

108TH CONGRESS
1ST SESSION

H. R. 2089

To protect children and their parents from being coerced into administering a controlled substance in order to attend school, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2003

Mr. BURNS introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To protect children and their parents from being coerced into administering a controlled substance in order to attend school, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Medication Safe-
5 ty Act of 2003”.

6 **SEC. 2. REQUIRED POLICIES AND PROCEDURES.**

7 (a) IN GENERAL.—As a condition of receiving funds
8 under any program or activity administered by the Sec-
9 retary of Education, not later than 1 year after the date
10 of the enactment of this Act, each State shall develop and

1 implement policies and procedures prohibiting school per-
2 sonnel from requiring a child to obtain a prescription for
3 substances covered by section 202(c) of the Controlled
4 Substances Act (21 U.S.C. 812(c)) as a condition of at-
5 tending school or receiving services.

6 (b) RULE OF CONSTRUCTION.—Nothing in sub-
7 section (a) shall be construed to create a Federal prohibi-
8 tion against teachers and other school personnel con-
9 sulting or sharing classroom-based observations with par-
10 ents or guardians regarding a student’s academic perform-
11 ance or behavior in the classroom or school, or regarding
12 the need for evaluation for special education or related
13 services under section 612(a)(3) of the Individuals with
14 Disabilities Education Act (20 U.S.C. 1412(a)(3)).

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) CHILD.—The term “child” means any per-
18 son within the age limits for which the State pro-
19 vides free public education.

20 (2) STATE.—The term “State” means each of
21 the 50 States, the District of Columbia, and the
22 Commonwealth of Puerto Rico.

○