

(c) The director shall consult with the governing body of the county or counties comprising a region, consumer groups, local and State boards of education, and other public or private agencies in preparing an evaluation of need.

[40.] 19C.

The Secretary of Health and Mental Hygiene shall, in compliance with the Administrative Procedure Act, adopt appropriate rules and regulations for the establishment and operation, CERTIFICATION AND LICENSURE of PUBLIC group homes. THESE RULES AND REGULATIONS SHALL INCLUDE AND CONFORM WITH THE FACTORS TO BE CONSIDERED UNDER § 19B.

[41.] 19D.

(a) If the director determines and certifies that there is a present need for one or more PUBLIC group homes in a county or multicounty region, the county or counties in the region, in consultation with local consumer groups, shall pursue promptly appropriate procedures to select a suitable site or sites for PUBLIC group homes. The director shall cooperate with and assist the county or counties in the selection of a site or sites which will be consistent with rules and regulations adopted pursuant to § [40] 19B of this subtitle. Before selecting a site, the county governing body shall hold at least one public hearing in the county in which one or more sites are proposed.

(b) The State may acquire by lease, purchase, or otherwise, including condemnation, facilities and sites for PUBLIC group homes located in the county. They may also construct and renovate facilities or sites acquired by the State. However, the State may not exercise the authority granted in this section unless the director, with the approval of the Secretary, has determined that:

(1) There is a need in the county for the PUBLIC group home;

(2) The proposed site and PUBLIC group home are appropriate FOR THE PURPOSE;

(3) The PUBLIC group home is, or upon completion will be, in compliance with rules and regulations adopted pursuant to § [40] 19C of this subtitle;

(4) The PUBLIC group home and site are approved by the Board of Public Works[.]; AND

(5) The local government having jurisdiction over the site, and the community surrounding the site, have been notified by the director of the intention of the State to exercise the authority granted in this section.

(c) If, within [nine] SIX months after the director