

## PARENTS CAN FORCE TREATMENT ON MINORS

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- Author/Byline: CHRISTINE STAPLETON
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Parents of troubled teens no longer need court orders to commit their children to drug and alcohol treatment programs, a judge ruled Tuesday.

The ruling stems from a lawsuit filed by Growing Together Inc., a get-tough drug treatment center in Lake Worth, and will set a precedent for treatment centers throughout the state, attorney Jack Scarola said.

“Treatment facilities should be very happy with this,” Scarola said. “Until now, there was no workable way to run a program. Anytime the child wanted to leave, they could.”

Growing Together filed the lawsuit in November against the Department of Health and Rehabilitative Services. The center claimed the department's policy on a minor's right to refuse treatment was an “unconstitutional deprivation of the right of parents to control the health and welfare of their children.”

“The pendulum had swung too far to the other side,” said Barbara Griffith, the center's executive director. “They had taken too much responsibility away from the parents.”

Until Tuesday's ruling, only a court order could keep a minor in a treatment program. Minors voluntarily committed by a parent could walk away.

“No wonder recidivism rates are high,” said Barbara Griffith, Growing Together's executive director. “They were walking in the front door and out the back.”

The treatment center may now “reasonably restrict” minors who want to leave. The ruling does not define what restraints can be used.

“They can now tell a child, ‘You're not allowed to leave.’ They can lock the door,” Scarola said. “It will be entirely on a case-by-case basis.”

Troubled teens at treatment centers still can file complaints against centers. A court-appointed attorney will represent the teen and HRS will review the complaint.

HRS officials could not be reached for comment, but Scarola said HRS did not oppose the ruling and has no legal grounds for appeal.

Four years ago, HRS officials demanded that the center release 11 patients after complaints about the center's programs.

Growing Together treats drug and alcohol abusers ages 12-22 and shapes behavior through peer pressure. HRS officials were disturbed by reports that “oldcomers” - youths who had progressed in the program - used force to keep rebellious enrollees in line.

In October, HRS, which licenses treatment centers, refused to renew Growing Together's license, citing the voluntary treatment issue. Scarola, a father of five, was so incensed that he agreed to file the lawsuit and represent the center for free.

“It was just stupidity,” Scarola said. “You have parents who live in Belle Glade and their 13-year-old daughter decides to leave. Before they can get here, their daughter is back on the street looking for another fix.”

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