

SECTION FOR CARE OR TREATMENT OF A MENTAL DISORDER MAY BE MADE ONLY AFTER THE PERSON HAS BEEN EVALUATED BY A GERIATRIC EVALUATION UNIT.

(II) THE GERIATRIC EVALUATION UNIT SHALL DETERMINE WHETHER A LESS RESTRICTIVE OR MORE APPROPRIATE FORM OF CARE AND TREATMENT, OTHER THAN ADMISSION TO THE FACILITY, IS ADEQUATE FOR THE PERSON'S NEEDS.

(III) ~~A DETERMINATION THAT A LESS RESTRICTIVE FORM OF CARE AND TREATMENT IS ADEQUATE AND APPROPRIATE SHALL NOT PREVENT A VETERANS' ADMINISTRATION HOSPITAL OR A PRIVATE FACILITY FROM ADMITTING THE PERSON AS A PATIENT.~~ HOWEVER, IF THE GERIATRIC EVALUATION UNIT DETERMINES THAT A LESS RESTRICTIVE FORM OF CARE AND TREATMENT IS ADEQUATE AND APPROPRIATE, AND IF THAT FORM OF CARE AND TREATMENT CAN FEASIBLY BE PROVIDED TO THE PERSON, THE ADMISSION OF THE PERSON TO ~~A PUBLIC~~ THE FACILITY SHALL BE DENIED. IF THE ADMISSION OF A PERSON TO ~~A PUBLIC~~ THE FACILITY IS DENIED ON THE BASIS OF A GERIATRIC EVALUATION UNIT'S EVALUATION, THE PERSON MAKING APPLICATION FOR ADMISSION SHALL BE INFORMED OF THE UNIT'S DECISION AND ADVISED OF AND ASSISTED IN OBTAINING THE LESS RESTRICTIVE FORM OF CARE AND TREATMENT DETERMINED TO BE ADEQUATE AND APPROPRIATE BY THE UNIT.

(IV) PATIENTS TRANSFERRED PURSUANT TO THE INTERSTATE COMPACT ON MENTAL HEALTH INTO A MARYLAND STATE FACILITY FROM AN OUT OF STATE FACILITY, MAINTAINED BY A PARTY STATE OR POLITICAL SUBDIVISION THEREOF, ARE NOT SUBJECT TO REVIEW BY A GERIATRIC EVALUATION UNIT.

12.

(a) (1) Any Veterans' Administration hospital or facility licensed by or under the jurisdiction of the Department may admit for the purpose of care or treatment, or both, any person who:

[(1)] (I) Has a mental disorder; and

[(2)] (II) For the protection of himself or others, needs inpatient medical care or treatment; and

[(3)] (III) Is unable or unwilling to be voluntarily admitted to such facility.

For the purposes of this section, no person shall be admitted to any Veterans' Administration hospital or facility licensed by or under the jurisdiction of the Department if there is a less restrictive form of intervention available which is consistent with the person's welfare and safety.

(2) (I) IN ADDITION TO THE OTHER PROVISION OF THIS SUBSECTION, IF THE PERSON TO BE ADMITTED IS 65 YEARS OF AGE OR OLDER, THE ADMISSION TO ANY ~~VETERAN'S ADMINISTRATION~~ PUBLIC HOSPITAL OR FACILITY FOR CARE OR TREATMENT OF A