§5001. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings. [PL 1983, c. 459, §7 (NEW).]

1. Bureau.
[PL 1993, c. 410, Pt. CCC, §23 (RP).]

1-A. Division.
[PL 1995, c. 560, Pt. K, §38 (RP).]

1-B. Correspondent. "Correspondent" means a person designated by the Consumer Advisory Board or its successor to act as a next friend of a person with an intellectual disability or autism.
[PL 2011, c. 542, Pt. A, §74 (AMD).]

1-C. Family. "Family" means those persons that the person defines as included in that person's family, including as appropriate unpaid individuals with whom the person resides.
[PL 2007, c. 356, §9 (NEW); PL 2007, c. 356, §31 (AFF).]

2. Incapacitated person. "Incapacitated person" means any person who is impaired by reason of intellectual disability or autism to the extent that the person lacks sufficient understanding or capacity to make, communicate or implement responsible personal decisions or decisions regarding the person's property.
[PL 2011, c. 542, Pt. A, §75 (AMD).]

2-A. Individual support coordinator. "Individual support coordinator" means a regional staff member of the department with the responsibility for coordinating the personal planning and professional services for a person eligible for adult developmental services under this Title.
[PL 2011, c. 542, Pt. A, §76 (AMD).]

3. Intellectual disability. " Intellectual disability" means a condition of significantly subaverage intellectual functioning resulting in or associated with concurrent impairments in adaptive behavior and manifested during the developmental period.
[PL 2011, c. 542, Pt. A, §77 (AMD).]

3-A. Mentally retarded.
[PL 2011, c. 542, Pt. A, §78 (RP).]

3-B. Person. "Person" means an adult with an intellectual disability or autism.
[PL 2011, c. 542, Pt. A, §79 (AMD).]

3-C. Personal planning. "Personal planning" means a process that assists and supports each person who has an intellectual disability or autism in creating a vision for how to live in and be a part of the community.
[PL 2011, c. 542, Pt. A, §80 (AMD).]

3-D. Personal planning team. "Personal planning team" means the person with an intellectual disability or autism, the person's guardian, if any, the person's individual support coordinator or case manager and other individuals chosen or identified by the person to participate in personal planning.
[PL 2011, c. 542, Pt. A, §81 (AMD).]

3-E. Professional services. "Professional services" means services provided by individuals licensed to provide medical or behavioral health care and treatment, including but not limited to physicians, nurses, physical therapists, occupational therapists, psychologists, speech therapists and dentists.
[PL 2007, c. 356, §14 (NEW); PL 2007, c. 356, §31 (AFF).]

4. Protective services. "Protective services" means services which will separate incapacitated adults from danger, including, but not limited to:

A. Social, medical and psychiatric services necessary to preserve the incapacitated adult's rights and resources and to maintain the incapacitated adult's physical and mental well-being; and [PL 1983, c. 459, §7 (NEW).]

B. Seeking guardianship or a protective order under Title 18-C, Article 5. [PL 2017, c. 402, Pt. C, §98 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

[PL 2017, c. 402, Pt. C, §98 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

5. Region. "Region" means any of the regions established by the department.
[PL 1995, c. 560, Pt. K, §39 (AMD).]

5-A. Related condition. "Related condition" means a condition that meets the definition in 42 Code of Federal Regulations, Section 435.1010 in effect January 1, 2023.
[PL 2023, c. 89, §8 (NEW).]

6. Supportive services. "Supportive services" means services to make it possible for an incapacitated person to become rehabilitated or self-sufficient to the maximum extent possible, including but not limited to:

A. Counseling; [PL 1983, c. 459, §7 (NEW).]

B. Transportation; [PL 1983, c. 459, §7 (NEW).]

C. Assistance in obtaining adequate housing; [PL 1983, c. 459, §7 (NEW).]

D. Medical and psychiatric care; and [PL 1983, c. 459, §7 (NEW).]

E. Nutritional services. [PL 1983, c. 459, §7 (NEW).]

[PL 1983, c. 459, §7 (NEW).]

7. Ward. "Ward" means a person for whom the department has been duly appointed guardian under Title 18-C, Article 5, Part 7.
[PL 2017, c. 402, Pt. C, §99 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

SECTION HISTORY

PL 1983, c. 459, §7 (NEW). PL 1989, c. 73, §§3,4 (AMD). PL 1993, c. 410, §§CCC23-25 (AMD). PL 1995, c. 560, §§K38-40 (AMD). PL 2007, c. 356, §§8-14 (AMD). PL 2007, c. 356, §31 (AFF). PL 2011, c. 542, Pt. A, §§74-81 (AMD). PL 2017, c. 402, Pt. C, §§98, 99 (AMD). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF). PL 2023, c. 89, §8 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 132nd Maine Legislature and is current through October 1, 2026. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.