

IT IS THE POLICY OF THIS STATE THAT, IN ADDITION TO ANY OTHER RIGHTS, EACH MENTALLY RETARDED INDIVIDUAL WHO RECEIVES ANY SERVICE IN A FACILITY HAS THE FOLLOWING BASIC RIGHTS:

(1) THE RIGHT TO BE TREATED WITH COURTESY, RESPECT, AND FULL RECOGNITION OF HUMAN DIGNITY AND INDIVIDUALITY;

(2) THE RIGHT TO RECEIVE TREATMENT AND SERVICES IN THE LEAST RESTRICTIVE ENVIRONMENT THAT IS AVAILABLE, ADEQUATE, APPROPRIATE, AND IN COMPLIANCE WITH RELEVANT LAWS, RULES, AND REGULATIONS;

(3) THE RIGHT TO BE FREE FROM MENTAL AND PHYSICAL ABUSE;

(4) THE RIGHT TO BE FREE FROM PHYSICAL AND CHEMICAL RESTRAINTS, EXCEPT FOR MINIMAL RESTRAINTS THAT A PHYSICIAN AUTHORIZES, IN WRITING, FOR A CLEARLY INDICATED MEDICAL NEED AND MAKES A PERMANENT PART OF THE INDIVIDUAL'S RECORD; AND

(5) THE RIGHT TO RECEIVE RESPECT AND PRIVACY IN AN INDIVIDUALLY DEVELOPED PROGRAM.

(B) DUTIES OF FACILITIES.

EACH FACILITY SHALL:

(1) POST, CONSPICUOUSLY IN A PUBLIC PLACE, THE POLICY STATED IN THIS SECTION;

(2) GIVE A COPY OF THE POLICY:

(I) ON ADMITTANCE, TO THE INDIVIDUAL;

(II) TO THE GUARDIAN, NEXT OF KIN, OR SPONSORING AGENCY OF THE INDIVIDUAL; AND

(III) TO A REPRESENTATIVE PAYEE OF THE INDIVIDUAL;

(3) KEEP A RECEIPT FOR THE COPY THAT IS SIGNED BY THE PERSON WHO RECEIVED THE COPY; AND

(4) PROVIDE APPROPRIATE STAFF TRAINING TO CARRY OUT THE POLICY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59A, § 34(a), (c), and (f).

In the introductory clause of subsection (a) of this section, the defined term "facility" is substituted for the reference to "a program or