

## JUDGE: PARENTS CAN FORCE TEENS INTO DRUG REHAB

*Bradenton Herald, The (FL) - February 24, 1994*

- Author/Byline: Associated Press
- Edition: Final
- Section: Local
- Page: B10

Teenagers could be forced by their parents into substance abuse programs and required by the centers to stay there, a circuit judge ruled.

The ruling in West Palm Beach by Circuit Judge Richard Burk stemmed from a lawsuit filed in November by Growing Together Inc. against the state Department of Health and Rehabilitative Services.

Growing Together is a get-tough drug treatment center in Lake Worth.

“Treatment facilities should be very happy with this,” said attorney Jack Scarola, who represented the plaintiff.

“Until now, there was no workable way to run a program. Anytime the child wanted to leave, they could.”

Scarola said HRS had gone along with the plaintiff’s position and the ruling should apply statewide, unless a conflicting ruling reaches the appellate level.

“I think it is a very significant ruling,” Scarola said Wednesday.

“There were basic issues of parental rights here,” he said.

Until Tuesday’s ruling, only a court order could keep a minor in a treatment program.

Without that order, minors voluntarily committed by a parent could walk away.

“This decision gives deference to parents to determine what is in the best interest of the child,” he said.

The center claimed in the suit that 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.”

Barbara Griffith, the center’s executive director, said HRS had taken too much responsibility away from the parents.

“The pendulum had swung too far to the other side,” she said, using an analogy to explain her point.

“They were walking in the front door and out the back.”

The treatment center now may “reasonably restrict” minors who want to leave, but the ruling does not define the restraints.

“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,” he said.

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.

“It’s not our place to comment on rulings,” Nancy Lambrecht, of the Palm Beach County office of HRS said Wednesday.

“It’s our responsibility to ensure compliance,” she said.

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 to 22.

The center doesn’t rely on conventional treatment methods. Instead, it relies largely on peer pressure.

HRS officials were disturbed by reports that youths who had progressed in the program used force to keep rebellious enrollees in line.

When HRS threatened to yank the center's permanent license, Scarola agreed to file the lawsuit and represent the center for free.

- *Dateline: WEST PALM BEACH*
- *Record: 9402240081*
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