

(3) IS A SUBSTANTIAL HANDICAP TO THE ABILITY OF THE INDIVIDUAL TO FUNCTION NORMALLY IN SOCIETY.

REVISOR'S NOTE: This subsection formerly appeared as Article 43, § 936(b).

The only changes are in style.

REVISOR'S NOTE TO SECTION: Former Article 43, § 936(d), which defined "Secretary", is deleted as unnecessary in light of the definition of that term in § 1-101 of this article.

19-605. RULES AND REGULATIONS.

(A) IN GENERAL.

THE SECRETARY SHALL ADOPT APPROPRIATE RULES AND REGULATIONS FOR ESTABLISHING AND OPERATING GROUP HOMES.

(B) PHYSICALLY HANDICAPPED INDIVIDUALS.

A RULE, REGULATION, PROCEDURE, OR POLICY THAT IS ADOPTED UNDER THIS SECTION OR OTHERWISE MAY NOT PROHIBIT, OR RESULT IN THE PROHIBITION OF, THE ADMISSION OF A NONRETARDED DEVELOPMENTALLY DISABLED INDIVIDUAL TO A GROUP HOME SOLELY BECAUSE THE INDIVIDUAL IS PHYSICALLY HANDICAPPED AND NEEDS A WHEELCHAIR FOR MOBILITY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 938.

In subsection (a) of this section, the former reference "in compliance with the Administrative Procedure Act" is deleted as unnecessary, since that Act would apply in any event.

Defined terms: "Group home" § 19-604
"Nonretarded developmentally disabled individual" § 19-604
"Secretary" § 1-101

19-606. EVALUATION AND DETERMINATION OF NEED.

(A) STUDY REQUIRED.

NOTWITHSTANDING § 19-601 OF THIS SUBTITLE, THE SECRETARY SHALL:

(1) DETERMINE THE NEED, IF ANY, FOR ONE OR MORE GROUP HOMES IN EACH COUNTY OR MULTICOUNTY REGION OF THIS STATE; AND