

(III) A NONPHYSICIAN MENTAL HEALTH CARE PROVIDER.

~~(2) -- ONLY 1 MEMBER OF THE CLINICAL REVIEW PANEL MAY BE DIRECTLY RESPONSIBLE FOR IMPLEMENTING THE INDIVIDUALIZED TREATMENT PLAN FOR THE INDIVIDUAL UNDER REVIEW.~~

(2) IF A MEMBER OF THE CLINICAL REVIEW PANEL ALSO IS DIRECTLY RESPONSIBLE FOR IMPLEMENTING THE INDIVIDUALIZED TREATMENT PLAN FOR THE INDIVIDUAL UNDER REVIEW, THE CLINICAL DIRECTOR SHALL DESIGNATE ANOTHER PANEL MEMBER FOR THAT SPECIFIC REVIEW.

(C) (1) IN DETERMINING WHETHER TO APPROVE THE MEDICATION, THE CLINICAL REVIEW PANEL SHALL:

(I) REVIEW THE INDIVIDUAL'S CLINICAL RECORD;

(II) CONSULT WITH FACILITY PERSONNEL WHO ARE RESPONSIBLE FOR IMPLEMENTING THE INDIVIDUAL'S TREATMENT PLAN;

(III) CONSULT WITH THE INDIVIDUAL REGARDING THE REASONS FOR REFUSING THE MEDICATION;

(IV) REVIEW THE INDIVIDUAL'S CAPACITY TO MAKE DECISIONS CONCERNING TREATMENT; AND

(V) REVIEW THE POTENTIAL CONSEQUENCES OF REQUIRING THE INDIVIDUAL TO ACCEPT THE MEDICATION AND OF WITHHOLDING THE MEDICATION FROM THE INDIVIDUAL.

(2) THE CLINICAL REVIEW PANEL MAY NOT APPROVE THE MEDICATION WHERE THERE ARE ALTERNATIVE TREATMENTS THAT ARE ACCEPTABLE TO BOTH THE INDIVIDUAL AND FACILITY PERSONNEL WHO ARE DIRECTLY RESPONSIBLE FOR IMPLEMENTING THE INDIVIDUAL'S TREATMENT PLAN.

(3) (I) THE CLINICAL REVIEW PANEL MAY APPROVE THE USE OF THE MEDICATION FOR NO MORE THAN A 60-DAY PERIOD.

(II) AFTER THAT PERIOD, IF THE PATIENT CONTINUES TO REFUSE THE MEDICATION, THE MEDICATION MAY BE CONTINUED ONLY IF APPROVED AGAIN BY THE CLINICAL REVIEW PANEL EVERY 60 DAYS.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 15, 1984.

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