

TO THE GUARDIAN OF THE ESTATE FOR FUNDS EXPENDED, AND THE RIGHT TO ASK THE GUARDIAN OF THE ESTATE TO EXPEND THE ESTATE IN PAYMENT OF THIRD PERSONS FOR CARE AND MAINTENANCE OF THE DISABLED PERSON;

(7) THE DUTY TO FILE AN ANNUAL REPORT WITH THE COURT INDICATING THE PRESENT PLACE OF RESIDENCE AND HEALTH STATUS OF THE WARD, THE GUARDIAN'S PLAN FOR PRESERVING AND MAINTAINING THE FUTURE WELL-BEING OF THE WARD, AND THE NEED FOR CONTINUANCE OR CESSATION OF THE GUARDIANSHIP OR FOR ANY ALTERATION IN THE POWERS OF THE GUARDIAN. THE COURT SHALL RENEW THE APPOINTMENT OF THE GUARDIAN IF IT IS SATISFIED THAT THE GROUNDS FOR THE ORIGINAL APPOINTMENT STATED IN § 13-705 (E) ABOVE CONTINUE TO EXIST. IF THE COURT BELIEVES SUCH GROUNDS MAY NOT EXIST, IT SHALL HOLD A HEARING, SIMILAR TO THAT PROVIDED FOR IN § 13-705 ABOVE, AT WHICH THE GUARDIAN SHALL BE REQUIRED TO PROVE THAT SUCH GROUNDS EXIST. IF THE COURT DOES NOT MAKE THESE FINDINGS, IT SHALL ORDER THE DISCONTINUANCE OF THE GUARDIANSHIP OF THE PERSON. IF THE GUARDIAN DECLINES TO PARTICIPATE IN THE HEARING, THE COURT MAY APPOINT ANOTHER GUARDIAN TO REPLACE HIM PURSUANT TO THE PRIORITIES IN § 13-707 (A);

(8) THE POWER TO GIVE NECESSARY CONSENT OR APPROVAL FOR MEDICAL OR OTHER PROFESSIONAL CARE, COUNSEL, TREATMENT, OR SERVICE, EXCEPT THAT THE COURT MUST AUTHORIZE ANY MEDICAL PROCEDURE THAT INVOLVES A SUBSTANTIAL RISK TO LIFE.

13-709.

(A) WHEN, FROM PERSONAL OBSERVATION OF A LAW-ENFORCEMENT OFFICER, IT APPEARS PROBABLE THAT AN ADULT WILL SUFFER IMMEDIATE AND SERIOUS PHYSICAL INJURY OR DEATH IF NOT IMMEDIATELY PLACED IN A HEALTH CARE FACILITY, THAT THE ADULT IS INCAPABLE OF GIVING CONSENT, AND THAT IT IS NOT POSSIBLE TO FOLLOW THE PROCEDURES OF THIS SECTION, THE OFFICER MAY TRANSPORT THE PERSON TO AN APPROPRIATE MEDICAL FACILITY WHICH SHALL IMMEDIATELY NOTIFY THE NEXT OF KIN AND THE DIRECTOR. THIS MEDICAL CARE MAY NOT BE RENDERED IN A STATE MENTAL HOSPITAL OTHER THAN, IN AN APPROPRIATE CASE, THE WALTER P. CARTER COMMUNITY MENTAL HEALTH AND RETARDATION CENTER AND THE HIGHLAND HEALTH FACILITY UNLESS AUTHORIZED BY THE COURTS IN A CIVIL COMMITMENT PROCEEDING. THE DIRECTOR SHALL FILE A PETITION PURSUANT TO SUBSECTION (B) BELOW WITHIN 24 HOURS AFTER THE TRANSFER OF THE PERSON HAS TAKEN PLACE. THE COURT SHALL HOLD A HEARING ON THE PETITION AND RENDER ITS DECISION WITHIN 48 HOURS AFTER THE TRANSFER HAS OCCURRED.

(B) UPON PETITION BY AN INTERESTED PERSON, A COURT MAY ISSUE AN ORDER AUTHORIZING THE PROVISION OF PROTECTIVE SERVICES ON AN EMERGENCY BASIS TO AN ADULT AFTER FINDING ON THE RECORD, BASED ON CLEAR AND CONVINCING EVIDENCE, THAT: