



DIGITAL MEDIA POLICIES AND THEIR ROLE IN YOUTH MENTAL HEALTH A POLICY BRIEF

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INTRODUCTION

Mental health is integral to a person's overall health, cognition, and functioning. Over the last decade, there has been an increase in mental health symptoms among children, youth, and teens. About 1 in 7 adolescents aged 10-19 worldwide experience a mental disorder (World Health Organization, 2021). About 1 in 5 children in the U.S. have reported having "mental, emotional, developmental, or behavioral disorders." The proportion of high school students feeling persistent hopelessness and sadness has increased by 40% from 2009 to 2019. There was a 28% increase between 2011 and 2015 in psychiatric visits to emergency departments for depressive, anxiety, and behavioral issues. A 57% increase in suicide rates among this population was also seen between 2007 and 2018 (Murthy, 2021).

MENTAL HEALTH DETERMINANTS

Multiple factors shape a person's mental health over time—socioeconomic status, race, ethnicity, gender, media, healthcare access, age, childhood experiences, environment, behaviors, etc. Some factors make people more vulnerable to specific mental health conditions, and exposure to various risk factors may exacerbate one's mental health issues (World Health Organization, 2021). For example, anxiety or depression may be higher for women, while substance abuse or antisocial disorders may develop more for men (Eaton et al., 2012).

UTAH'S MENTAL HEALTH CRISIS

Utah has one of the highest rates of children and teens with mental health challenges and untreated mental health needs, according to a 2020 report from the Gardner Institute. The report found that mental, emotional developmental, or behavioral challenges affect



10-20% of children between 0-8 years old (Ball & Summers, 2020).

Utah already had an increased rate of mental health treatment needs before the pandemic. During this time, rates of children and teens experiencing mental health challenges and suicidal ideation increased (Student Health and Risk Prevention (SHARP), 2021). In 2020, suicide was the leading cause of death for youth ages 10-17 (Public Health Indicator Based Information System (IBIS), n.d.). According to recent Kids Count Data, 13% of Utah children between the ages of 3-17 experience anxiety or depression (Annie E. Casey Foundation, 2019).

Understanding the Trend

A 2021 Surgeon General's advisory entitled "Protecting Youth Mental Health" took a thorough look at the crisis, risk factors, and recommended actions for different groups and sectors. While the advisory noted that some of the increased prevalence and reporting might be due to the youth's more open conversations regarding mental health matters, the trend is nevertheless alarming. The advisory discussed many factors affecting the rise in mental health challenges, including limited mental health care access and insurance coverage, increased academic pressure, and broader societal stressors. The advisory also noted the specific challenges of the pandemic on youth mental health, including isolation and instability (Murthy, 2021).

In addition, the advisory discusses the specific impact digital media may have on youth's mental health and well-being. The amount of screen time adolescents spend that is not school-related has increased from 3.8 hours to 7.7 hours a day (Murthy, 2021). There is also a decrease in students who slept for at least eight hours (Utah Department of Human Services, 2021). The advisory also discusses the positive impacts that digital public spaces and social media can have on youth mental health but notes that tech and social media companies can contribute to mental health challenges and harm some.



Policy and legislation are vital tools for addressing the youth mental health crisis. From increased funding for mental health care providers to statewide suicide prevention efforts, policymakers are crucial in advancing solutions to protect youth mental health. One policy area that is receiving increased attention is policies aimed at social media or tech companies. These policies focus on creating healthier digital environments for children and youth and giving consumers stronger tools to stay safe. This brief focuses on policy efforts in this area, the legislative progress to date, and the implications for Utah's children, teens, and families.

FEDERAL POLICY SOLUTIONS: THE PROS AND CONS

Several bills are currently being considered at the federal level. These bills build on previous bills, state, and international legislation that would improve the protection of children and teenagers' online privacy and safety. Known as the Kids Online Safety Act (KOSA) and The Children and Teens' Online Privacy Protection Act (COPPA 2.0 2022), these bills could promote mental health and well-being by addressing the harmful, often opaque, practices that can create harmful digital spaces and experiences.

KIDS ONLINE SAFETY ACT (KOSA)

KOSA is comprehensive bipartisan legislation that expands youth's safety on digital platforms. The bill was sponsored by Senators Richard Blumenthal (D-CT) and Marsha Blackburn (R-TN). It focuses on the prevention and mitigation of harm to minors which includes the "promotion of self-harm, suicide, eating disorders, substance abuse, sexual exploitation, and unlawful products for minors (such as gambling and alcohol)" (Blumenthal, n.d.). KOSA holds social media



and technology companies more accountable and increases the requirements that tech companies provide services in the best interests of users, minors under 17 years old (Blumenthal & Blackburn, 2022a).

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The bill contains the following safeguards and measures: Parents and minors will have the default control features that protect the minor against "stalking, exploitation, addiction, and rabbit holes of dangerous material." A tool will be provided to the parents to monitor and manage their children's use of the platforms through usage time tracking, purchase restrictions, and disabling addictive usage features such as algorithmic recommendations. The bills also require that the platforms ban the advertisement of substances and services that are illegal to minors. If anything suspicious or harmful is observed, the users and parents will have a dedicated channel that allows the users and the parents to report the toxic contents and a requirement that the platforms respond promptly to reports. (Blumenthal & Blackburn, 2022a).

CHILDREN AND TEENS' ONLINE PRIVACY ACT OF 2021 (COPPA 2.0)

COPPA is a federal law passed in 1998 that protects minors aged 13 and younger from websites and online services collecting their personal information online. The law is enforced by the Federal Trade Commission (FTC) (Federal Trade Commission, 2013). Since



then, digital media and technology have had a massive change which means that updates to the law need to be made. COPPA 2.0 is an amended 1998 law that improves the protection of minors under 17. The bill is sponsored by Senators Ed Markey (D-Mass.) and Bill Cassidy (R-La) (Markey & Cassidy, 2021).

The legislation would establish a Youth Marketing and Privacy Division within the FTC. The commission will then review COPPA safe harbor program's effectiveness. COPPA 2.0 bans targeted advertising and collecting personal information without the consent of minors who use online services. It also allows parents and children to delete their personal information and data. Companies must report on what and how personal information is collected, disclosed, used, and protected. COPPA 2.0 also ensures that technological devices must be up to robust cyber security standards (Markey & Cassidy, 2021).

POTENTIAL UNINTENDED CONSEQUENCES

Although KOSA and COPPA 2.0 are an excellent start to providing online security for the youth, they may have downsides. Because of the vagueness of some of the legislative languages, they can have unintended consequences. These bills might encroach on online educational and instructional materials that schools have increasingly used. It may also add more burden to parents as the platform changes cater to parents getting more control over their children's tech and social media usage.

Another area of concern is the enforcement of these bills and how well the social media and tech companies comply with the proposed online privacy bills. A \$400 million fine was given to Meta by the European Union for violating its online privacy laws on children (Satariano, 2022). Compared with these companies' revenues, million-dollar fines might not even make a dent for them to make these changes. What are the proper incentives for these companies to comply and think about the well-being of their consumers?



IMPLICATIONS FOR UTAH

KOSA and COPPA 2.0 complement each other. These bills pave the way for better online protection for youth. While state lawmakers cannot pass a weaker bill, what will happen to state laws already in place? When passed, the bills will preempt weaker state laws. Legislators can only create stronger laws or build upon these federal laws.

However, these bills rely on strong enforcement to ensure the online protection of youth. The FTC and State Attorneys General are the primary enforcers of KOSA and COPPA. State Attorneys General can investigate companies who violate privacy rights. In contrast, individuals cannot sue companies unless there is proof of harm to youth as a result of the violations made by the companies. More resources must be allocated to the FTC and state agencies to strengthen COPPA and KOSA protections.

Finally, it will be critical that Utah parents and youth are aware and educated on their online and privacy rights to safely and effectively utilize online platforms. Parents need to learn how to control their children's personal information. Education and awareness around KOSA and COPPA will ensure that tech companies provide timely, regularly updated, easily understandable, and accessible information to parents and caregivers on how youth information is gathered and used. This will allow parents and caregivers to make a better-informed decision on their children's safety



CONCLUSION

In the Surgeon General Advisory, the report notes: "Technology companies must step up and take responsibility for creating a safe digital environment for children and youth." Social media platforms and digital public spaces contribute to youth's mental well-being and mental health. KOSA and COPPA pull aside the curtain and allow users to make informed choices online. In so doing, these bills will promote greater mental health and well-being because they will be better able to avoid harmful digital and social media experiences.

However, these bills are just the starting point. KOSA and COPPA 2.0 are steps toward youth mental health and digital wellness, but more is needed. Additional policies that encourage the long-term study of the relationship, risk, and protective factors of digital media on youth mental will be needed moving forward so that we all take a holistic approach to protect youth mental health.

As shown in the data section, social media and technology contribute to the decline in the mental well-being of Utah's youth. KOSA and COPPA 2.0 are good steps toward youth mental health and digital wellness, but more could be done. There is still a lot that is unknown about the harms of digital media, and more research needs to be done.



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