

On August 28, 2023 Amber Rauscher, Legal Coordinator for the Citizens Commission on Human Rights International (<https://www.cchrint.org>), sent the below information to all members of the Tennessee General Assembly.

Re: Number of Youth (including those aged 0-5) Prescribed Psychotropic Drugs in Tennessee Medicaid Program – a Cause of Concern

Through a recent Freedom of Information Act (FOIA) request, the Citizens Commission on Human Rights (CCHR) International, a mental health watchdog organization, obtained information from the Tennessee Family and Social Services Administration on how many children are being prescribed psychotropic (mind-altering) drugs through the state's Medicaid program.

Please be aware that I am happy to provide you with any references, studies, etc., needed for your review. Our goal is to assist you to investigate this matter. The statistics reveal that in 2021:

Totals:

94,058 Tennessee children aged 0-17 years were prescribed psychotropic drugs, which include antidepressants, anti-anxiety drugs, stimulants, antipsychotics, and mood stabilizers. Of these, 11,453 of the children were aged 0-5.

The top class of psychiatric drugs prescribed to Tennessee children in the 0-17 age group were stimulant drugs (49,541 children).

- Stimulants (ADHD drugs) are categorized by the Drug Enforcement Administration (DEA) as having a “high potential for abuse” (Schedule II) in the same category of highly addictive substances as oxycodone (Oxycontin), and fentanyl.[1]
- The FDA recently updated the black box warning, its most severe type, on all ADHD drugs, citing the potential for “Abuse, misuse, and addiction...even when prescribed to treat an indicated disorder, their use can lead to misuse or abuse.”[2]

The top class of drugs prescribed to 0-5-year-olds were anti-anxiety drugs (7,289 children). These drugs include benzodiazepines. *Note: Our FOIA request did not specifically ask for what class of anti-anxiety drugs but this is something we will be following up on in our second FOIA request).*

- The FDA issued its most severe warning, the black box, in 2020 that benzodiazepines pose “serious risks and harms associated with” their use, adding: “continued use of

benzodiazepines" beyond two to four weeks had the potential to lead to "clinically significant physical dependence." [3]

- A study published in American Family Physician states, "Withdrawal symptoms are possible after only one month of daily use." [4]

Breakdown of the other classes of drugs prescribed to Medicaid children in the state of Tennessee:

30,103 children aged 0-17 were prescribed antidepressants. Of these, **338 of the children were aged 0-5.**

- The FDA issued a black box warning indicating that the use of antidepressants can increase the risk of suicidal thoughts or actions. [5]
- The FDA also states that antidepressant side effects can include Serotonin Syndrome, which can cause agitation, hallucinations, coma, or other changes in mental status. They can bring about manic episodes, including racing thoughts, reckless behavior, excessive irritability, etc. [6]
- According to the FDA, as well as the Prescriber's Digital Reference (PDR), antidepressants can cause violent side effects, such as mania, psychosis, aggression, hostility, agitation, and euphoria. [7]

17,921 children aged 0-17 were prescribed antipsychotics. Of these, **653 of the children were aged 0-5.**

- According to a study published in the Journal of the American Academy of Child & Adolescent Psychiatry, children who take antipsychotic drugs are at risk of weight gain, sedation, diabetes, high cholesterol, cardiovascular disease, and unexpected death. In very young children, antipsychotics might cause developmental and other long-term adverse effects. [8]
- Data published by researchers at the Mayo Clinic and the Case Western Reserve University, shows that antipsychotics can also induce akathisia, a movement disorder characterized by an inability to stay still. This condition causes intense unease and inner restlessness, leading to a compulsion to move, and is associated with suicidal ideation, aggression, and violence. [9]

11,137 children aged 0-17 were prescribed mood stabilizers. Of these, **1,671 of the children were aged 0-5.**

- Mood stabilizers include drugs such as Lithium and Depakote. According to the Prescriber's Digital Reference (PDR), specific side effects of lithium include coma,

seizures, cardiac arrest, diabetes, hallucinations, confusion, and lethargy.[10]

- The FDA issued a black box warning on Depakote because serious liver damage can occur, which can cause death, especially in children younger than 2 years old.[11]

*(See the **Attachment** below for the full spreadsheet on the numbers of children and adolescents in Tennessee being prescribed psychiatric drugs.)*

According to a 2023 study published in the *Journal of Child and Adolescent Psychopharmacology*, children in foster care are much more likely to be prescribed psychotropic medications compared with non-foster children in Medicaid programs. They stated that over one-third of children in foster care (35%) filled a prescription for psychotropic medication as compared to 8% of non-foster children in Medicaid.[12]

I respectfully urge you to initiate a thorough investigation into this matter. The well-being and safety of Tennessee's children must take precedence over all other considerations.

One critical question that needs to be asked is whether parents are being adequately warned about the potential dangers of psychotropic drugs prescribed to their children under Medicaid, or are the majority of these children in foster care, and therefore left without a guardian to advocate for their well-being?

Despite the reforms implemented as part of the Brian A. v. Haslam Settlement Agreement, further oversight is vitally needed as the psychotropic drugging of children, including foster children, through the Tennessee Medicaid program has remained high. [13]

Attachment: A spreadsheet on the numbers of children and adolescents in Tennessee being prescribed psychiatric drugs.

[1] "Drug Scheduling," Drug Enforcement Administration, <https://www.dea.gov/drug-information/drug-scheduling>

[2] "FDA updating warnings to improve safe use of prescription stimulants used to treat ADHD and other conditions," Food and Drug Administration, 11 May 2023, <https://www.fda.gov/drugs/drug-safety-and-availability/fda-updating-warnings-improve-safe-use-prescription-stimulants-used-treat-adhd-and-other-conditions>

[3] "FDA requiring Boxed Warning updated to improve safe use of benzodiazepine drug class. Includes potential for abuse, addiction, and other serious risks," Food and Drug Administration, 23 Sept. 2020, <https://www.fda.gov/media/142368/download>

- [4] Brian Johnson, M.D. and Jon Strelitzer, M.D., “Risks Associated with Long-Term Benzodiazepine Use,” American Family Physician, 2013;88(4):224-225, <https://www.aafp.org/pubs/afp/issues/2013/0815/p224.html>
- [5] “Suicidality in Children and Adolescents Being Treated with Antidepressant Medications,” Food and Drug Administration, <https://www.fda.gov/drugs/postmarket-drug-safety-information-patients-and-providers/suicidality-children-and-adolescents-being-treated-antidepressant-medications>
- [6] Effexor Label, U.S. Food and Drug Administration, https://www.accessdata.fda.gov/drugsatfda_docs/label/2017/020699s107lbl.pdf
- [7] Celexa Label, U.S. Food and Drug Administration, https://www.accessdata.fda.gov/drugsatfda_docs/label/2023/020822s054lbl.pdf
- [8] Greta A. Bushnell, PhD., et al., “Trends in Antipsychotic Medication Use in Young Privately Insured Children,” Journal of the American Academy of Children & Adolescent Psychiatry, Vol. 60, Iss. 7, 19 Oct. 2020, [https://www.jaacap.org/article/S0890-8567\(20\)31987-0/fulltext](https://www.jaacap.org/article/S0890-8567(20)31987-0/fulltext)
- [9] Jason Patel; Raman Marwaha, “Akathisia,” StatPearls, 25 July 2022, <https://www.ncbi.nlm.nih.gov/books/NBK519543/>
- [10] “Lithium,” Prescriber’s Digital Reference, 2023, <https://www.pdr.net/drug-summary/?drugLabelId=2719>
- [11] DEPAKOTE ER https://www.accessdata.fda.gov/drugsatfda_docs/label/2023/018723s066lbl.pdf#page=48
- [12] Rachael J Keefe, “Psychotropic Medication Prescribing: Youth in Foster Care Compared with Other Medicaid Enrollees,” Journal of Child and Adolescent Psychopharmacology, 2023 May;33(4):149-155. doi: 10.1089/cap.2022.0092, <https://pubmed.ncbi.nlm.nih.gov/37204275/>
- [13] “Brian A. v. Haslam,” Children’s Rights, <https://www.childrensrights.org/in-the-courts/tn-brian-a-v-haslam>



DRUG_CLASS	AGE_SPAN	2017	2018	2019	2020	2021
All Psychotropic Drugs	00 - 05	18,511	16,143	15,097	11,982	11,453
All Psychotropic Drugs	06 - 12	59,507	56,153	53,887	45,897	44,017
All Psychotropic Drugs	13 - 17	46,378	45,569	45,298	42,003	43,936
All Psychotropic Drugs	00 - 17	118,363	111,855	108,362	94,544	94,058
ANTIDEPRESSANTS	00 - 05	379	386	347	335	338
ANTIDEPRESSANTS	06 - 12	8,764	8,976	9,241	9,117	9,346
ANTIDEPRESSANTS	13 - 17	17,400	18,456	19,375	19,677	21,750
ANTIDEPRESSANTS	00 - 17	25,503	26,734	27,760	27,873	30,103
ANTIPSYCHOTICS	00 - 05	4,471	3,480	3,127	1,369	653
ANTIPSYCHOTICS	06 - 12	16,151	13,727	13,157	8,152	6,357
ANTIPSYCHOTICS	13 - 17	19,444	17,060	16,039	12,180	11,511
ANTIPSYCHOTICS	00 - 17	39,224	33,520	31,558	21,034	17,921
ANTI_ANXIETY	00 - 05	10,281	8,854	8,272	7,019	7,289
ANTI_ANXIETY	06 - 12	10,453	9,558	9,951	8,849	9,189
ANTI_ANXIETY	13 - 17	8,690	9,075	9,564	9,611	10,780
ANTI_ANXIETY	00 - 17	28,909	26,974	27,234	24,950	26,644
MOOD_STABILIZERS	00 - 05	1,794	1,768	1,725	1,659	1,671
MOOD_STABILIZERS	06 - 12	5,030	4,902	4,880	4,615	4,301
MOOD_STABILIZERS	13 - 17	6,323	6,214	6,205	5,876	5,877
MOOD_STABILIZERS	00 - 17	12,424	12,210	12,107	11,450	11,137
STIMULANTS	00 - 05	4,195	4,029	3,802	3,520	3,335
STIMULANTS	06 - 12	39,778	38,911	36,636	32,568	31,209
STIMULANTS	13 - 17	20,310	20,578	20,047	18,380	18,654
STIMULANTS	00 - 17	59,727	58,881	56,107	50,674	49,541

DRUG_CLASS	AGE_SPAN	2013	2014	2015	2016
All Psychotropic Drugs	00 - 05	19,566	17,180	18,108	18,145
All Psychotropic Drugs	06 - 12	57,133	55,190	58,797	60,469
All Psychotropic Drugs	13 - 17	40,805	41,315	44,981	47,570
All Psychotropic Drugs	00 - 17	111,402	107,630	115,777	119,878
ANTIDEPRESSANTS	00 - 05	485	480	439	404
ANTIDEPRESSANTS	06 - 12	7,264	7,437	8,069	8,471
ANTIDEPRESSANTS	13 - 17	12,055	12,921	14,698	16,834
ANTIDEPRESSANTS	00 - 17	19,015	19,964	22,323	24,669
ANTIPSYCHOTICS	00 - 05	4,731	3,520	4,138	3,964
ANTIPSYCHOTICS	06 - 12	18,573	16,056	17,327	17,048
ANTIPSYCHOTICS	13 - 17	20,448	20,193	21,118	21,284
ANTIPSYCHOTICS	00 - 17	42,687	38,825	41,679	41,438
ANTI_ANXIETY	00 - 05	10,369	9,507	9,822	10,183
ANTI_ANXIETY	06 - 12	8,289	8,097	10,309	10,681
ANTI_ANXIETY	13 - 17	5,477	5,336	7,797	8,470
ANTI_ANXIETY	00 - 17	23,756	22,516	27,426	28,814
MOOD_STABILIZERS	00 - 05	1,596	1,610	1,729	1,767
MOOD_STABILIZERS	06 - 12	4,908	4,846	4,867	5,000
MOOD_STABILIZERS	13 - 17	5,941	6,156	6,204	6,312
MOOD_STABILIZERS	00 - 17	11,744	11,845	12,076	12,365
STIMULANTS	00 - 05	4,996	4,510	4,464	4,344
STIMULANTS	06 - 12	37,344	37,432	38,766	40,281
STIMULANTS	13 - 17	17,956	18,321	19,668	20,680
STIMULANTS	00 - 17	55,544	55,547	58,148	60,404