

HEALTH - GENERAL
TITLE 7. DEVELOPMENTAL DISABILITIES LAW
SUBTITLE 10. RIGHTS OF INDIVIDUALS

Md. HEALTH-GENERAL Code Ann. § 7-1002 (2014)

§ 7-1002. "Qualified developmental disability professional" defined; policy; regulations; posting and copies of policy

(a) "Qualified developmental disability professional" defined. -- "Qualified developmental disability professional" shall be defined by rule and regulation.

(b) Policy of State. -- It is the policy of this State that, in addition to any other rights, each individual who receives any services provided by the Administration or by a licensee has the following basic rights:

(1) The right to be treated with courtesy, respect, and full recognition of human dignity and individuality;

(2) The right to receive treatment, services, and habilitation in the most integrated setting that is available, adequate, appropriate, and in compliance with relevant laws and regulations;

(3) The right to be free from mental and physical abuse;

(4) The right to be free from chemical restraints, except for minimal restraints that a physician authorizes, in writing, for a clearly indicated medical need and makes a permanent part of the individual's record;

(5) The right to be free from physical restraints except for minimal restraints that are authorized in writing and made a permanent part of the record by a physician or qualified developmental disability professional and which are clearly indicated for the protection of the individual with developmental disability or others;

(6) The right to privacy;

(7) The right to worship as the individual chooses;

(8) The right to an accounting of any funds of the individual; and

(9) The right to be informed of all of the most integrated setting service options licensed through the Administration.

(c) Regulations to enforce rights. -- The Secretary shall issue regulations to enforce the rights enumerated in subsection (b) of this section.

(d) Posting and copies of policy. -- Each licensee shall:

- (1) Post, conspicuously in a public place, the policy stated in this section;
- (2) Give a copy of the policy:
 - (i) On admittance, to the individual;
 - (ii) To the guardian, next of kin, or sponsoring agency of the individual; and
 - (iii) To a representative payee of the individual;
- (3) Keep a receipt for the copy that is signed by the person who received the copy; and
- (4) Provide appropriate staff training to carry out the policy.