

1 SENATE JOINT MEMORIAL 44

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Sue Wilson Beffort

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10 A JOINT MEMORIAL

11 REQUESTING THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE  
12 OR AN APPROPRIATE SUBCOMMITTEE OF THAT COMMITTEE TO RECOMMEND  
13 ANY CHANGES TO STATE LAW THAT MAY BE INDICATED FOR THE  
14 FOSTERING OF INCREASED OPPORTUNITIES FOR ATHLETIC, CREATIVE,  
15 SOCIAL AND INTELLECTUAL ACTIVITIES FOR CHILDREN IN THEIR  
16 SCHOOLS, HOMES AND COMMUNITIES AND FOR INVESTIGATING AND  
17 ADDRESSING THE DELETERIOUS EFFECTS OF OVERMEDICATION ON  
18 CHILDREN IN THE STATE.

19  
20 WHEREAS, there are an estimated nineteen million seven  
21 hundred eighty-six thousand six hundred forty-nine children  
22 worldwide who are taking psychiatric drugs; and

23 WHEREAS, in the United States, there are an estimated  
24 eight million four hundred thousand children on psychiatric  
25 drugs, which include two million five hundred thousand on

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1 stimulants, two million on antidepressants, two million five  
2 hundred thousand on antipsychotics and one million four hundred  
3 thousand on mood stabilizers; and

4 WHEREAS, in the face of enormous societal pressure to  
5 prescribe psychiatric drugs for children, parents have the  
6 right to be fully informed about the consequences of their  
7 children taking psychiatric drugs in order that they may decide  
8 what is right for their children; and

9 WHEREAS, the American psychological association  
10 reports:

11 [m]any Americans visit their primary-care physicians  
12 and . . . walk away with a prescription for an  
13 antidepressant or other drugs without being aware of  
14 other evidence-based treatments – such as cognitive  
15 behavioral therapy – that might work better for them  
16 without the risk of side effects;

17 and

18 WHEREAS, a study published in the *Archives of General*  
19 *Psychiatry* reports that, since 1993, the rate of antipsychotic  
20 psychiatric drugs prescribed to children has increased by a  
21 factor of nearly eight, with much of the prescribing being for  
22 "off-label" uses that the federal government has not  
23 specifically approved; and

24 WHEREAS, Dr. Bruce Perry, a senior fellow at the child  
25 trauma academy whose work is well known in New Mexico, has

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1 raised concern about off-label use of antipsychotic psychiatric  
2 drugs for children, stating that the "actual evidence base that  
3 would support" these uses is "scant to non-existent"; and

4 WHEREAS, the federal food and drug administration has  
5 directed manufacturers of psychiatric antidepressant drugs to  
6 revise the labeling for their products to include a boxed  
7 warning and expanded warning statements that alert health care  
8 providers to an increased risk of suicidal thinking and  
9 behavior in children and adolescents being treated with these  
10 agents; and

11 WHEREAS, thirty-one regulatory agencies in eight countries  
12 have issued warnings relating to drugs used for treating  
13 attention deficit hyperactivity disorder, linking these drugs  
14 to suicidal ideation and behavior, violence, aggression,  
15 agitation, anxiety, depression, heart attacks, strokes, sudden  
16 death, drug addiction and abuse, hallucinations, convulsions,  
17 hostility, weight changes, disturbed sleep and seizures; and

18 WHEREAS, Sydney Walker, a medical doctor, observes that  
19 creative or intelligent children become bored and will not  
20 focus – they fidget, wiggle, scratch, stretch and start looking  
21 for ways to get into trouble – and thousands of them are put on  
22 psychiatric drugs simply because they are smart and bored; and

23 WHEREAS, the president of the United States' commission on  
24 excellence in special education has found that forty percent of  
25 American children who are in special education programs and

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1 have been labeled as having learning disorders have simply  
2 never been taught to read; and

3 WHEREAS, pediatric neurologist Dr. Fred A. Baughman, Jr.,  
4 states that parents, teachers and children are "horribly  
5 betrayed" when a child's behavior is labeled as a "disease";  
6 and

7 WHEREAS, the federal centers for disease control and  
8 prevention found that individuals with regular access to health  
9 care were two and seven-tenths times as likely to have used  
10 prescription drugs in the past month than those without regular  
11 access to health care; and

12 WHEREAS, with the expected increase in access to health  
13 coverage through private health insurance, medicaid and school-  
14 based health clinics, children may have a greater likelihood of  
15 receiving health care; and

16 WHEREAS, while it is advantageous for children to have  
17 access to all of the health care they need, with greater  
18 exposure to health care comes the risk that they will receive  
19 medication to correct behavior that is not actually illness but  
20 is merely a reflection of normal childhood energy levels,  
21 curiosity and reactions to boredom;

22 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
23 STATE OF NEW MEXICO that the legislative health and human  
24 services committee or an appropriate subcommittee of that  
25 committee be requested to consider the effects of

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1 overmedication on children's health in the state; and

2 BE IT FURTHER RESOLVED that the legislative health and  
3 human services committee or an appropriate subcommittee of that  
4 committee hear testimony from experts in education and in  
5 health on increasing children's opportunities to be active and  
6 maintain sound mental and physical health without medication  
7 through increased opportunities for athletic, creative, social  
8 and intellectual activities in their schools, homes and  
9 communities; and

10 BE IT FURTHER RESOLVED that the legislative health and  
11 human services committee or an appropriate subcommittee of that  
12 committee consider recommendations for changes to state law  
13 that may be indicated for the fostering of increased  
14 opportunities for athletic, creative, social and intellectual  
15 activities for children in their schools, homes and communities  
16 and for investigating and addressing the deleterious effects of  
17 overmedication on children in the state; and

18 BE IT FURTHER RESOLVED that copies of this memorial be  
19 transmitted to the governor, the director of the interagency  
20 behavioral health purchasing collaborative and the chair and  
21 vice chair of the legislative health and human services  
22 committee.