

(2) (1) THE CLINICAL REVIEW PANEL SHALL CONSIST OF:

- 1. THE CLINICAL DIRECTOR OR THE DIRECTOR'S DESIGNEE,
- 2. A PSYCHIATRIST, AND
- 3. A NONPHYSICIAN MENTAL HEALTH CARE PROVIDER.

(11) THE PANEL MAY NOT CONSIST OF MORE THAN ONE MEMBER OF THE INDIVIDUAL'S TREATMENT TEAM.

(3) THE PANEL SHALL REVIEW THE INDIVIDUAL'S REFUSAL TO TREATMENT BASED ON:

(i) A REVIEW OF THE INDIVIDUAL'S CLINICAL RECORD;

(ii) THE INDIVIDUAL'S CAPACITY TO MAKE A DECISION CONCERNING TREATMENT;

(iii) THE POTENTIAL CONSEQUENCES OF THE TREATMENT;

(iv) THE POTENTIAL CONSEQUENCES OF WITHHOLDING THE TREATMENT;

(v) THE EXISTENCE OF ALTERNATIVE MODES OR COURSES OF TREATMENT WHICH ARE THERAPEUTICALLY APPROPRIATE;

(vi) DISCUSSION WITH A REPRESENTATIVE OF THE TREATMENT PLAN; AND

(vii) DISCUSSION WITH THE INDIVIDUAL.

(4) THE PANEL SHALL REVIEW THE MODE OR COURSE OF TREATMENT EVERY 60 DAYS IF THE TREATMENT IS APPROVED AND REMAINS IN EFFECT.

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AN INDIVIDUAL IN A FACILITY HAS THE RIGHT TO REFUSE TO PARTICIPATE AS A SUBJECT IN PHYSICALLY INTRUSIVE RESEARCH CONDUCTED AT THE FACILITY IN ACCORDANCE WITH RULES OR REGULATIONS ADOPTED BY THE SECRETARY THE PROVISIONS OF THIS SUBTITLE.

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(A) IN ACCORDANCE WITH § 10-809 OF THIS TITLE, A FACILITY SHALL PREPARE A WRITTEN AFTERCARE PLAN FOR AN INDIVIDUAL BEFORE THAT INDIVIDUAL IS RELEASED FROM THE FACILITY.

(B) THE DIRECTOR SHALL ADOPT APPROPRIATE RULES AND REGULATIONS TO CARRY OUT: