

(A) IT IS THE INTENTION OF THE GENERAL ASSEMBLY THAT MENTALLY ILL PERSONS WHO ARE PLACED IN PRIVATE GROUP HOMES OR LARGE PRIVATE GROUP HOMES FOR THE MENTALLY ILL SHALL HAVE AN OPPORTUNITY TO BE ADMITTED, INSOFAR AS POSSIBLE, TO RESIDENCES IN THEIR COMMUNITY OF ORIGIN.

(B) ADMISSION TO A HOME FOR THE MENTALLY ILL SHALL BE LIMITED TO MENTALLY ILL PERSONS WHO:

(1) HAVE THE ABILITY TO UNDERSTAND THE RULES OF THE HOME; AND

(2) EXPRESS WILLINGNESS, IN WRITING, TO COMPLY WITH THE RULES OF THE HOME; AND

(3) HAVE NOT RECEIVED A PRIMARY DIAGNOSIS OF ALCOHOLISM, DRUG ADDICTION, OR SEVERE BRAIN DAMAGE; AND

(4) DO NOT EXHIBIT CURRENT VIOLENT OR ANTISOCIAL BEHAVIOR.

-59- 60.

THE SECRETARY SHALL ADOPT RULES AND REGULATIONS FOR THE ESTABLISHMENT, OPERATION, AND LICENSURE OF PRIVATE GROUP HOMES AND LARGE PRIVATE GROUP HOMES. THESE REGULATIONS SHALL BE PROMULGATED IN ACCORDANCE WITH THE TERMS OF THE ADMINISTRATIVE PROCEDURE ACT.

61.

IN ORDER TO ASSURE THAT A PRIVATE GROUP HOME OR LARGE PRIVATE GROUP HOME FOR THE MENTALLY ILL WILL BE ACCEPTED IN THE COMMUNITY AND TO THE MAXIMUM EXTENT PRACTICABLE, THE HOME SHOULD BE LOCATED, AFTER CONSULTATION WITH LOCAL GOVERNMENT, IN A MANNER CONSISTENT WITH THE PRINCIPLES OF NORMALIZATION AND STATEWIDE STANDARDS.

-60- 62.

THE REGULATIONS ADOPTED BY THE SECRETARY SHALL PROVIDE, AS A MINIMUM, THAT A PRIVATE GROUP HOME OR A LARGE PRIVATE GROUP HOME MAY NOT BE LICENSED UNLESS:

(1) ~~THE TREATMENT PLAN CARE~~ CAN REASONABLY BE EXPECTED TO BENEFIT RESIDENTS WHO ARE OR HAVE BEEN UNDER TREATMENT FOR MENTAL ILLNESS;

(2) THE STAFFING PLAN OF THE ~~FACILITY HOME~~ IS ADEQUATE TO PROVIDE PROPER SUPERVISION ~~AND TREATMENT OF THE RESIDENT;~~

(3) TREATMENT FOR THE RESIDENTS MUST BE PROVIDED BY EITHER ADEQUATE STAFF OF THE HOME OR BY AGREEMENT WITH OUTSIDE PROVIDERS OF MENTAL HEALTH SERVICES;