

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Family Law

TITLE 14. ADULT PROTECTIVE SERVICES

SUBTITLE 1. DEFINITIONS AND GENERAL PROVISIONS

14-101.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "DISABLED PERSON" HAS THE MEANING STATED IN § 13-101 (D) OF THE ESTATES AND TRUSTS ARTICLE.

(C) "DIRECTOR" MEANS THE DIRECTOR OF THE LOCAL DEPARTMENT OF SOCIAL SERVICES IN THE POLITICAL SUBDIVISION WHERE THE ADULT REQUIRING PROTECTIVE SERVICES LIVES.

(D) "REVIEW BOARD" MEANS THE DISABLED PERSON'S REVIEW BOARD.

(E) "SECRETARY" MEANS THE SECRETARY OF HUMAN RESOURCES.

14-102.

(A) IT IS DECLARED THE POLICY OF THE STATE OF MARYLAND THAT ADULTS WHO LACK THE PHYSICAL OR MENTAL CAPACITY TO CARE FOR THEIR BASIC DAILY LIVING NEEDS SHALL HAVE ACCESS TO AND BE PROVIDED WITH NEEDED PROFESSIONAL SERVICES SUFFICIENT TO PROTECT THEIR HEALTH, SAFETY, AND WELFARE.

(B) TO IMPLEMENT THIS POLICY THE SECRETARY OF HUMAN RESOURCES, WITH THE ADVICE OF THE STATE DIRECTOR ON AGING AND THE SECRETARY OF HEALTH AND MENTAL HYGIENE, IS RESPONSIBLE FOR ESTABLISHING AND SUPERVISING A PROGRAM OF ADULT PROTECTIVE SERVICES TO BE ADMINISTERED BY EACH LOCAL DEPARTMENT OF SOCIAL SERVICES.

(C) THE GENERAL ASSEMBLY INTENDS THAT THE PROVISIONS FOR APPOINTMENT OF PUBLIC OFFICIALS AS GUARDIAN OF THE PERSON BE USED SPARINGLY AND WITH UTMOST CAUTION AND ONLY IF AN ALTERNATIVE DOES NOT EXIST.

SUBTITLE 2. ADULT PROTECTIVE SERVICES PROGRAM

14-201.

(A) THE SECRETARY OF HUMAN RESOURCES, WITH THE ADVICE OF THE SECRETARY OF HEALTH AND MENTAL HYGIENE AND THE STATE DIRECTOR OF THE OFFICE ON AGING, SHALL DEVELOP, SUPERVISE, AND CAUSE EACH DEPARTMENT OF SOCIAL SERVICES TO IMPLEMENT A PROGRAM OF PROTECTIVE SERVICES FOR DISABLED PERSONS AND OTHER ADULTS WHO