

HRS DROPS FIGHT ON PARENTS FORCING CHILDREN INTO DRUG PROGRAM

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Florida social service officials have decided not to appeal a court ruling that allows parents to submit children to forced drug treatment, a newspaper reported Saturday.

The move ends a two-year battle between the Department of Health and Rehabilitative Services and Straight Inc., a national network of drug treatment centers based in St. Petersburg, the St. Petersburg Times reported.

The department claimed a child's enrollment should be voluntary or by court order because of concern that some parents would use programs to warehouse problem children.

Straight argued such a decision should rest with the parents. A circuit judge and an appeal court sided with Straight.

HRS was planning an appeal to the Florida Supreme Court but dropped it last week, the newspaper reported.

"I'm delighted," said Randy Ratliff, program director of Straight-Tampa Bay. "As with any disease, families have a responsibility to see that their children get appropriate care, and this provides the family authority when dealing with this particular disease to get the care they need."

But HRS lawyer Ted Mack was not enthusiastic.

"We got what we set out to get; an interpretation of the statute. Whether we like it or not, we got our interpretation."

HRS dropped the appeal because it was an inappropriate case to go before the state Supreme Court, he said.

"You don't have a right to go to the Florida Supreme Court. There are very specific grounds to get to the court, and we didn't believe we met those," he said.

"That doesn't mean I necessarily agree with the district court of appeal's decision," he added.

The dispute between HRS and Straight dates to September 1984 when the HRS, the licensing agency for drug-treatment centers, found 13 youths enrolled in Straight against their will. Another 15 said they had been coerced or tricked into enrolling.

Straight agreed to begin requiring a child's consent but then sued HRS in February 1985 to get a legal clarification.

While the lawsuit was pending, Straight adopted procedures under which those in the program were told daily of their right to withdraw at any time.

Ratliff said those procedures still are in effect and will remain until Straight officials discuss the case with HRS.

Mack said HRS's concern wasn't so much with Straight but with future programs.

"As programs proliferate and as more insurance companies give coverage to this kind of treatment, are we going to see a lot of abuse? That's what we're concerned about," he said.

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