**§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).

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 First Regular and First Special Session of the 131st Maine Legislature and is current through November 1. 2023
 . 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.