

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.

Approved May 10, 1983.

CHAPTER 129

(Senate Bill 441)

AN ACT concerning

Mentally Retarded Individuals - Patient's Rights

FOR the purpose of allowing certain qualified mental retardation professionals to authorize use of minimal physical restraints that are clearly needed for the protection of the mentally retarded individual or others in a facility; requiring a Comprehensive Evaluation Team to review certain orders for physical restraints lasting more than a certain period of time; and requiring certain documentation of the authorization to use minimal physical restraints on the record of the mentally retarded individual.

BY repealing and reenacting, with amendments,

Article - Health - General
Section 7-601
Annotated Code of Maryland
(1982 Volume and 1982 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

7-601.

(A) IN THIS SECTION, "QUALIFIED MENTAL RETARDATION PROFESSIONAL" MEANS AN INDIVIDUAL WHO:

(1) PROVIDES TREATMENT AND HABILITATION TO A MENTALLY RETARDED INDIVIDUAL; AND

(2) MEETS THE QUALIFICATIONS FOR A QUALIFIED MENTAL RETARDATION PROFESSIONAL UNDER FEDERAL LAW OR REGULATION.

[(a)] (B) It is the policy of this State that, in addition to any other rights, each mentally retarded individual who receives any service in a facility has the following basic rights: