

PLACE IN ALL FACILITIES LICENSED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE. COPIES OF THE POLICY STATEMENT SHALL BE FURNISHED TO THE MENTALLY RETARDED PERSON OR GUARDIAN UPON ADMITTANCE TO THE FACILITY, ALL MENTALLY RETARDED PERSONS CURRENTLY RESIDING IN THE FACILITY, AND THE GUARDIAN, NEXT OF KIN, SPONSORING AGENCY, A REPRESENTATIVE PAYEE OF THE MENTALLY RETARDED PERSON, AND RECEIPTS FOR THE STATEMENT BY AFORESAID PARTIES SHALL BE RETAINED IN THE FACILITY'S FILES.

(D) REGULATIONS IMPLEMENTING THE PROVISIONS OF THIS SECTION SHALL BE DEVELOPED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND PROMULGATED WITHIN 90 DAYS AFTER JULY 1, 1981.

(E) IMMEDIATE RESPONSIBILITY FOR IMPLEMENTING ALL PROVISIONS IN THIS SECTION SHALL REST WITH THE ADMINISTRATOR OF THE FACILITY. ULTIMATE RESPONSIBILITY FOR IMPLEMENTING ALL PROVISIONS IN THIS SECTION SHALL REST WITH THE DIRECTOR OF THE MENTAL RETARDATION ADMINISTRATION.

(F) EACH FACILITY SHALL PROVIDE APPROPRIATE STAFF TRAINING TO IMPLEMENT EACH MENTALLY RETARDED PERSON'S RIGHT INCLUDED IN SUBSECTION (A) OF THIS SECTION.

(G) ANY PERSON WHO BELIEVES THAT A MENTALLY RETARDED PERSON'S RIGHTS HAVE BEEN VIOLATED SHALL REPORT THE ALLEGED VIOLATION TO THE ADMINISTRATOR OF THAT FACILITY. THE ADMINISTRATOR SHALL PROMPTLY FORWARD THE REPORT TO THE DIRECTOR OF THE MENTAL RETARDATION ADMINISTRATION, AND THE STATE DESIGNATED PROTECTION AND ADVOCACY SYSTEM.

(H) THE ADMINISTRATOR OF THE FACILITY SHALL CONDUCT AN INVESTIGATION OF ALL REPORTS OF ALLEGED VIOLATIONS OF A MENTALLY RETARDED PERSON'S RIGHTS. UPON COMPLETION OF THE INVESTIGATION, THE ADMINISTRATOR SHALL REPORT HIS FINDINGS TO THE COMPLAINANTS, THE STATE DESIGNATED PROTECTION AND ADVOCACY SYSTEM, AND THE DIRECTOR OF THE MENTAL RETARDATION ADMINISTRATION.

(I) THE STATE DESIGNATED PROTECTION AND ADVOCACY SYSTEM SHALL ~~ENFORCE~~ REDRESS THE ABROGATION OF THE RIGHTS ENUMERATED IN THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1981.

Approved May 19, 1981.

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CHAPTER 740

(Senate Bill 828)

AN ACT concerning