

§6201. Definitions

As used in this subchapter, unless the context indicates otherwise, the following terms have the following meanings. [PL 1985, c. 503, §12 (NEW).]

1. Bureau.

[PL 1995, c. 560, Pt. K, §66 (RP).]

2. Child in need of treatment. "Child in need of treatment" means:

A. [PL 1993, c. 738, Pt. E, §3 (RP); PL 1993, c. 738, Pt. E, §6 (AFF).]

B. A child 17 years of age or younger who has treatment needs related to mental illness, an intellectual disability, autism, other developmental disabilities or emotional or behavioral needs that are not under current statutory authority of other state agencies; or [PL 2011, c. 542, Pt. A, §133 (AMD).]

C. A person 18 years of age or older and under 21 years of age who has treatment needs related to mental illness, an intellectual disability, autism, other developmental disabilities or emotional or behavioral needs if the department has determined that it is in the interest of that person to receive treatment through the department. [PL 2011, c. 542, Pt. A, §133 (AMD).]

[PL 2011, c. 542, Pt. A, §133 (AMD).]

2-A. Respite care. "Respite care" means temporary care-giving to a child or adult for the purpose of relieving that person's family or another primary care-giver. Persons who have completed the training program for respite care providers through the department are eligible for any insurance provided to family foster home providers pursuant to Title 5, section 1728-A. In any action for damages against a respite care provider insured pursuant to Title 5, section 1728-A, for damages covered under that policy, the claims for and award of those damages, including costs and interest, may not exceed \$300,000 for any and all claims arising out of a single occurrence. When the amount awarded to or settled for multiple claimants exceeds the limit imposed by this section, any party may apply to the Superior Court for the county in which the governmental entity is located to allocate to each claimant that claimant's equitable share of the total, limited as required by this section. Any award by the court in excess of the maximum liability limit must be automatically abated by operation of this section to the maximum limit of liability. Nothing in this subsection may be construed to make respite care a state activity nor may it expand in any way the liability of the State or respite care provider.

[RR 2003, c. 2, §104 (COR).]

3. Treatment. "Treatment" means the provision of services to children in need of treatment and their families, the services consisting primarily of:

A. Psychiatric, psychological, counseling, developmental and other therapeutic modalities; and [PL 1985, c. 503, §12 (NEW).]

B. Social, interpersonal and other living skills, related supportive services and habilitative training. [PL 1985, c. 503, §12 (NEW).]

[PL 1985, c. 503, §12 (NEW).]

SECTION HISTORY

PL 1985, c. 503, §12 (NEW). PL 1987, c. 778, §3 (AMD). PL 1993, c. 738, §E3 (AMD). PL 1993, c. 738, §E6 (AFF). PL 1995, c. 560, §§K66-68 (AMD). PL 1995, c. 560, §K83 (AFF). PL 2001, c. 354, §3 (AMD). RR 2003, c. 2, §104 (COR). PL 2011, c. 542, Pt. A, §133 (AMD).

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