



Jurisprudence Section – 2005

E8 The New Drug Wars: The Coming Wave of Child Psychiatric Medication Related Litigation?

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After attending this presentation, the legal community will be informed about some of the inherent dangers present in the use of psychotropic medications and the systemic and individual case related failures that have led to serious and at times deadly consequences. Clinical and forensic mental health practitioners will learn about the pitfalls in diagnosis and treatment that can result in malpractice.

This presentation will impact the forensic community and/or humanity by providing a clearer understanding of the science and practice of psychotropic medication use in children and adolescents.

From Jan 2004 to July 2004, the U.S. has spent approximately 22 Billion dollars on the war on drugs, including convincing the public that amphetamines (speed) causes brain damage.

At the same time, unprecedented numbers of juveniles are being prescribed amphetamines. In 1996, one million prescriptions were written for methylphenidate. In the Baltimore district 6% of children were on stimulants, with the numbers going up to 25% or more in some inner city schools. Stimulants are seen as having more serious and long lasting effects on the brain, even compared to cocaine.

The warning bells raising concerns about the use of these medications are not being sounded by fringe elements such as but by respectable neuroscientists and clinicians. For example an North Carolina study in 2000 suggested that about 3 out of 4 children that received these medications did not meet the diagnosis of ADD/ADHD.

Close on the heels of Britain outlawing the use of antidepressants in children and teens, the US FDA has mandated 'black box' warnings on the pediatric use of several antidepressants. Warning shots have been fired by the NYC AG Elliot Spitzer against the manufacturer of Paxil for not disclosing relevant data. Antidepressants are being blamed for suicides and mass school killings such as Columbine. Even the FDA has been accused of being in bed with the drug companies.

This presentation will provide the legal community information about the inherent dangers in psychiatric medication and some of the systemic and individual failures that result in adverse and sometimes, deadly consequences. Mental health practitioners will learn about potential pitfalls in diagnoses and treatment that can result in malpractice. A case where a child with fatal adrenoleukodystrophy was misdiagnosed as ADHD will be presented.

Antidepressants, Stimulants, Children