

10-807.

(a) The Director may transfer an individual from a public facility to another public facility or, if a private facility agrees, to that private facility, if the Director finds that:

(1) The individual either can receive better care or treatment in or would be more likely to benefit from care or treatment at the other facility; or

(2) The safety or welfare of other individuals would be furthered.

(b) The Director may transfer any individual who is a resident of another state to a facility in that state if the Director finds that the transfer is feasible.

(c) (1) Any finding that the Director makes under subsection (a) or (b) of this section shall be in writing and filed with the records of the individual involved.

(2) A copy of the finding and the notice to the facility to which the individual is being transferred shall be sent to the guardian or next of kin of the individual.

(D) (1) IN EFFECTING A TRANSFER OF AN INDIVIDUAL FROM A UNIT IN A PUBLIC FACILITY TO ANOTHER UNIT IN THE FACILITY OR TO ANOTHER PUBLIC FACILITY, THE TRANSFERRING FACILITY SHALL PROVIDE FOR THE TRANSFER OF ALL THE RECORDS NECESSARY FOR CONTINUING THE CARE OF THE INDIVIDUAL ON OR BEFORE THE DATE OF TRANSFER TO THE FACILITY TO WHICH THE INDIVIDUAL IS BEING TRANSFERRED.

(2) THIS SUBSECTION IS NOT INTENDED TO PREEMPT THE REQUIREMENTS OF § 10-625 OF THIS ARTICLE.

[(d)] (E) An individual may not be transported to or from any facility unless accompanied by:

(1) An AMBULANCE ATTENDANT OR OTHER individual who is authorized by the facility and is of the same sex. However, the Chief Executive Officer of the facility or that officer's designee may designate a AN AMBULANCE ATTENDANT OR OTHER person of either sex to provide transportation to an individual, if deemed appropriate; or

(2) The parent, spouse, adult sibling, or adult offspring of the individual.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

Approved May 29, 1990.