§5604-A. Duty to report incidents; Adult Protective Services Act and rights violations

1. Report incident. A person with knowledge about an incident related to client care, including client-to-client assault, staff-to-client assault, use of seclusion or excessive use of mechanical or chemical restraint, incidents stemming from questionable psychiatric and medical practice or any other alleged abuse or neglect, shall immediately report the details of that incident pursuant to policies and procedures established by the department in rules.
[PL 2007, c. 356, §24 (NEW); PL 2007, c. 356, §31 (AFF).]

2. Maintain reporting system. The department shall maintain a reportable event and adult protective services system that provides for receiving reports of alleged incidents, prioritizing such reports, assigning reports for investigation by qualified investigators, reviewing the adequacy of the investigations, making recommendations for preventive and corrective actions as appropriate and substantiating allegations of abuse, neglect or exploitation in accordance with Title 22, chapter 958-A. The department shall fully establish the reportable event and adult protective services system through rulemaking.
[PL 2019, c. 661, §4 (AMD).]

3. Violation. All persons with knowledge of an alleged violation of the rights of an individual with an intellectual disability or autism as set out in section 5605 shall promptly report the details of the alleged violation to the advocacy agency designated pursuant to Title 5, section 19502 as set forth in department rules.
[PL 2011, c. 657, Pt. EE, §8 (AMD).]

4. Rules. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
[PL 2007, c. 356, §24 (NEW); PL 2007, c. 356, §31 (AFF).]

SECTION HISTORY

PL 2007, c. 356, §24 (NEW). PL 2007, c. 356, §31 (AFF). PL 2011, c. 542, Pt. A, §128 (AMD). PL 2011, c. 657, Pt. EE, §8 (AMD). PL 2019, c. 661, §4 (AMD). PL 2021, c. 284, Pt. A, §3 (AMD).

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