

THE ADMINISTRATOR OF A FACILITY IS RESPONSIBLE FOR CARRYING OUT THIS SECTION.

(O) REPORT OF GRIEVANCES.

(1) A RESIDENT OF A FACILITY OR THE NEXT OF KIN OR GUARDIAN OF THE PERSON OF A RESIDENT MAY FILE A COMPLAINT ABOUT AN ALLEGED VIOLATION OF THIS SECTION.

(2) THE COMPLAINT MAY BE FILED WITH THE STATE OFFICE ON AGING OR THE DEPARTMENT.

(3) THE DIRECTOR ON AGING SHALL:

(I) INVESTIGATE THE COMPLAINT; AND

(II) AFTER THE INVESTIGATION, REPORT THE FINDINGS TO THE COMPLAINANT.

(4) AFTER RECEIPT OF THE REPORT, THE COMPLAINANT SHALL BE GIVEN AN OPPORTUNITY FOR A HEARING IN ACCORDANCE WITH THE RULES AND REGULATIONS THAT THE DEPARTMENT ADOPTS.

(P) EXERCISE OF RIGHTS.

IF A RESIDENT IS ADJUDICATED A DISABLED PERSON, IS FOUND TO BE MEDICALLY INCOMPETENT BY THE ATTENDING PHYSICIAN OF THE RESIDENT, OR IS UNABLE TO COMMUNICATE WITH OTHERS, THE RIGHTS OF THE RESIDENT MAY BE EXERCISED BY:

(1) THE NEXT OF KIN OF THE RESIDENT;

(2) GUARDIAN OF THE PERSON OF THE RESIDENT;

(3) THE SPONSORING AGENCY OF THE RESIDENT; OR

(4) UNLESS THE FACILITY IS THE REPRESENTATIVE PAYEE, THE REPRESENTATIVE PAYEE THAT THE SOCIAL SECURITY ADMINISTRATION DESIGNATES FOR THE RESIDENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 565C(b), (a)(3), (4), (5), (8), (9), (10), (11), (13), (14), (15), (16), (17), and the second, third, and fourth sentences of (6), (h)(1) and the first and third sentences of (2), and the second clause of the second sentence of (a).

In subsections (o) and (p) of this section, the term "guardian of the person" is substituted for "guardian", to conform to the terminology of the Estates and Trusts Article.

In subsection (o)(1) of this section, the former