateo County, that there
20 is a need for a court order to authorize consent for these children and youth to receive routine medical,
21 mental, health, and dental treatment.. Children and youth taken into temporary custody include those pre
22 detention and those post detention awaiting jurisdiction orders. These children and youth may be
23 detained at the San Mateo County Receiving Home, Excell Readiness Center, in the care of a relative or
24 non-related extended family member, foster care, or in an emergency shelter home. These children and
25 youth would benefit from prompt provision of routine medical, mental health, and dental treatment to
26 maintain and enhance their physical and mental health and well-being, and address immediate issues.
27 Delay in treatment for these children and youth would be detrimental to their well-being and, in some
28 cases, even life-threatening.

Case No. _____

ORDER AUTHORIZING MEDICAL CARE AND TREATMENT

1 **Based upon these findings, the Court hereby makes the following Standing Order:**

2 1. The San Mateo County Hospital System and any other licensed health care facility or
3 provider, including a hospital, clinic, physician, dentist or other licensed provider, are hereby
4 authorized to provide the following services to children and youth in temporary out-of-home placements:

5 (a) A comprehensive health assessment and physical examination, including a mental status
6 evaluation, in order to ensure the health, safety, and well-being of the child, as well as the health and
7 welfare of other persons. The assessment may include a medical history which is as complete as
8 possible, a physical examination by a licensed medical practitioner, and a developmental evaluation.

9 (b) Limited, non-intrusive diagnostic tests that the physician determines are necessary for the
10 evaluation of the minor's health status. Non-intrusive diagnostic tests include: limited blood tests, x-
11 rays, CAT scans, etc.

12 (c) Clinical laboratory tests that the physician determines are necessary for the evaluation of
13 the child's health status.

14 (d) Hospitalization for an emergent or urgent medical condition in a licensed hospital.

15 (e) Administration of routine medications (such as analgesics, insulin, cold medication or
16 antibiotics), excluding psychotropic medication and excluding any medication with potentially serious
17 side effects and any experimental medication.

18 (f) First aid care for conditions which require immediate assistance from a person trained in
19 basic first aid as defined by the American Red Cross or its equivalent.

20 (g) Upon consent of a minor, sexually active minors may be screened for venereal disease.
21 Contraceptive devices may be furnished to any minor upon the minor's request and without a parent's
22 consent.

23 (h) An optical assessment and receipt of necessary corrective lenses.

24 (i) A dental assessment, including x-rays when appropriate, and any ordinary dental
25 treatment required based upon the results of the dental assessment.

26 (j) A mental health status evaluation by a licensed psychiatrist or psychologist or other
27 mental health professional, including for purposes of a psychotropic medication consult (see Paragraph
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1 4(d) below.)

2 (k) Mental health counseling services.

3 (l) Stitches for cuts and casts for broken bones.

4 (m) Immunizations may be given except if a parent objects to the child receiving
5 immunizations, then no immunizations shall be administered without a Court order. If no parent is
6 available to give consent, then no immunization may be given until the following conditions have been
7 met *and seven days have elapsed since the child's admission to custody*. Immunizations may be given as
8 follows:

9 i. Any standard childhood immunizations recommended by the American Academy
10 of Pediatrics necessary to bring a child's immunizations up-to-date.

11 ii. Any immunization for any illness for which the San Mateo County Public Health
12 Department has declared a local emergency pursuant to Government Code section 8630.

13 (n) No immunizations pursuant to subparagraphs (m)(i) and (m)(ii) above shall be
14 administered before:

15 i. Making a reasonable attempt to obtain parental consent;

16 ii. Checking the appropriate County immunization registry;

17 iii. Contacting the child's pediatrician if known and, if the child is of school age,
18 contacting the child's school for immunization records.

19 2. Children and Family Services' social workers are authorized to sign necessary
20 documentation and consent forms, including school medical consent forms, for provision of the services
21 set forth in Paragraph One above in accordance with their departmental procedures.

22 3. Information concerning any health care provided pursuant to this order may be released to
23 the Department, the child's attorney (if any), other health care providers, Regional Centers, or schools if
24 needed for treatment, treatment planning, counseling, and/or educational purposes consistent with
25 promoting the child's physical and emotional well-being, before or after the detention hearing, and
26 throughout the course of the dependency proceedings.

27 4. The following services and treatment shall **NOT** be administered without the provider
28 obtaining appropriate informed legal consent from a parent or guardian or a court order:

- 1 (a) Surgery or invasive diagnostic and clinical tests (except under emergency conditions).
- 2 (b) Blood Transfusions.
- 3 (c) Administration of anesthesia.
- 4 (d) Administration of psychotropic medication.
- 5 (e) Administration of any medication commonly associated with potentially serious side
- 6 effects or experimental medication.
- 7 (f) A forensic psychological evaluation for use in court.
- 8 (g) Any treatment not set forth in Paragraph One above.

9 5. In the event non-routine care is warranted, the social worker shall make all reasonable
10 efforts to obtain parental consent. If the parent objects or if the social worker is unable to locate a parent,
11 the social worker may seek a court order authorizing such non-routine care. This Order does not preclude
12 or affect the provision of treatment and care when there is an emergency, or treatment is authorized under
13 minor's consent laws. (Health & Safety Code, § 1317; Welf. & Inst. Code, § 369(d); Bus. & Prof. Code §
14 2397; and Fam. Code, § 6920 et seq.)


15 6. All mental health hospitalizations must occur in compliance with the Lanterman-Petris-
16 Short (LPS) Act. (Welf. & Inst. Code, §§ 319.1, and 5150 et seq.)

17 7. Only to the extent necessary to allow responsibility for payment to be determined and
18 payment to be made for treatment rendered pursuant to this Order, relevant information may be disclosed
19 to any insurer, employer, health care service plan, hospital service plan, employee benefit plan,
20 governmental authority administering governmental benefits, or any other person or entity responsible
21 for paying for health care services rendered to the patient.

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1 8. This Order shall be a Standing Order of this Court and shall be applicable to all children
2 who are placed in temporary custody in San Mateo County pursuant to W & I Code §§ 305 et seq.,
3 regardless of whether a petition under W & I Code § 300 is thereafter filed. This Order is effective
4 immediately, and shall remain in effect unless superseded or rescinded by subsequent order.
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8 DATED: JAN 14 2013



Honorable Susan Etezadi
Supervising Judge of the Superior Court
Juvenile Dependency

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