§ 355.4. Provisions for routine medical, dental and mental health services and treatment. * 1. At the conclusion of the dispositional hearing pursuant to this article, where the respondent is to be placed with the office of children and family services or a social services district, the court shall inquire as to whether the parents or legal guardian of the youth, if present, will consent for the office or the district to provide routine medical, dental and mental health services and treatment.

* NB Effective until March 31, 2028

* 1. At the conclusion of the dispositional hearing pursuant to this article, where the respondent is to be placed with the division for youth, the court shall inquire as to whether the parents or legal guardian of the youth, if present, will consent for the division to provide routine medical, dental and mental health services and treatment.

* NB Effective March 31, 2028

* 2. Notwithstanding subdivision one of this section, where the court places a youth with the office of children and family services or a social services district pursuant to this article and no medical consent has been obtained prior to an order of disposition, the placement order shall be deemed to grant consent for the office or the district to provide for routine medical, dental and mental health services and treatment to such youth so placed.

* NB Effective until March 31, 2028

* 2. Notwithstanding subdivision one of this section, where the court places a youth with the division pursuant to this article and no medical consent has been obtained prior to an order of disposition, the placement order shall be deemed to grant consent for the division for youth to provide for routine medical, dental and mental health services and treatment to such youth so placed.

* NB Effective March 31, 2028

3. Subject to regulations of the department of health, routine medical, dental and mental health services and treatment is defined for the purposes of this section to mean any routine diagnosis or treatment, including without limitation the administration of medications or nutrition, the extraction of bodily fluids for analysis, and dental care

performed with a local anesthetic. Routine mental health treatment shall not include psychiatric administration of medication unless it is part of an ongoing mental health plan or unless it is otherwise authorized by law.

4. (a) At any time during placement or at an extension of placement hearing, a parent or legal guardian may make a motion objecting to routine medical, dental or mental health services and treatment being provided to such youth as authorized under the provisions of subdivision one of this section.

(b) Such notice of motion shall be served on the youth, the presentment agency and the division not less than seven days prior to the return date of the motion. The persons on whom the notice of motion is served shall answer the motion not less than two days before the return date. On examining the motion and answer and, in its discretion, after hearing argument, the court shall enter an order, granting or denying the motion.

5. Nothing in this section shall preclude a youth from consenting on his or her own behalf to any medical, dental or mental health service and treatment where otherwise authorized by law to do so, or the division for youth from petitioning the court pursuant to section two hundred thirty-three of this act, as appropriate.