

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

~~BY adding to~~

~~Article - Health - General~~

~~Section 10-701.1~~

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~~(2005 Replacement Volume and 2006 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

10-701.

(a) (1) In this subtitle the following words have the meanings indicated.

(2) "Facility" does not include an acute general care hospital that does not have a separately identified inpatient psychiatric service.

(3) (i) "Mental abuse" means any persistent course of conduct resulting in or maliciously intended to produce emotional harm.

(ii) "Mental abuse" does not include the performance of an accepted clinical procedure.

(b) It is the policy of this State that each mentally ill individual who receives any service in a facility has, in addition to any other rights, the rights provided in this subtitle.

(c) Each individual in a facility shall:

(1) Receive appropriate humane treatment and services in a manner that restricts the individual's personal liberty within a facility only to the extent necessary and consistent with the individual's treatment needs and applicable legal requirements;

(2) Receive treatment in accordance with the applicable individualized plan of rehabilitation or the individualized treatment plan provided for in § 10-706 of this subtitle;

(3) Be free from restraints or [locked door] seclusions except for restraints or [locked door] seclusions that are: