

59A, § 17(a)(3) to mean a mentally retarded individual. This substitution avoids confusion with the broader definition of "person" in § 1-101 of this article and reflects that, in former Article 59A, § 17, the term "person" was not used as defined.

In subsection (a)(1) of this section, the former specific listings of the elements of a record that may be contested are deleted as unnecessary in light of the broad phrase "contest a record".

In subsection (c)(1) of this section, the word "promptly" is deleted as unnecessary in light of the stated 14-day period for response.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that former Article 59A, § 17(c)(4) provided for contesting the disclosure of a record, but seemed to provide only for acknowledgment of a request to change a record and for responding to that request. The General Assembly may wish to consider extending the procedures under subsections (b) through (e) of this section, to cover the contesting of a disclosure.

The Commission also notes for consideration that the reference to judicial review procedures, in subsection (e) of this section, and the jurisdiction of the Board of Review to review a decision are unclear.

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

7-614. DUTIES OF DIRECTOR.

THE DIRECTOR SHALL:

- (1) INFORM EACH FACILITY OF THE REQUIREMENTS UNDER PART II OF THIS SUBTITLE FOR KEEPING ANY RECORD;
- (2) REQUIRE EACH FACILITY TO COMPLY WITH THOSE REQUIREMENTS; AND
- (3) EVALUATE ANNUALLY THE POLICY AND PROCEDURE OF EACH FACILITY FOR KEEPING RECORDS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59A, § 17(g).