

[(h)] (I) (1) "Mental Retardation" means a significantly subaverage intellectual functioning and impairment in the adaptive behavior of an individual that:

(1) Originates] ORIGINATES during the developmental period of the individual[]; or

(2) Is caused by trauma and requires the same kind of treatment as if it had originated during the developmental period].

(2) THIS DEFINITION DOES NOT APPLY TO AN INDIVIDUAL ADMITTED BEFORE JULY 1, 1982 TO A PROGRAM OR SERVICE THAT IS OPERATED, LICENSED, OR FUNDED BY THE ADMINISTRATION; IF THE USE OF THE DEFINITION WOULD NULLIFY HIS ELIGIBILITY FOR THE PROGRAM OR SERVICE.

[(i)] (J) "Mentally retarded individual" means an individual with mental retardation of a nature and degree that is a substantial, continuing, prospective, educational, vocational, and social handicap.

[(j)] (K) "Private facility" means a facility that is not a public facility, whether or not public funds are used to finance, wholly or partly, the acquisition, construction, improvement, rehabilitation, maintenance, or operation of the facility.

[(k)] (L) "public facility" means a facility that is owned by or leased to this State or a political subdivision of this State, whether or not the facility is maintained and operated by a private, nonprofit person.

[(l)] (M) "State facility" means a public facility that is maintained under the direction of the Administration.

[(m)] (N) "Treatment" means any education, training, professional care or attention, or other program that is given to a mentally retarded individual in a facility or other place.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

Approved June 1, 1982.

CHAPTER 568

(Senate Bill 950)