

(4) "LAY ADVISOR" MEANS AN INDIVIDUAL AT A FACILITY, WHO IS KNOWLEDGEABLE ABOUT MENTAL HEALTH PRACTICE AND WHO ASSISTS INDIVIDUALS WITH RIGHTS COMPLAINTS.

(B) MEDICATION MAY NOT BE ADMINISTERED TO AN INDIVIDUAL WHO REFUSES THE MEDICATION, EXCEPT:

(1) IN AN EMERGENCY, ON THE ORDER OF A PHYSICIAN WHERE THE INDIVIDUAL PRESENTS A DANGER TO THE LIFE OR SAFETY OF THE INDIVIDUAL OR OTHERS; OR

(2) IN A NONEMERGENCY, WHEN THE INDIVIDUAL IS HOSPITALIZED INVOLUNTARILY OR COMMITTED FOR TREATMENT BY ORDER OF A COURT AND THE MEDICATION IS APPROVED BY A PANEL UNDER THE PROVISIONS OF THIS SECTION.

(C) (1) A PANEL SHALL CONSIST OF THE FOLLOWING INDIVIDUALS APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE FACILITY OR THE CHIEF EXECUTIVE OFFICER'S DESIGNEE, ONE OF WHOM SHALL BE APPOINTED CHAIRPERSON:

(I) THE CLINICAL DIRECTOR OF THE PSYCHIATRIC UNIT, IF THE CLINICAL DIRECTOR IS A PHYSICIAN, OR A PHYSICIAN DESIGNATED BY THE CLINICAL DIRECTOR;

(II) A PSYCHIATRIST; AND

(III) A MENTAL HEALTH PROFESSIONAL, OTHER THAN A PHYSICIAN.

(2) IF A MEMBER OF THE CLINICAL REVIEW PANEL ALSO IS DIRECTLY RESPONSIBLE FOR IMPLEMENTING THE INDIVIDUALIZED TREATMENT PLAN FOR THE INDIVIDUAL UNDER REVIEW, THE CHIEF EXECUTIVE OFFICER OF THE FACILITY OR THE CHIEF EXECUTIVE OFFICER'S DESIGNEE SHALL DESIGNATE ANOTHER PANEL MEMBER FOR THAT SPECIFIC REVIEW.

(D) (1) THE CHIEF EXECUTIVE OFFICER OF THE FACILITY OR THE CHIEF EXECUTIVE OFFICER'S DESIGNEE SHALL GIVE THE INDIVIDUAL AND THE LAY ADVISOR WRITTEN NOTICE AT LEAST 24 HOURS PRIOR TO CONVENING A PANEL.

(2) EXCEPT IN AN EMERGENCY UNDER SUBSECTION (B)(1) OF THIS SECTION, MEDICATION OR MEDICATIONS BEING REFUSED MAY NOT BE ADMINISTERED TO AN INDIVIDUAL PRIOR TO THE DECISION OF THE PANEL.

(E) (1) THE NOTICE UNDER SUBSECTION (D)(1) OF THIS SECTION SHALL INCLUDE THE FOLLOWING INFORMATION: