

as inaccurate, since that article does not provide for declaring an individual "incompetent", and as unnecessary in light of other provisions of law. See, e.g., Article I, § 4 of the State Constitution and Article 33, § 3-4(d) of the Code, each of which refers to restriction of voting by individuals under "guardianship for mental disability".

As to management of property, see ET § 13-201(c) and the definition of "disabled person" in ET § 13-101. See also ET § 13-706, which relates to the effect of an appointment of a guardian of the person.

Defined terms: "Facility" § 7-101
"Mental retardation" § 7-101

7-604. ABUSE PROHIBITED.

(A) "ABUSE" DEFINED.

(1) IN THIS SECTION, "ABUSE" MEANS:

- (I) ANY PHYSICAL INJURY;
- (II) INHUMANE TREATMENT; OR
- (III) ANY OF THE FOLLOWING KINDS OF SEXUAL

ABUSE:

- 1. A SEXUAL ACT, AS DEFINED IN ARTICLE 27, § 461(E) OF THE CODE.
- 2. SEXUAL CONTACT, AS DEFINED IN ARTICLE 27, § 461(F) OF THE CODE.
- 3. VAGINAL INTERCOURSE, AS DEFINED IN ARTICLE 27, § 461(G) OF THE CODE.

(2) IN THIS SECTION, "ABUSE" DOES NOT INCLUDE THE PERFORMANCE OF:

- (I) AN ACCEPTED MEDICAL PROCEDURE THAT A PHYSICIAN ORDERS; OR
- (II) AN ACCEPTED BEHAVIORAL PROCEDURE THAT A LICENSED PSYCHOLOGIST ORDERS.

(B) REPORT OF ALLEGED ABUSE.

- (1) A PERSON WHO BELIEVES THAT A MENTALLY RETARDED INDIVIDUAL IN A FACILITY HAS BEEN ABUSED SHALL REPORT THE ALLEGED ABUSE TO THE ADMINISTRATIVE HEAD OF THE FACILITY.