

CHAPTER 145**(HB 201)**

AN ACT relating to the care of individuals with mental retardation or other developmental disorders.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 202B.070 is amended to read as follows:

- (1) Persons carrying out duties or rendering professional opinions as provided in this chapter shall be free of personal liability for such actions provided that such activities are performed in good faith within the scope of their official duties and in a manner consistent with accepted professional practices.
- (2)
 - (a) *The person responsible for the implementation of the individual care plan shall ensure that each individual that has direct care responsibility for a resident admitted to an ICF/MR shall be informed of the specific care needs of the resident, including but not limited to the need for supervision.*
 - (b) *After admittance, the facility administrator shall ensure that each individual that has direct care responsibility for a resident admitted to an ICF/MR shall be informed of the specific care needs of the resident, including but not limited to the need for supervision upon any change in the resident's care plan.*
- (3) *Notwithstanding subsection (1) of this section, an individual who has direct care responsibility for a resident of an ICF/MR and who intentionally fails to provide supervision of the resident as specified in the resident's care plan and thereby creates a risk of imminent harm or death to the resident shall be subject to immediate dismissal from employment.*

➔Section 2. This Act shall be known and may be cited as "Deron's Law."

Signed by Governor April 24, 2008.