

In subsection (a)(2)(i) of this section, the defined term "physician" is substituted for the ambiguous reference to a "licensed physician".

In subsections (b) and (d) of this section, the term "administrative head" is substituted for references to the "responsible executive", to standardize the references to this position. See revisor's note to § 7-204(c) of this title.

In subsection (b)(3) of this section, the reference to a report "to an administrative head" is added for clarity.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the phrase, "any physical injury", in subsection (a)(1)(i) of this section, is so broad that the provision could encompass not only an injury that was willfully inflicted on the mentally retarded individual, but an accidental injury.

The Commission also notes that the phrase "except for the abuser", in subsection (e) of this section, is unnecessary since its deletion would not create any meaningful immunity. The Commission suggests that subsection (e) be clarified if this exception was intended to state that subsection (e) may not result in a grant of immunity for the abuser who makes a report or otherwise participates.

Defined terms: "Facility" § 7-101
 "Includes"/"including" § 1-101
 "Mentally retarded individual" § 7-101
 "Person" § 1-101 "Treatment" § 7-101
 "Physician" § 1-101

7-605. TREATMENT PLAN.

(A) PLAN REQUIRED.

THE PROFESSIONAL AND SUPPORTIVE STAFF OF A RESIDENTIAL STATE FACILITY SHALL MAKE A WRITTEN PLAN OF TREATMENT, INCLUDING TRAINING, THERAPEUTIC PROGRAMS, AND RECREATIONAL ACTIVITIES, FOR EACH MENTALLY RETARDED INDIVIDUAL IN THE STATE FACILITY. THE STAFF PERIODICALLY SHALL REEVALUATE THE EFFECTIVENESS OF EACH PLAN AND UPDATE IT, AS NEEDED.

(B) REVIEW.

EACH INDIVIDUAL PLAN OF TREATMENT SHALL BE REVIEWED AND APPROVED, DISAPPROVED, OR MODIFIED BY: