

facility" is substituted for "in }o patient in any facility" to clarify that the mere status of having a mental disorder is not the controlling factor in the ability to exercise certain rights.

The former exception to an individual "declared to be incompetent by a court in accordance with the provisions of the Courts Article" is deleted 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 also 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" § 10-101
"Mental disorder" § 10-101

10-704. ABUSE PROHIBITED.

(A) "ABUSE" DEFINED.

(1) IN THIS SECTION, "ABUSE" MEANS CRUEL OR INHUMANE TREATMENT THAT CAUSES:

(I) ANY PHYSICAL INJURY; OR

(II) 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 AN ACCEPTED MEDICAL PROCEDURE THAT A PHYSICIAN ORDERS.

(B) REPORT OF ALLEGED ABUSE.

(1) A PERSON WHO BELIEVES THAT AN INDIVIDUAL IN A FACILITY HAS BEEN ABUSED PROMPTLY SHALL REPORT THE ALLEGED