

(b) *Mentally retarded persons who are residents of other states may be transferred to facilities in the states of their residence by the Director when such transfers are feasible.*

(c) *Any determination made by the Director or his designee pursuant to subsections (a) or (b) of this section shall be reduced to writing and filed with the mentally retarded person's records. Such determination, together with notification of the facility to which the mentally retarded person is being transferred, shall also be communicated to the person's proponent of admission, guardian or next of kin.*

(d) *Any mentally retarded person determined to be entitled to hospitalization benefits in a Veterans' Administration Hospital in the State may be transferred to such hospital by the Director. If such transfer is affected, the chief officer of such hospital shall be vested with all the powers and rights of the Administration with respect to such person.*

(e) *No female mentally retarded person may be transported to or from any State residential facility unless she is accompanied by a female authorized by the facility, or unless accompanied by her father, husband, adult brother or adult son.*

16. *Administrative release*

(a) *At the direction of the Director or his designee any person admitted pursuant to this article, may be released from any public facility within the jurisdiction of the Administration, if, the person is not mentally retarded; or if mentally retarded, is not, for the protection of himself or others in need of in-residence care or treatment. At the direction of the chief officer of a Veterans' Administration hospital, any person meeting the requirements of this subsection may be released from such facility.*

(b) *At the direction of the Director or his designee (or in the case of a person in a Veterans' Administration hospital, at the direction of the chief officer of that hospital), any person admitted pursuant to this article, may be released on a conditional basis, if in the judgment of such official:*

(1) *The person, if released, would be properly cared for by himself or other responsible persons; and*

(2) *The person, if released, would not constitute a danger to himself or to the safety of the person or property of others.*

Conditional releases may be on any basis as to duration, treatment or care deemed reasonable by the official approving the release. Conditional release also includes placement as defined in this article. A mentally retarded person released on a conditional basis shall be deemed to be retained by the facility from which he was released.

(c) *All determinations as to release, whether full or conditional, including a summary of the reasons for such determination, shall be made a permanent part of the records of that person.*

17. *Mentally Retarded Persons' Records*

Each facility which has any persons admitted under the provisions of this subtitle, shall make and retain in a separate and secure area