

(2) 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.

7-2A-06.

(A) NOTWITHSTANDING § 7-2A-01 OF THIS SUBTITLE, THE SECRETARY SHALL:

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

(2) PREPARE A NEEDS STUDY.

(B) (1) IN MAKING THE DETERMINATION, THE SECRETARY SHALL CONSIDER:

(I) THE NUMBER OF INDIVIDUALS WHO INAPPROPRIATELY LIVE IN LARGE STATE FACILITIES BUT COULD BE SERVED BEST IN THE COMMUNITY;

(II) HISTORIC INFORMATION; AND

(III) REASONABLE PROJECTIONS.

(2) IN MAKING THE DETERMINATION, THE SECRETARY SHALL CONSULT WITH THE FOLLOWING:

(I) THE GOVERNING BODY OF EACH COUNTY.

(II) THE STATE BOARD OF EDUCATION.

(III) THE STATE OFFICE FOR COORDINATION OF SERVICES TO THE HANDICAPPED.

(IV) THE STATE DEVELOPMENTAL DISABILITIES COUNCIL.

(V) COUNTY BOARDS OF EDUCATION.

(VI) STATE AND LOCAL REPRESENTATIVES OF THE DIVISION OF VOCATIONAL REHABILITATION.

(VII) CONSUMER GROUPS.

(VIII) OTHER PUBLIC AND PRIVATE AGENCIES.

(C) THE COMPLETED NEEDS STUDY SHALL BE A PUBLIC DOCUMENT, AND A COPY SHALL BE SENT TO EACH COUNTY.