

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

(2) The right to receive treatment and services in the least restrictive environment that is available, adequate, appropriate, and in compliance with relevant laws, rules, and regulations;

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

(4) The right to be free from [physical and] 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; [and]

(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 MENTAL RETARDATION PROFESSIONAL AND WHICH ARE CLEARLY INDICATED FOR THE PROTECTION OF THE MENTALLY RETARDED INDIVIDUAL OR OTHERS; AND

[(5)] (6) The right to receive respect and privacy in an individually developed program.

(C) A PHYSICIAN OR QUALIFIED MENTAL RETARDATION PROFESSIONAL MAY NOT ORDER PHYSICAL RESTRAINTS AS AUTHORIZED BY PARAGRAPH (B)(5) OF THIS SECTION FOR MORE THAN 24 HOURS UNLESS THE ORDER IS REVIEWED BY A COMPREHENSIVE EVALUATION TEAM, AS DEFINED IN SUBSECTION 7-104(B) OF THIS TITLE.

[(b)] ~~(C)~~ (D) Each facility 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.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.