

**§3089. Acquired brain injury assessments and interventions; protection of rights**

The department is designated as the official state agency responsible for acquired brain injury services and programs. [PL 2005, c. 229, §1 (NEW).]

**1. Assessments and interventions.** In addition to developing the comprehensive neurorehabilitation service system under section 3088, the department may undertake, within the limits of available resources, appropriate identification and medical and rehabilitative interventions for persons who sustain acquired brain injuries, including, but not limited to, establishing services:

A. To assess the needs of persons who sustain acquired brain injuries and to facilitate effective and efficient medical care, neurorehabilitation planning and reintegration; and [PL 2011, c. 293, §4 (NEW).]

B. To improve the knowledge and skills of the medical community, including, but not limited to, emergency room physicians, psychiatrists, neurologists, neurosurgeons, neuropsychologists and other professionals who diagnose, evaluate and treat acquired brain injuries. [PL 2011, c. 293, §4 (NEW).]

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**2. Rights of patients and responsibility of department to protect those rights.** To the extent possible within the limits of available resources and except to the extent that a patient with an acquired brain injury's rights have been suspended as the result of court-ordered guardianship, the department shall:

A. Protect the health and safety of that patient; [PL 2011, c. 293, §4 (NEW).]

B. Ensure that the patient has access to treatment, individualized planning and services and positive behavioral interventions and protections; and [PL 2011, c. 293, §4 (NEW).]

C. Protect the patient's rights to appeal decisions regarding the person's treatment, access to advocacy services and service quality control standards, monitoring and reporting. [PL 2011, c. 293, §4 (NEW).]

[PL 2011, c. 293, §4 (NEW).]

**2-A. Licensing.** As provided in Title 34-B, section 1203-B, the department shall license agencies, as defined in that section, that serve or provide support for an adult with an acquired brain injury.

[PL 2023, c. 89, §1 (NEW).]

**3. Rules.** The department shall establish rules under this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2011, c. 293, §4 (NEW).]

**SECTION HISTORY**

PL 2005, c. 229, §1 (NEW). PL 2011, c. 293, §4 (AMD). PL 2023, c. 89, §1 (AMD).

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