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House Standing Committee on Judiciary

Testimony Supporting SB 157

March 17, 2015

Chairman Barker,

The Kansas code for the care of children; Chapter 38, Article 22 states that the policies of the state are to;

- "Consider the safety and welfare of a child to be paramount in all proceedings under the code."
- "Provide for the protection of children who have been subject to physical, mental or emotional abuse."

Yet, often our public schools and sometimes our mental health clinics push parents to medicate their children simply because the schools cannot otherwise control the children. This is especially true for the poor, who cannot afford to seek help from their own physicians. Parents are handling the situation at home but the schools cannot handle the situation at school. Schools end up compelling parents to chemically restrain their children. If parents, in consultation with their doctors, refuse to medicate their children the schools often call the authorities, accuse the parents of medical neglect, and the children enter the system as children in need of care.

On several occasions I have had parents approach me, as their legislator, with such situations.

We are not considering the safety and welfare of the child, nor are we protecting the child, but rather we are often subjecting the child to physical, mental, and emotional abuse because schools cannot handle these children. And, we are denying parents' rights to raise their own children as they see fit.

SB 157 amends the Kansas code for the care of children by adding the following language (which follows the protections given disabled parents):

"Nothing in this code shall be construed to permit any person to compel a parent to medicate a child if the parent is acting in accordance with medical advice from a physician. The actions of a parent in such circumstances shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the actions and harm to the child."

Parents should be able, together with advice from their own family doctor, to choose how best to raise, to medicate, and to educate their own children.

Thank you for your consideration of SB 157.