

transfer by a reorganization plan. The General Assembly may wish to consider amending this subsection and references in this article to this Assistant Secretary to reflect the reorganization.

Defined terms: "Department" § 1-101  
 "Secretary" § 1-101

(D) ADDITIONAL STAFF.

(1) THE SECRETARY MAY EMPLOY A STAFF IN ACCORDANCE WITH THE STATE BUDGET.

(2) EACH ASSISTANT SECRETARY AND PROFESSIONAL CONSULTANT IS APPOINTED BY AND SERVES AT THE PLEASURE OF THE SECRETARY.

(3) UNLESS OTHERWISE PROVIDED BY LAW, THE SECRETARY SHALL APPOINT AND REMOVE ALL OTHER STAFF IN ACCORDANCE WITH THE PROVISIONS OF THE STATE MERIT SYSTEM LAW.

(4) THE APPOINTMENT OR REMOVAL OF STAFF OF ANY UNIT IN THE DEPARTMENT IS SUBJECT TO THE APPROVAL OF THE SECRETARY. AS TO ANY UNIT IN THE DEPARTMENT, THE SECRETARY MAY DELEGATE THIS AUTHORITY TO THE HEAD OF THAT UNIT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Article 41, § 206(h) and the fourth sentence -- as that sentence related to additional personnel -- and the entire fifth and sixth sentences of (b).

In this subsection and throughout this article, the term "unit" is substituted for references such as "department", "agency", "office", and "commission", except when a former reference indicated a specific entity. The term "unit" is used as the general term for an organization in the Department, because it is broad enough to include all such entities. As to the units in the Department, see § 2-106 of this subtitle.

Defined terms: "Department" § 1-101  
 "Secretary" § 1-101

(E) DETERMINATION OF STAFF-TO-RESIDENT RATIO.

IN DETERMINING THE STAFF-TO-RESIDENT RATIO IN ANY RESIDENTIAL FACILITY THAT THE DEPARTMENT OPERATES, THE NUMBER OF RESIDENTS SHALL BE THE TOTAL OF THE RESIDENTS WHO ARE PHYSICALLY PRESENT AND WHO ARE ON LEAVE OF 18 DAYS OR LESS.