

ARISING OUT OF A REPORT UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59, § 52A(a)(1) and (2), (b), (c), and (d).

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

In subsections (b)(1) and (d) of this section, the term "administrative head" is substituted for references to "superintendent", to standardize the references to this type of position.

Former Article 59, § 52A(a)(3), which defined "mental health facility", is deleted as unnecessary in light of the definition of "facility".

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the phrase "{e}xcept 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 the 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" § 10-101
 "Includes"/"including" § 1-101 "Physician" § 1-101
 "Mental disorder" § 10-101 "Treatment" § 10-101
 "Person" § 1-101

10-705. TREATMENT PLAN.

(A) PLAN REQUIRED.

A FACILITY SHALL MAKE AND PERIODICALLY UPDATE A WRITTEN PLAN OF TREATMENT FOR EACH INDIVIDUAL IN THE FACILITY, IN ACCORDANCE WITH RULES AND REGULATIONS THAT THE DIRECTOR ADOPTS.

(B) RULES AND REGULATIONS.

(1) THE DIRECTOR SHALL ADOPT APPROPRIATE RULES AND REGULATIONS TO CARRY OUT THE INTENT OF THIS SECTION IN ACCORDANCE WITH CURRENT HOSPITAL PROFESSIONAL PRACTICES.

(2) THE RULES AND REGULATIONS SHALL INCLUDE:

(I) A DESCRIPTION OF THE NATURE AND CONTENT OF PLANS OF TREATMENT; AND