

§5461. Definitions

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

1. Advocate. "Advocate" means a person:

A. Who is familiar with the procedures involved in providing services to persons with intellectual disabilities or autism; and [PL 2011, c. 542, Pt. A, §104 (AMD).]

B. Who is capable of advocating solely on behalf of a person with an intellectual disability or autism. [PL 2011, c. 542, Pt. A, §104 (AMD).]

[PL 2011, c. 542, Pt. A, §104 (AMD).]

2. Client. "Client" means a person asking the department for adult developmental services or the person for whom those services are asked.

[PL 2011, c. 542, Pt. A, §104 (AMD).]

3. Community. "Community" means the municipality or other area in which the client resides when applying for services.

[PL 1983, c. 459, §7 (NEW).]

4. Comprehensive evaluation. "Comprehensive evaluation" means a comprehensive set of evaluations that:

A. Results in the distinguishing of intellectual disabilities and autism from other conditions; [PL 2011, c. 542, Pt. A, §104 (AMD).]

B. Determines the severity of disability resulting from an intellectual disability or autism and other conditions; and [PL 2011, c. 542, Pt. A, §104 (AMD).]

C. Estimates the degree to which the intellectual disability or autism and other conditions can be ameliorated. [PL 2011, c. 542, Pt. A, §104 (AMD).]

[PL 2011, c. 542, Pt. A, §104 (AMD).]

5. Facility.

[PL 2013, c. 21, §3 (RP).]

6. Habilitation. "Habilitation" means a process by which a person is assisted to acquire and maintain skills that:

A. Enable that person to cope more effectively with the demands of that person's own person and of the environment; [RR 2019, c. 2, Pt. B, §99 (COR).]

B. Raise the level of that person's physical, mental and social efficiency; and [RR 2019, c. 2, Pt. B, §99 (COR).]

C. Upgrade that person's sense of well-being. [RR 2019, c. 2, Pt. B, §99 (COR).]

[RR 2019, c. 2, Pt. B, §99 (COR).]

7. Interdisciplinary team.

[PL 2003, c. 389, §2 (RP).]

7-A. Likelihood of serious harm.

[PL 2013, c. 21, §4 (RP).]

8. Person in need of institutional services.

[PL 2013, c. 21, §5 (RP).]

8-B. Personal planning process. "Personal planning process" means a process of planning with a client for the coordination and delivery of supportive and other services through the development of

a personal plan or service plan. The type of plan, participants and agenda at the planning meeting must be selected by the client or guardian.

[PL 2003, c. 389, §3 (NEW).]

8-C. Planning team. "Planning team" means those persons, including at a minimum the client, the client's guardian and the client's individual support coordinator and others selected by the client or guardian to participate, who develop a personal plan or service plan. The planning team may include family, friends, service providers, correspondents, advocates and others.

[PL 2003, c. 389, §3 (NEW).]

9. Prescriptive program plan.

[PL 2003, c. 389, §4 (RP).]

10. Professional. "Professional" means:

A. A person possessing appropriate licensure, certification or registration to practice that person's discipline in the community; or [RR 2019, c. 2, Pt. B, §100 (COR).]

B. Where licensure, certification or registration is not required, a person possessing a master's degree in the appropriate discipline or a person possessing a bachelor's degree in the appropriate discipline and 3 years' experience in treating persons with intellectual disabilities or autism or 3 years' experience in a related human services field. [PL 2011, c. 542, Pt. A, §107 (AMD).]

[RR 2019, c. 2, Pt. B, §100 (COR).]

10-A. Service plan. "Service plan" means one type of plan resulting from the personal planning process for the delivery and coordination of specific services to a client when:

A. The client or guardian has chosen this type of plan over a personal plan; or [PL 2003, c. 389, §5 (AMD).]

B. [PL 2003, c. 389, §5 (AMD).]

C. [PL 2003, c. 389, §5 (AMD).]

D. The client has either a single service need or routine service needs. [PL 2003, c. 389, §5 (AMD).]

[PL 2003, c. 389, §5 (AMD).]

11. Service agreement. "Service agreement" means a written form in which the persons designated in section 5471 agree to the type of services and programs for and the manner of providing services to the client.

[PL 1983, c. 459, §7 (NEW).]

12. Voluntary admission.

[PL 1983, c. 580, §14 (RP).]

SECTION HISTORY

PL 1983, c. 459, §7 (NEW). PL 1983, c. 580, §§11-14 (AMD). PL 2003, c. 389, §§2-5 (AMD). PL 2011, c. 542, Pt. A, §§104-107 (AMD). PL 2013, c. 21, §§3-5 (AMD). RR 2019, c. 2, Pt. B, §§99, 100 (COR).

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 131st Legislature and is current through October 15, 2024. 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.