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2011 MAY -3 P 4:08  
SUPERIOR COURT OF CALIFORNIA

COUNTY OF SANTA CLARA David H. Yarnasolo, Clerk of the Superior Court  
County of Santa Clara, California

By: *Maria E. Duñes*  
Deputy Clerk

MARIA E. DUEÑES

**STANDING ORDER**

**ORDINARY MEDICAL, MENTAL HEALTH, AND  
DENTAL TREATMENT FOR JUVENILE JUSTICE AND DEPENDENT CHILDREN  
AND YOUTH IN TEMPORARY AND OUT OF HOME PLACEMENT**

The Court finds that there is a need for children in out of home placement, supervised by the Juvenile Probation Department and the Department of Family and Children's Services, to receive ordinary medical, mental health, and dental treatment. Children and youth in out of home placement include those at the Santa Clara County Juvenile Hall, James Ranch, the Muriel Wright Center, the Santa Clara County Children's Receiving Center, those in relative or non-related extended family member care, foster care, or in an emergency shelter home. Children and youth in out of home placement also include those in court-ordered placement. These children and youth would benefit from prompt provision of routine medical, mental health, and dental treatment to maintain and enhance their physical and mental health and well-being, and delay in treatment would be detrimental or even life-threatening.

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

1. The Santa Clara Valley Health and Hospital System and any other licensed health care facility or provider, including a hospital, clinic, physician, dentist or other licensed provider, are hereby authorized to provide the following services to these children:

- (a) A comprehensive health assessment and physical examination.
- (b) Limited, non-intrusive diagnostic tests that the physician determines are necessary for the evaluation of the minor's health status. Non-intrusive diagnostic tests include: limited blood tests, x-rays, CAT scans, etc.

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

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

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

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

10 (g) Upon consent of a minor, sexually active minors may be screened for venereal  
11 disease. Contraceptive devices may be furnished to any minor upon the minor's  
12 request.

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

14 (i) A dental assessment and any ordinary dental treatment required based upon the  
15 results of the dental assessment; dental x-rays when appropriate.

16 (j) A mental health screening and assessment.

17 (k) A mental health status examination for purposes of a psychotropic medication  
18 consult. (See Paragraph 3(f) below.)

19 (l) Mental health counseling services.

20 (m) Stitches for cuts, and casts for broken bones.

21 (n) Local or topical anesthetic necessary to perform any of the procedures or  
22 services permitted under this Order.

23 (o) Immunizations may be given as follows:

- 24 1) Any standard childhood immunizations recommended by the American  
25 Academy of Pediatrics necessary to bring a child's immunizations up-to-  
26 date.

1                   2) Any immunization for any illness for which the Santa Clara Public Health  
2                   Department has declared a local emergency pursuant to Government Code  
3                   section 8630.

4                   3) No immunizations pursuant to subparagraphs (o)(1) and (o)(2) above shall be  
5                   administered before:

- 6                   a. Making a reasonable attempt to obtain parental consent;
- 7                   b. Checking the county immunization registry; and
- 8                   c. Contacting the child's personal pediatrician; and if the child is of  
9                   school age, contacting the child's school for immunization records.
- 10                  d. If a parent objects to the child receiving immunizations, then no  
11                  immunizations shall be administered without a Court order.
- 12                  e. If no parent is available to give consent, then no immunization may be  
13                  given until the above conditions have been met and seven days have  
14                  elapsed since the child's admission to custody.

15                  2.       The Juvenile Probation Department's probation officers and the Department of  
16                  Family and Children's Services' social workers are authorized to sign necessary documentation  
17                  and consent forms, including school medical consent forms, for provision of the services set  
18                  forth in Paragraph One above in accordance with their departmental procedures.

19                  3.       The following services and treatment shall NOT be administered without the  
20                  provider obtaining appropriate legal consent, or a court order:

- 21                  (a)       Surgery or invasive diagnostic and clinical tests (except under emergency  
22                  conditions).
- 23                  (b)       Blood Transfusions.
- 24                  (c)       Administration of general anesthesia.
- 25                  (d)       Administration of psychotropic medication.
- 26                  (e)       Administration of any medication with frequently potentially serious side effects  
27                  or experimental medication.
- 28                  (f)       A forensic psychological evaluation for use in court.

1 (g) Any treatment not set forth in Paragraph One above.

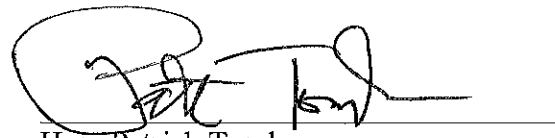
2 4. This order does not preclude or affect a medical provider's legal authority to  
3 provide treatment and care when there is an emergency, or treatment is authorized under  
4 minor's consent laws. (Health & Safety Code, § 1317; Welf. & Inst. Code, § 369, subd. (d);  
5 Bus. & Prof. Code, § 2397; and Fam. Code, § 6920 et seq.)

6 5. All mental health hospitalizations must occur in compliance with the  
7 Lanterman-Petris-Short (LPS) Act. (Welf. & Inst. Code, §§ 319, and 5150 et seq.)

8 6. Only to the extent necessary to allow responsibility for payment to be  
9 determined and payment to be made for treatment rendered pursuant to this order, relevant  
10 information may be disclosed to any insurer, employer, health care service plan, hospital  
11 service plan, employee benefit plan, governmental authority administering governmental  
12 benefits, or any other person or entity responsible for paying for health care services rendered  
13 to the patient.

14 7. This order supersedes the Standing Order for Routine Medical and Dental  
15 Treatment for Children in Placement dated October 3, 2001, the Standing Order Re:  
16 Immunization of Wards at Juvenile Hall dated April 19, 1984, and the Standing Order for  
17 routine Medical and Dental treatment for Children in Placement dated February 3<sup>rd</sup>, 2010.

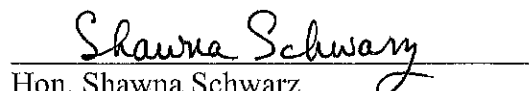
18  
19  
20 Dated: May 3, 2013



Hon. Patrick Tondreau  
Supervising Judge of the Superior Court  
Juvenile Justice



26 Dated: May 3, 2013



Hon. Shawna Schwarz  
Supervising Judge of the Superior Court  
Juvenile Dependency