

House Bill No. 789 - Individual Care for Mentally
Retarded Persons

AN ACT concerning

Mental Retardation

FOR the purpose of providing an individualized plan of care, including training and appropriate therapy and recreation for certain patients, and to provide that the Director of Mental Retardation shall issue certain rules and regulations.

May 15, 1975.

Honorable John Hanson Briscoe
Speaker of the House of Delegates
State House
Annapolis, Maryland

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 789.

This bill requires that, on October 1, 1975, every individual in or admitted to a residential facility operated by the Mental Retardation Administration shall have an individualized plan of care, including training, appropriate therapeutic programs, and recreational activities developed for him in writing by professional and supportive personnel. The Director of Mental Retardation is required to issue appropriate regulations, on or before September 1, 1975, to carry out the intent of the Act.

Whatever the value of having such detailed individualized plans for each patient may be, it is practically and fiscally impossible to implement this bill in accordance with its terms. Enactment of the bill, therefore, would serve only to create a legal mandate, which is incapable of being carried out.

The Director of Mental Retardation has advised that it would be impossible for him to prepare and adopt the required regulations by September 1, 1975. By virtue of the requirements of Article 40, Section 40A(f), and