Public Law 91-490

AN ACT

October 22, 1970
[H. R. 4182]

To authorize voluntary admission of patients to the District of Columbia institution providing care, education, and treatment of substantially retarded persons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

D.C. Institution for retarded, voluntary admission.

SECTION 1. The first four sections of the Act entitled "An Act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes", approved March 3, 1925, is amended as follows:

43 Stat. 1135. D.C. Code 32-602.

(1) The first section of such Act (D.C. Code, sec. 32–601) is amended—

(A) by striking out "feeble-minded" and inserting "substantially retarded",

(B) by striking out "Board" and inserting "Department", and

Forest Haven.

(C) by striking out "The District Training School" and inserting "Forest Haven".

"Substantially retarded persons."

(2) Section 2 of such Act (D.C. Code, sec. 32–603) is amended to read as follows:

"SEC. 2. For the purposes of this Act, the term 'substantially retarded persons' means persons afflicted with mental defectiveness from birth or from an early age, so pronounced that they are incapable of managing themselves and their affairs, and who require supervision, control, and care for their own welfare, for the welfare of others, or for the welfare of the community, and who are not insane nor of unsound mind to such an extent as to require their commitment to a hospital for the mentally ill."

44 Stat. 208.

(3) Section 3 of such Act (D.C. Code, sec. 32–604) is amended—

(A) by striking out "Board" and inserting "Department",

(B) by striking out "inmates" and inserting "patients", and

(C) by striking out "board" each place it appears and inserting "Department".

(4) Section 4 of such Act (D.C. Code, sec. 32–605) is amended—

(A) by striking out "Board" and inserting "Department",

(B) by striking out "feeble-minded" and inserting "substantially retarded", and

(C) by striking out "board" and inserting "Department".

79 Stat. 766. D.C. Code 21-1101 to 21-1123.

SEC. 2. (a) Chapter 11 of title 21 of the District of Columbia Code (relating to commitment and maintenance of feeble-minded persons) is amended as follows:

(1) Such chapter is amended by striking out "feeble-minded" each place it appears in sections 21–1102 through 21–1108, 21–1110, 21–1111, 21–1113 through 21–1115, 21–1118, and 21–1123 and inserting in each such place in those sections "substantially retarded".

Ante, p. 568.

(2) Such chapter is amended by striking out "the District Training School" each place it appears in sections 21–1102, 21–1108 through 21–1113, 21–1116, and 21–1118 through 21–1122 and inserting in each such place in those sections "Forest Haven".

(3) (A) Such chapter is amended by inserting after section 21–1108 the following new section:

"§ 21–1108A. Voluntary admission to Forest Haven

"(a) The Director of Public Welfare (hereinafter in this section referred to as the 'Director') may admit a person to Forest Haven as a patient under this section only if—

"(1) such person is certified by the Director of Public Health to be substantially retarded and in need of care at Forest Haven;

"(2) such person either by himself, his parents, his spouse, or

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his legal guardian makes written application for admission to Forest Haven; and

"(3) any contract required by subsection (d) has been executed.

Release.

"(b) Any person admitted to Forest Haven pursuant to subsection (a) of this section shall be released therefrom no later than five days after receipt by the Superintendent of Forest Haven of a written request for release, except that if within such five-day period a petition concerning such person, as provided by section 21–1103, is filed in the United States District Court for the District of Columbia, such person shall be detained until a final judgment is entered by the court upon such petition.

79 Stat. 766; *Ante*, p. 1087.

Discharge.

"(c) The Director may discharge any patient of Forest Haven admitted under this section if the Director is satisfied that such discharge will not adversely affect the welfare or interests of the person, the community, or others.

Payment contract.

"(d) (1) If the Director finds that any person with respect to whom an application for admission to Forest Haven has been made, as provided in this section, or any parent, spouse, adult child, or legal guardian of such person, is able to pay all or any part of the cost of maintenance and care of such person, the Director shall not admit such person unless a contract for payment, satisfactory to the Director, is executed by such person, parent, spouse, adult child, or legal guardian.

"(2) The Director is authorized to enter into any agreement he deems necessary with any applicant to become a patient in Forest Haven, or with his parent, spouse, adult child, or legal guardian, for payment to the District of Columbia of all or part of the cost of such maintenance and care. Upon default of payment provided by any contract entered into under this section, the Director is authorized to discharge the patient of Forest Haven with respect to whose cost of maintenance and care the contract was entered into, and, in addition, he may utilize the procedures provided for in sections 21–1110 and 21–1111 to secure payment.

"(e) The District of Columbia Council is authorized to issue regulations to carry out the purposes of this section.

"(f) The authority contained in this section shall extend to January 1, 1975, unless repealed prior to that date."

(B) The table of sections for such chapter is amended by inserting after the item relating to section 21–1108 the following:

"21–1108A. Voluntary admission to Forest Haven."

(4) Section 21–1101 is amended to read as follows:

"§ 21–1101. Definitions

"For purposes of this chapter—

42 Stat. 1360. *Ante*, p. 1087.

"'Forest Haven' means the institution established pursuant to section 32–601, and designated 'Forest Haven' by section 32–602, or any successor to that institution; and

"'substantially retarded person' means any person afflicted with mental defectiveness from birth or from an early age, so pronounced that he is incapable of managing himself and his affairs, and who requires supervision, control, and care for his own welfare, for the welfare of others, or for the welfare of the community, and who is not insane nor of unsound mind to such an extent as to require his commitment to a hospital for the mentally ill."

79 Stat. 769.

(5) The first sentence of section 21–1110 is amended by inserting immediately after "as a public patient" the following: "or when a person is admitted to Forest Haven as a patient under section 21–1108A".

(6) The first sentence of section 21–1111 is amended by striking out "and finds" and inserting "or when a person is admitted to Forest Haven as a patient under section 21–1108A, and the court finds". 79 Stat. 769. *Ante*, p. 1087.

(7) Section 21–1117 is amended by striking out "in feeble-mindedness" and inserting "initiated by a petition filed under section 21–1103".

(8) Section 21–1121 is amended by striking out "and inmate" and inserting "a patient".

(9) The section heading for section 21–1102 and the item relating to such section in the table of sections for such chapter is amended by striking out "District Training School" and inserting "Forest Haven".

(10) The section heading for section 21–1103 and the item relating to such section in the table of sections for such chapter is amended by striking out "feeble-mindedness" and inserting "substantial retardation".

(11) The section heading for section 21–1108 and the item relating to such section in the table of sections for such chapter is amended by striking out "District Training School" and inserting "Forest Haven".

(12) The section heading for section 21–1114 and the item relating to such section in the table of sections for such chapter is amended by striking out "feeble-minded" and inserting "substantially retarded."

(13) The section heading for section 21–1117 and the item relating to such section in the table of sections for such chapter is amended by striking out "of feeble-minded cases" and inserting "of cases brought under section 21–1103".

(14) The section heading for section 21–1118 and the item relating to such section in the table of sections for such chapter is amended by striking out "feeble-minded" and inserting "substantially retarded".

(15) The section heading for section 21–1121 and the item relating to such section in the table of sections for such chapter is amended by striking out "inmates" and inserting "patients".

(16) The section heading for section 21–1122 and the item relating to such section in the table of sections for such chapter is amended by striking out "inmates' " and inserting "patients' ".

(17) The chapter heading for such chapter is amended by striking out "FEEBLE-MINDED" and inserting "SUBSTANTIALLY RETARDED".

(b) The table of chapters for title 21 of the District of Columbia Code is amended by striking out in the item relating to chapter 11 "Feeble-Minded" and inserting "Substantially Retarded".

Approved October 22, 1970.

Public Law 91-491

AN ACT

To adjust the date of rank of commissioned officers of the Marine Corps.

October 22, 1970
[H.R. 10317]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5769 of title 10, United States Code, is amended as follows:

Marine Corps officers.
Date of rank.
70A Stat. 356.

"(1) By striking out 'Except as provided in subsection (d), each' in the first sentence of subsection (c) and inserting 'Each' in place thereof.

"(2) By striking out subsection (d).

SEC. 2. The amendments made by this Act are effective on January 1, 1959.

Effective date.

Approved October 22, 1970.