

REVISOR'S NOTE: This subsection formerly appeared as Article 59, § 3(e).

The only changes are in style.

Defined terms: "Includes"/"including" § 1-101
"Mental disorder" § 10-101 "Treatment" § 10-101

(F) MENTAL DISORDER.

(1) "MENTAL DISORDER" MEANS:

(I) A MENTAL ILLNESS THAT SO SUBSTANTIALLY IMPAIRS THE MENTAL OR EMOTIONAL FUNCTIONING OF AN INDIVIDUAL AS TO MAKE CARE OR TREATMENT NECESSARY OR ADVISABLE FOR THE WELFARE OF THE INDIVIDUAL OR FOR THE SAFETY OF THE PERSON OR PROPERTY OF ANOTHER; OR

(II) ANY OTHER BEHAVIORAL OR EMOTIONAL ILLNESS THAT RESULTS FROM A PSYCHIATRIC OR NEUROLOGICAL DISORDER.

(2) "MENTAL DISORDER" DOES NOT INCLUDE MENTAL RETARDATION.

REVISOR'S NOTE: Paragraph (1) of this subsection is new language that combines, without substantive change, the first sentence of former Article 59, § 3(f) and the first sentence of (g).

Paragraph (2) of this subsection is new language derived without substantive change from the first clause of the second sentence of former Article 59, § 3(f).

In this subsection, the former, separate definitions of the terms "mental disorder" and "mental illness" are merged into a definition of "mental disorder", because the former definitions were circular -- i.e., "'{m}ental disorder' means mental illness" and "'{m}ental illness' means any mental disorder".

Also the term "mental illness" and its derivatives appeared only in the statement of policy in former Article 59, § 2, in the definition of "mental disorder" in former Article 59, § 3(f), and in the private group homes provisions in former Article 59, §§ 58, 59, 60, and 62. In § 10-102 of this subtitle, which is derived from former Article 59, § 2, the term "mental disorder" is substituted for "mental illness" to conform to the broad scope of the balance of this title. In paragraph (1)(i) of this subsection -- and in § 12-101 of this