

the passage of this Act upon the basis of two physicians' certificates, shall be expunged and the patient may truthfully answer in the negative if asked whether he has been civilly committed in the past.

20.

Within ten (10) days after admission to a facility, the Department shall be notified of the admission, whether *emergency*, involuntary or voluntary, formal or informal, of each patient, in such detail as may be required by the Department. Thereafter, at least once every year or more frequently, if requested by the Department; or upon the change of admission status and/or upon release of a patient, a status report as to each such patient shall be submitted to the Department by each facility having any patients admitted pursuant to this ~~Section.~~ *article*. All such reports shall be in such form and shall supply such detail as the Department may require.

21.

~~(a)~~ Any person who knowingly makes any false application or certificate in connection with the admission or detention of any patient, shall be guilty of a misdemeanor, and upon conviction thereof, may be imprisoned for a period not to exceed two years, or fined an amount not to exceed \$5,000 or both.

~~(b)~~ Any person who fails to comply with the provisions of this subtitle pertaining to patient records in a facility, or who detains a patient in a facility contrary to the provisions of this subtitle, is guilty of a misdemeanor, and upon conviction thereof, shall be imprisoned for a period not to exceed two years, or fined an amount not to exceed \$5,000 or both.

~~(c)~~ In addition to the penalties prescribed by subsections ~~(a)~~ and ~~(b)~~ above, any person who willfully violates any of the provisions of this subtitle, may be liable civilly, for damages sustained by any patient wrongfully admitted or detained against his will.~~]~~

(a) There shall be established by the Commissioner a review board of three (3) or more persons to review the admission and retention of patients in State mental facilities. One of such persons shall be qualified in the diagnosis of mental illness or mental retardation and one of such persons shall be learned in the law.

(b) Each State facility shall be visited by the review board at least once every six (6) months. Each patient in the facility who so requests shall have the right to appear before the review board during such visit. A patient may at any time request the right to appear before the review board. Upon receiving such request the head of the facility shall notify the Commissioner who shall set a time and date for the patient's appearance before the review board.

(c) The head of the State facility shall notify each patient at the time of admission by a simple written statement of the patient's right to appear before the review board and the next date when the board will visit the hospital. A request to appear before the board does not have to be in writing. Any employee of the facility receiving such a request to appear before the board shall notify the head of the hospital of such request.