

Psychotherapeutic Drug Status Report
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Secretary Sheldon Opening Remarks

Good afternoon.

When I learned about the death of 7-year-old Gabriel Myers, who apparently hanged himself in his foster parents' home in Margate, I was stunned.

It is incomprehensible to me—even now—to understand how a child so young may have deliberately and consciously made a decision to end his life. Anyone who heard of Gabriel's story was in disbelief; and parents everywhere are wondering to themselves: how could this happen?

Normally a seven-year-old is learning to read and tie his shoes.....not contemplating death.

Immediately following Gabriel's death I appointed a work group, chaired by Dr. Jim Sewell, former assistant commissioner of FDLE, to review all available information regarding the factors that led to Gabriel's death.

I asked the work group to conduct a full inquiry into all the facts of the case, including the contributing effects of psychotherapeutic drugs and sexual abuse.

Some disturbing things emerged fairly quickly. Gabriel's physician had prescribed several psychotherapeutic drugs, but this information was not reflected in our database.

There also was no evidence in Gabriel's files that the statutorily required parental consent or a court order were obtained. [NOTE: Statute is 39.407.]

As a result, I ordered a review of all case files to determine the following:

- the number of children in out-of-home foster care on psychotherapeutic drugs;
- whether information about those children's prescriptions is accurately reflected in our database;
- and whether a signed parental consent form or a court order was obtained authorizing the administration of the drugs, as required by law;

This report is an important first step in closely examining not only this case but in helping ensure that a tragedy of this magnitude does not occur again.

But that still does not go to the basic question as to the efficacy of the administration of those drugs in the first place, a critical question I have directed be reviewed by the Sewell Work Group.

We have not determined whether these drugs were a factor in Gabriel's death. But regardless, we have a responsibility to monitor the use of those drugs and to ensure the overall care, treatment and safety of children in our care.

Some of the key findings are in the summary we are providing today. Two of them are particularly important to me:

First, the report indicates that about 13% of the over twenty thousand children in out-of-home foster care are taking one or more psychotherapeutic medications. That is a significant number.

Though obviously I have little confidence in our past data, it appears to be a reduction from where we were four years ago, when the Legislature's concern about this led to passage of the consent law. It is also lower than other states. [Tennessee]

This issue of psychotherapeutic medications for children is a national issue, and not just in foster care, either.

But that doesn't mean we can relax, not by any means. Florida needs to get this right.

We need to keep the face of Gabriel Myers continually in our minds and hearts and get this right. We need to go from this tragedy to start really setting the standard for the nation on how to deal with this issue.

Second, the first thing we have to do is bring every single case into compliance with the law. Our review indicates that about 16% of the foster children on psychotherapeutic medications do not either parental consent or a court order.

That is unacceptable. Gabriel Myers and all Florida's children deserve better.

Our attorneys with Children's Legal Services are working with the caseworkers at our partner agencies to obtain these consents or file a status report with the courts by next Friday.

We need to get updated treatment plans on some of these kids before we can expect final approval from the courts, but we are moving forward on that as quickly as we can. I have asked that we immediately schedule new appointments with physicians for each of the children for whom we have neither parental consent nor a judicial order.

I also am communicating today with every dependency judge in Florida notifying them of the action we are taking and requesting their assistance in expediting this judicial review.

Meanwhile, we also need to look at the quality of our information. We have to make sure that parents are not just

signing a consent form but really understand what they are signing.

We have to get our database system in better shape, and work with other agencies like the Agency for Health Care Administration to ensure the integrity and usefulness of the data we have on these children.

We are also raising the standards for the performance of our partner agencies. We rely on partners to do much of the front-line work of this agency. In Gabriel's case, case management was contracted out to Childnet . . . our investigations were contracted out to the Broward Sheriff . . . and our children's legal service contracted out to the attorney general.

These partners are really the key to our success. But ultimately the Department of Children and Families is responsible. After all, we are the parent of each child while

they are in our care, and we must act as such. We must ensure that we provide the proper oversight and guidance. Together, we are the parent of each of these children.

We need every person at every level of this organization, from the top of the department to the front lines of our community partners, to be alert to signs of problems, to apply common sense and act with the sense of urgency that Gabriel Myers needed and deserved.

Gabriel Myers couldn't wait on a better system. None of our children can wait. They need us right now.

Oliver Cromwell once said, "Paint me with all my warts and molds." That is the way I want you to see this department -- our good points and our bad.

In the last two and a half years there has been dramatic improvement in the child protection system in Florida, and other states are taking notice. Most of the credit goes to our community partners.

We have safely reduced the number of kids in foster care by more than 31% in just two-and-a-half years by providing a whole array of services and helping troubled families so they can stay together. That is almost 10,000 fewer kids in foster care.

We have set new records on the number of foster kids adopted.

We are working very hard to integrate our mental-health and substance-abuse services and to fully engage them in the care of all our children. But the tragedy of Gabriel Myers reminds us how much more we have to do.

Gabriel Myers' face is up there on that screen, and he is watching us to see how well we have learned from his life and his death. We are not going to let him down again.

I pledge to the Legislature and the people of Florida that we will get this right. They should demand no less.

Thank you. I'd be happy to take any questions now.